

# Ordinance No. 670-18

**Council Members Cleveland and Kelley  
(by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Director of Port Control to enter into an amendment to the Multi-Phased Option to Lease Agreement No. CT 9501 NF 2015-35 with Cumberland TCC, LLC, and any resulting Lease Agreements, in order to extend certain construction commencement and completion dates for projects located at the North Coast Harbor and the Harbor West Docks.

WHEREAS, under Ordinance No. 561-14, passed June 2, 2014, as amended by Ordinance No. 1507-14, passed December 1, 2014, this Council authorized the Director of Port Control to enter into a Multi-Phased Option to Lease Agreement No. CT 9501 NF 2015-35 with Cumberland TCC, LLC (“Cumberland”), and resulting lease agreements for the development of property commonly known as the Harbor West Docks and three sites at North Coast Harbor; and

WHEREAS, changes to the timelines of certain construction commencement and completion dates are necessary; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Port Control is authorized to enter into an amendment to Contract No. CT 9501 NF 2015-35 with Cumberland to extend the following commencement and construction timelines:

a. Phase I – Sites A, B, and C located at North Coast Harbor

1. Extend the commencement of construction date for all sites until June 14, 2019; and
2. Extend the completion of construction date for all sites until June 14, 2021 with an option at the Director of Port Control’s discretion to extend the deadlines for completing the construction of a project as long as work is actively ongoing at the site.

b. Phases II, III, and IV located at Harbor West Docks (sites D, E, and F behind First Energy Stadium)

1. Reconcile the Option to Lease Date for all sites to June 14, 2019, with one-year option to extend by the Director of Port Control; and
2. Modify the commencement of construction dates for all sites to June 14, 2020 and completion of construction to June 14, 2022.

All other terms and conditions contained in the contract shall remain the same.

Section 2. That the amendment shall be prepared by the Director of Law.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

# Ord. No. 670-18

REPORT  
after second Reading

Council Members Cleveland and Kelley (by departmental request)

## **AN EMERGENCY ORDINANCE**

Authorizing the Director of Port Control to enter into an amendment to the Multi-Phased Option to Lease Agreement No. CT 9501 NF 2015-35 with Cumberland TCC, LLC, and any resulting Lease Agreements, in order to extend certain construction commencement and completion dates for projects located at the North Coast Harbor and the Harbor West Docks.

**READ FIRST TIME on MAY 14, 2018**  
and referred to DIRECTORS of Port Control,  
City Planning Commission, Finance, Law;  
COMMITTEES on Transportation, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **105** Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
TRANSPORTATION

FILED WITH COMMITTEE

---

---

---

---

---

---

---

---

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE

---

---

---

---

---

---

---

---