

Ordinance No. 126-2025 AS AMENDED

By Council Member Kazy

AN EMERGENCY ORDINANCE
Authorizing the Directors of Finance and Economic Development to enter into an amendment to Contract No. ST 2024-0009 with DigitalC to change certain terms.

WHEREAS, under the authority of Ordinance No. 585-2023, passed September 25, 2023, the Directors of Finance and Economic Development entered into Contract No. ST 2024-0009 with DigitalC for the City-Wide Broadband Network Project to ensure that every household in the City has access to a low-cost, high-quality internet service plan (the “Agreement”); and

WHEREAS, DigitalC has reported that, in 2024, it has reached 2,802 New Internet Households Subscriptions as defined in the Agreement; and

WHEREAS, DigitalC’s performance metric was to reach 3,500 New Internet Household Subscriptions in 2024 for a performance payment of \$1,750,000; 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 Directors of Finance and Economic Development are authorized to enter into an amendment to the Contract No. ST 2024-0009 with DigitalC to provide that, notwithstanding any other provisions of the Agreement, (i) DigitalC shall be paid \$_____ 760,000, reflecting payment in full for New Internet Household subscriptions for 1/1/2024-12/31/2024, and (ii) no other payment for New Internet Household subscriptions for 1/1/2024-12/31/2024 shall be made; and (iii) All further payments to Digital C shall be conditioned upon receiving prior legislative approval. All other terms and conditions of Agreement 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.

SKM
FOR Council Member Kazy
1/27/2025

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READ FIRST TIME on JANUARY 27, 2025 REPORTS
and referred to DIRECTORS of Economic Development, Finance, Law;
COMMITTEES on Utilities, Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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REPORT
after second Reading

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PASSAGE RECOMMENDED BY
COMMITTEE ON
UTILITIES

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COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION