

Ordinance No.769-2026

**By Council Members Davis, Bishop,
Santana, Kazy and Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects or other appropriate Director to co-sponsor a Green Infrastructure Grant from the Northeast Ohio Regional Sewer District for improvements to the Capital Theatre/Gordon Square parking lot located at Alger Court north of Detroit Avenue between West 65th and 67th Streets; to enter into one or more agreements with Gordon Square Arts District-Cleveland Improvement Corporation, the Northeast Ohio Regional Sewer District and/or Northwest Neighborhoods CDC or their assigns, relating to the design, construction and maintenance of the improvements; and to cause payment to Gordon Square Arts District-Cleveland Improvement Corporation.

WHEREAS, the City of Cleveland (“City”) owns the Capital Theatre/Gordon Square parking lot, PPN 002-09-073 (the “parking lot”), located at Alger Court north of Detroit Avenue between West 65th and 67th Streets within the Gordon Square Arts District (“GSAD”); and

WHEREAS, under Ordinance No. 2280-85, passed March 17, 1986, as amended by Ordinance No. 2498-87, passed February 1, 1988, and Ordinance No. 195-07, passed February 26, 2007, the City entered into a long-term Lease and Maintenance Contract and extended it under a Lease Extension Agreement (collectively the “Lease”) with Detroit Shoreway Community Development Organization, now known as Northwest Neighborhoods CDC (“Northwest Neighborhoods”), to operate and maintain the parking lot. Over the course of the Lease, Northwest Neighborhoods has assigned or novated its obligations under the Lease and, currently, Gordon Square Homes LP (“GSH”), a partner with Northwest Neighborhoods, has assumed the obligations and liabilities to the Lease; and

WHEREAS, the Gordon Square Arts District-Cleveland Improvement Corporation (“Gordon Square”), a non-profit corporation that manages and maintains the GSAD, applied for and was awarded a Green Infrastructure Grant (the “Grant”) from the Northeast Ohio Regional Sewer District (“NEORS”) to design and construction improvements to the parking lot, including, but not limited to, installing bioretention cells, plants and pervious pavement (collectively the “Improvement”); and

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WHEREAS, to satisfy the requirement of the Grant offered by NEORSD, the City needs to co-sponsor the Grant, which will allow Gordon Square to receive the necessary grant funds needed to complete the Improvement; and

WHEREAS, the Improvement will benefit the City and its residents; and

WHEREAS, the City wishes to enter into one or more agreements with Gordon Square and/or Northwest Neighborhoods or their successors or assigns to implement the Improvement, including providing additional funding in the amount of \$522,000 to be used by Gordon Square to design, construct, and maintain the Improvement; 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 notwithstanding and as any exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects or other appropriate Director is authorized to co-sponsor the Grant and enter into one or more agreements with Gordon Square, NEORSD, and/or Northwest Neighborhoods to implement the Improvement under the Grant agreement (the “Agreement”) the terms of which include having Gordon Square responsible for the design and construction of the Improvement and the City responsible for maintaining the property; that Gordon Square as the main Grant recipient, will retain primary responsibility for grant compliance and reporting, and will ensure that the City complies with all grant terms and conditions during project implementation; and the Agreement shall contain other provisions needed to implement the Improvement. Under the agreement, the City, as co-sponsor, will accept the Improvement from Gordon Square.

Section 4. That the Director of Capital Projects or other appropriate Director is authorized to apply for and accept any gifts or grants from any public or private entity for the purposes of this ordinance; that the Director is authorized to file all papers and

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execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described herein.

Section 5. That the Agreement or agreements shall be prepared by the Director of Law and shall contain any terms and conditions to protect and benefit the City's interest.

Section 6. That this Council causes payment to Gordon Square, under the Agreement to which the City is a co-sponsor, in an amount up to \$522,000 from Fund Nos. 01-001-9997, 01-001-9998, 20 SF 566, 20 SF 585, 20 SF 587, 20 SF 588, 20 SF 591, 20 SF 596, 20 SF 701, 20 SF 705, 20 SF 711, 20 SF 715, 20 SF 721, 20 SF 728, 2026 future debt, and future public facility bonds, if issued for this purpose. (RQS 0103, RLA 2026-72)

Section 7. 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.

PMA:nl
7-15-26

FOR: Director DeRosa

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READ FIRST TIME on JULY 15, 2026 **REPORTS**
and referred to **DIRECTORS of Capital Projects, City Planning Commission, Finance and Law; COMMITTEES on Municipal Services and Properties, Development, Planning and Sustainability, Utilities, Finance, Diversity, Equity and Inclusion**

CITY CLERK
READ SECOND TIME
CITY CLERK
READ THIRD TIME
PRESIDENT
CITY CLERK
APPROVED
MAYOR

REPORT
after second Reading

PASSAGE RECOMMENDED BY COMMITTEE ON MUNICIPAL SERVICES AND PROPERTIES FILED WITH COMMITTEE	PASSAGE RECOMMENDED BY COMMITTEE ON DEVELOPMENT, PLANNING AND SUSTAINABILITY FILED WITH COMMITTEE
PASSAGE RECOMMENDED BY COMMITTEE ON UTILITIES FILED WITH COMMITTEE	PASSAGE RECOMMENDED BY COMMITTEE ON FINANCE, DIVERSITY, EQUITY and INCLUSION FILED WITH COMMITTEE