

Ordinance No. 519-2023 AS AMENDED

By Council Members McCormack, Hairston
and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Directors of Economic Development and/or Port Control, as appropriate, to enter into a cooperative agreement with County of Cuyahoga and North Coast Development Corporation, upon its incorporation, to plan and implement transformational projects on the Cleveland's waterfront; to enter into one or more agreements with North Coast Development Corporation; and to apply for and accept any gifts, grants or services from any public or private entity.

WHEREAS, the City and the County of Cuyahoga ("County") acknowledge that Cleveland's lakefront (the "Lakefront") is one of the region's greatest assets; and

WHEREAS, the City and the County desire to work cooperatively to transform the Lakefront into a world class, spirited, identity-centered place that is fun and accessible for people of all ages and abilities; and

WHEREAS, the City and the County intend that equitable development and redevelopment of the Lakefront will promote community building and healing of physical, social and racial divisions through culture, arts and entertainment, increase economic opportunity through the attraction of diverse business and employees to the City and County, and increase climate resiliency through the creation of additional green space and utilization of green technologies; and

WHEREAS, the City and the County intend to commence their redevelopment efforts of the Lakefront on certain property in the City around North Coast Harbor and its approaches (collectively, the "Initial Development Area") and such development in the Initial Development Area may include the development of additional recreational areas on the Lakefront, the creation of a land bridge connecting downtown Cleveland to the Lakefront (the "North Coast Connector"), the redirection of the Route 2 Shoreway, construction of public infrastructure including roadways, public transit infrastructure and parking to support the development, the renovation of the City-owned football stadium ("Stadium"), the development of residential, commercial and recreational areas surrounding the Stadium, and other necessary improvements (collectively, the "Initial Lakefront Project"); and

WHEREAS, it is anticipated that a non-profit corporation under Chapter 1702 of the Revised Code will be incorporated as the North Coast Development Corporation, or a similar name, (the "NCDC"), for the express purpose of facilitating equitable development of the Lakefront as a destination for residential, commercial, and recreational uses; and

WHEREAS, the City and the County desire to engage the services of the NCDC, upon its incorporation, to participate in and monitor the development of a Master Plan and North Coast Connector Plan and facilitate the implementation such plans for the development of the Initial Lakefront Project; and

WHEREAS, in furtherance of the development of the Initial Lakefront Project, the City and the County desire to provide monetary contributions towards the costs and expenses related to the Initial Lakefront Project including the operating expenses of NCDC pursuant to the terms set forth in a cooperative agreement; and

WHEREAS, the City may in the future desire for NCDC to assist with the development of additional areas along the Lakefront constituting additional lakefront development areas (such additional development, collectively with the Initial Lakefront Project, is the "Lakefront Project"); and

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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 this Council finds that the participation in the cooperative development of the Lakefront Project described herein will confer substantial benefits, including racial equity, economic opportunity and climate resiliency, along with significant other qualitative benefits, upon the City and its constituents, while encouraging significant development in the surrounding area and community health and welfare programming and services.

Section 2. That the Directors of Economic Development and/or Port Control, as appropriate, are authorized to enter into a cooperative agreement with the County and NCDC, upon its incorporation, to plan and implement transformational projects on Cleveland's waterfront. That any renewal options under the cooperative agreement to be exercised after ten years from the effective date of the cooperative agreement shall require additional legislative authority.

Section 3. That the Directors of Economic Development and/or Port Control, as appropriate, are further authorized to enter into one or more agreements with NCDC, after its incorporation, to participate in and monitor the development of a Master Plan and North Coast Connector Plan and facilitate the implementation of such plans for the development of the Initial Lakefront Project.

Section 4. That the Directors of Economic Development and Port Control, as appropriate, and other appropriate City officials are authorized to enter into any agreements, execute any other documents or certificates, and take any other action necessary to implement this ordinance.

Section 5. That the Directors of Economic Development and/or Port Control, as appropriate, are authorized to apply for and accept any gifts, grants, or services to

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implement this ordinance from any public or private entity; and that the Directors are authorized to file all papers and execute all documents necessary to receive such grants, gifts, or services; and that any funds received are appropriated for the purposes described in this ordinance.

Section 6. That the Directors of Economic Development and/or Port Control, as appropriate, shall submit to City Council an annual report on the services provided on the contracts authorized in this ordinance.

Section 6 7. That the costs of this ordinance shall not exceed \$3,000,000, and shall be paid from Fund No. 10 SF 400, from the fund or funds to which are credited any gift or grant funds accepted under this ordinance, and from any other funds approved by the Director of Finance. (RQS 9501, RL 2023-36)

Section 7 8. 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.

RB:nl
4-24-23

FOR: Director Jackson and Acting Director Kramer

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**REPORT
after second Reading**

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READ FIRST TIME **REPORTS**
and referred to _____

by the council _____

CITY CLERK

READ SECOND TIME
by the council _____

CITY CLERK

READ THIRD TIME
by the council _____

PRESIDENT

CITY CLERK

APPROVED

MAYOR