

# Ordinance No. 880-14

Mayor Jackson and Council Member Kelley

FOR PASSAGE  
July 16, 2014

## AN EMERGENCY ORDINANCE

Authorizing the Mayor to enter into agreement with the Cleveland 2016 Host Committee, Inc. to hold the 2016 Republican National Convention in Cleveland and authorizing various directors to accept grants and gifts, issue permits, enter into contract, and perform various tasks necessary to support the Convention in Cleveland in 2016.

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WHEREAS, the City of Cleveland ("City") has been selected to hold the 2016 Republican National Convention (the "Convention"); and

WHEREAS, the Convention will attract thousands of delegates, visitors and news media to the City and showcase the City on a national and world stage; and

WHEREAS, the Cleveland 2016 Host Committee, Inc. (the "Host Committee") desires to secure and the City desires to provide certain facilities and services and to undertake certain obligations related to conducting the Convention in Cleveland; and

WHEREAS, the City recognizes the compelling need for security and other essential City services during the Convention to provide a safe, secure, clean and positive environment for those attending the convention and other visitors to Cleveland during the event; and

WHEREAS, the City supports and endorses the efforts of the Host Committee, its partners and regional officials to promote the local economy, encourage commerce and economic development and promote the positive achievements in our community; and

WHEREAS, this Council supported the efforts of Mayor Jackson and the Host Committee to bring the Convention to Cleveland through the unanimous adoption of Resolution No. 281-14, adopted on February 24, 2014; and

WHEREAS, the Convention provides an opportunity for Cleveland to establish partnerships and regional collaboration benefiting our City and the region into the future, and will generate millions of dollars of economic impact for the City and the surrounding region; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in that the timely authorization and signing of the necessary agreements and

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commitments to support the Convention are required to accomplish the City's goal of bringing the 2016 Republican National Convention to Cleveland; now, therefore,

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

Section 1. That, notwithstanding any Code provision or ordinance to the contrary, the Mayor is authorized to enter into one or more agreements with the Host Committee to hold the Convention in Cleveland, which shall include the following provisions:

- (a) That City-owned facilities, including Public Hall, the public areas of City Hall, Browns Stadium, Voinovich Park, Malls A, B & C, the City-owned lakefront parking lots, Public Square, and the North Coast Marina, may be made available to the Host Committee as needed as a venue for Convention-related activities, as an in-kind contribution on terms acceptable to the Director of Public Works or such other director having management responsibility for the facility;
- (b) That the Gateway East Parking Garage may be temporarily closed and converted to a media work space at the cost of the Host Committee and Willard Park Garage may be made available for the parking of vehicles as part of the Convention, including a payment to the City in the projected amount of lost parking revenue during the period that the garage is closed or a fee for the parking of vehicles as determined by the Director of Finance based on past parking revenue figures and the requirements of the City's parking facilities bonds;
- (c) That the City will expedite the review and approval process for all licenses, permits, approvals, reviews, variances and inspections required by the laws of the City as needed for the Convention and related activities;

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- (d) That the City will provide all security, traffic control and related protective services as required by the Convention security and traffic control plan authorized by Section 2 of this ordinance and as determined by the Director of Public Safety;
- (e) That the City will coordinate with the Host Committee on the implementation of a comprehensive technology and telecommunications services plan for the Convention and provide access as determined appropriate by the Directors of Public Safety and Finance, as applicable to the duties of their respective departments;
- (f) That, notwithstanding any Code provision or ordinance to the contrary, the City may issue the necessary permits required for the hanging or display of banners and other signage related to the Convention on City rights-of-way and City-owned property and to expedite the review and permit approval process for a comprehensive general signage plan for the temporary display of signage in support of the Convention within the Central Business District and the major routes into the City, in accordance with a plan proposed by the Host Committee and approved by the Director of Capital Projects;
- (g) That the City will coordinate with the Host Committee the making of any public improvements likely to impact the Convention and further agrees to negotiate completion guarantees on City construction projects to insure completion prior to the start of the Convention;
- (h) That, in support of the economic development and promotion opportunities for Cleveland associated with the Convention, the City agrees to contribute an amount not to exceed \$2,500,000 to the Host Committee at such time and on such terms as are acceptable to the Director of Economic Development;

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- (i) That the Host Committee agrees to secure all necessary permits and consents and pay the City's standard permitting fees as required for the Convention and related activities;
  - (j) That the Host Committee agrees to reimburse the City for reasonable, anticipated costs unrelated to the provision of the City's standard municipal services and not covered by grants, gifts or other sources of funds accepted under this ordinance; and
  - (k) That the City will work in partnership with the Host Committee in all of its activities related to the Convention, including the regulation of Convention related services to insure consistency in treatment and cost.

Section 2. That, notwithstanding any Code provision or ordinance to the contrary, the Director of Public Safety is authorized to develop and implement a Convention security and traffic control plan in consultation with federal, state and other local law enforcement agencies and consistent with national security requirements, including the designation of one or more security zones related to the Convention and development and implementation of a traffic plan that involves the closing of streets and rerouting of traffic to accommodate the increased traffic, buses and vehicles related to the convention. The Director is further authorized to enter into agreements with federal, state and other local law enforcement agencies as needed to implement the plan.

Section 3. That the Director of Public Safety is authorized to apply for and accept a National Special Security Events (NSSE) grant or grants and grants from other federal, state and local granting agencies for the purpose of developing and implementing the security and traffic control plan for the Convention. The Director is further authorized to file all papers and execute all documents necessary to receive the

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funds accepted under this ordinance, and upon acceptance of the funds by the Director, they shall be appropriated for the purposes set forth in grant agreement.

Section 4. That the Directors of Public Works, Public Safety, Capital Projects, and Finance, as applicable to the duties of their respective departments, are authorized to employ by contract or contracts one or more consultants or other professionals or one or more firms of consultants or other professionals, including insurance consultants, necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to prepare for and hold the Convention. The selection of the professional consultants shall be made by the Board of Control on the nomination of the appropriate director.

Section 5. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing improvements in the rights-of-ways and on public property in the City necessary to prepare for and hold the Convention, for the Departments of Public Works, Public Safety and Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 6. That the Directors of Public Works, Public Safety, and Capital Projects, as applicable to the duties of their respective departments, are authorized to enter into one or more contracts for the making of the public improvements authorized by Section 5 of this ordinance with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

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Section 7. That the Directors of Public Works, Public Safety, Capital Projects, and Finance, as applicable to the duties of their respective departments, are authorized to make one or more written standard contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the appropriate director, for the purchase or rental of the necessary items of materials, equipment, supplies, and services, including insurance policies, necessary to prepare for and host the Convention, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the appropriate department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 8. That the costs of any requirement contract authorized by Section 7 of this ordinance shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase or procurement, which purchase or procurement, together with all later purchases or procurements, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 9. That under Section 108(b) of the Charter, any purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Directors of Public Works, Public Safety, and Capital Projects, as applicable to the duties of their respective departments, may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 10. That the Directors of Public Works, Public Safety, and Capital Projects, as applicable to the duties of their respective departments, are authorized to

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apply and pay for permits, licenses, or other authorizations and fees required by any regulating entity or other public authority to implement this ordinance, including those relating to construction of any improvements.

Section 11. That, notwithstanding any Code provision or ordinance to the contrary, the Public Works, Public Safety, and Capital Projects, as applicable to the duties of their respective departments, are authorized to issue public gathering permits, demonstration permits, temporary use permits, parade permits, and business access and operations permits during the a period starting one month before the first day of the Convention until one week after the completion of the Convention, subject to reasonable time, place, and manner regulations promulgated by the appropriate director and approved by the Board of Control, to use the rights-of-way and public property, to allow appropriate access and operation of affected businesses and/or to protect public safety, persons, property, and to accommodate the interests of persons participating in the gathering and persons not participating in the gathering, all in accordance with the security plan promulgated under Section 3 of this ordinance. The permits issued under this section may exclude public assemblies in certain areas defined in the regulations and as required in the Convention security and traffic control plan and prohibit materials and objects defined in the regulations in certain areas as defined in the regulations.

Section 12. That, notwithstanding any Code provisions or ordinances to the contrary, the various City directors are authorized to develop and implement policies and practices for consolidating applications for and expediting review and issuance of City licenses, permits, approvals, reviews and inspections as required by the laws of the City as need for the Convention and related activities and to issue a comprehensive convention permit that incorporates various City permits for the Convention, including

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review and approval of a comprehensive signage plan in the Central Business District and the major routes into the City as proposed by the Host Committee, in a form acceptable to the Director of Law.

Section 13. That the Directors of Public Works, Public Safety, Capital Projects, and Finance as applicable to the duties of their respective departments, are authorized to apply for and accept any gifts or grants from public or private entities for the purpose of effectuating this ordinance. The appropriate director is further authorized to file all papers and execute all documents necessary to receive the funds accepted under this ordinance, and upon acceptance of the funds by the appropriate director, they shall be appropriated for the purposes set forth in this ordinance.

Section 14. That the Directors of Public Works, Public Safety, and Capital Projects, as applicable to the duties of their respective departments, are authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance and as needed to accommodate the Convention.

Section 15. That, notwithstanding any Code provisions or ordinances to the contrary, the Director of Port Control is authorized to enter into one or more agreements with the Host Committee for the use of airport and lakefront property under the Director's management, including the Burke Lakefront Airport parking areas, as needed for Convention related activities on terms acceptable to the Director.

Section 16. That the Director of Public Utilities is authorized to enter into one or more agreements with the Host Committee to provide utility services to the Convention and related activities in accordance with the standard terms and conditions of the City's utilities.



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Section 17. That the Directors of Public Works, Public Safety, and Capital Projects, as applicable to the duties of their respective departments, are authorized to enter into one or more contracts with the federal government, the State of Ohio, the Greater Cleveland Regional Transit Authority, Cuyahoga County, the Gateway Development Corporation, the Cleveland-Cuyahoga County Port Authority, Cavaliers Operating Company, LLC, Cleveland Indians Baseball Company Limited Partnership, and any other entity involved in the Convention process as needed to effectuate the purposes of this ordinance.

Section 18. That all agreements authorized by this ordinance shall be approved by the Director of Law and contain such terms and conditions as necessary to protect the public interest consistent with the purposes of this ordinance.

Section 19. That the cost of any expenditure incurred under this ordinance, including all contracts, shall be paid from Fund No.10 SF 963, from the fund or funds to which are credited any grant funds or gifts received under this ordinance, from the fund or funds to which are credited the proceeds of any existing or future bond issue that includes these purposes, and from any other funds that are appropriated for this purpose as determined by the Director of Finance.

Section 20. 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.

RFH:nl  
7-16-14  
FOR: Mayor Jackson