

# Resolution No. 541-2022

By Council Member Kazy

**AN EMERGENCY RESOLUTION**  
Calling upon First Energy Corporation to relinquish its naming rights to the City's publicly-owned football stadium.

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WHEREAS, since 1990, a voter-approved Sin Tax on alcohol and cigarette sales in Cuyahoga County has raised funds to support the construction and maintenance of a new sports facility and stadium, which opened in 1999; and

WHEREAS, voters extended the Sin Tax twice, in 1995 and 2014; the Sin Tax will continue to be assessed through the year 2035; and

WHEREAS, revenue generated from the sale of stadium naming rights was originally intended to assist in paying down the public debt on the sports facilities and stadium; and

WHEREAS, in 2013, the naming rights to the stadium were sold to First Energy Corporation (First Energy) for a reported \$107 million dollars; and

WHEREAS, First Energy is a public utility regulated under Ohio law and has a near monopoly on the sale of electricity to consumers in Northeast Ohio; and

WHEREAS, since First Energy acquired the rights to change the name of the stadium to "First Energy Stadium", it has been granted state subsidies and guaranteed profits and has repeatedly sought funding for its operations from Ohio ratepayers and;

WHEREAS, First Energy sought passage of Ohio HB 6 so that it could secure a \$1.3 billion dollar bailout by ratepayers of two failed nuclear power plants; and

WHEREAS, in 2020, a federal investigation into actions taken by First Energy and other individuals related to the passage of H.B. 6 led to felony charges against at least four individuals for their part in the bribery scheme to influence state legislators to pass the legislation; and

WHEREAS, the investigation uncovered that First Energy spent approximately \$60 million dollars to conspire with and bribe public officials in an effort to secure the state subsidies provided by HB 6; and

WHEREAS, moreover, this Council believes that First Energy applied political pressure using phony citizen groups and paid out significant dollars to restrict or destroy Cleveland Public Power and to influence or control this Council; and

WHEREAS, that First Energy continues to market itself using the public's taxpayer-funded stadium signifies its failure to fully acknowledge its criminal behavior and unintentionally implies community support for a criminal enterprise; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

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

Section 1. That this Council calls upon First Energy Corporation to relinquish its naming rights to the City's publicly owned football stadium.

Section 2. That the Clerk is directed to submit copies of this legislation to members of the governing board of First Energy Corporation.

Section 3. That this resolution is hereby 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

