



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 2/27/2023 **Final action:** 3/1/2023

Title: To approve the Mayor's Second Amended Application for the City's Arena District Designated Outdoor Refreshment Area (the "Arena District DORA") and authorize the Mayor, or his designee, to amend the Memorandum of Understanding ("MOU") between the City and AD DORA, LLC, and to declare an emergency

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0578-2023 First Amendment to MOU, 2. 0578-2023 Second Amended DORA Application

Date	Ver.	Action By	Action	Result
3/1/2023	1	CITY CLERK	Attest	
2/28/2023	1	MAYOR	Signed	
2/27/2023	1	COUNCIL PRESIDENT	Signed	
2/27/2023	1	Columbus City Council	Approved	Pass

BACKGROUND:

This ordinance approves of the Mayor's Second Amended Application for the Arena District Designated Outdoor Refreshment Area ("Arena District DORA") and authorizes the Mayor, or his designee, to amend the Memorandum of Understanding with AD DORA LLC for the continued management, operation and maintenance of the DORA.

Ordinance No. 2088-2021 approved of the Mayor's First Amended Application to create the Arena District DORA, and authorized the Mayor, or his designee, to execute an MOU with AD DORA, LLC for the operation and maintenance of the DORA. The Arena District DORA was first activated on September 25, 2021. The original amended application previously activated the DORA on Game Days which is currently defined in that application as:

- All home Columbus Blue Jackets, Columbus Clippers, and Columbus Crew game days starting three (3) hours prior to the start of the game and continuing until 11:59 PM on that same day (each, a Game Day).

After more than a year of activation and usage, there is a need and desire to once again amend the application along with the MOU, to provide consistency to the participating business establishments in the District, and to the patrons and participants, as to when the DORA is activate. The second amendment to the application is to activate the DORA not only on home-team game days, but also when other events (such as concerts, tournaments, exhibition games, etc.) occur at any of the three following venues: Nationwide Arena, Huntington Park, and Lower.com Field. This will help to alleviate confusion around when the DORA is, or is not, active. Upon approval of the second amended application, the term "Game Day" will be defined as:

- All days when a game or other event is being held at any of the sporting venues currently known as Nationwide Arena, Huntington Park, and Lower.com Field, starting three (3) hours prior to the start of the game or event and continuing until 11:59 PM on that same day (each, a "Game Day").

In addition:

- Each of the Columbus Blue Jackets, the Columbus Clippers, the Columbus Crew and the operators of each venue where each team plays shall be referred to as a “Home Team”.
- The MOU with AD DORA LLC will be amended to reflect that AD DORA will manage, operate and maintain the Arena District DORA on all Game Days as that term is defined above, and in the same manner as provided in the original MOU.

The boundaries of the DORA will remain the same. All exhibits to the City’s Second Amended Arena District DORA Application, which exhibits were adopted in Ordinance 2008-2021 and not modified herein, remain the same and in full force and effect, ensuring the continued operation of the Arena District DORA.

Emergency action is requested in order to immediately approve the Mayor’s Second Amended Application and to amend the MOU with AD DORA LLC, in order for the license holders and businesses to prepare for the operational and maintenance needs associated with the amendments herein, and to avoid a disruption in services.

FISCAL IMPACT: None.

To approve the Mayor’s Second Amended Application for the City’s Arena District Designated Outdoor Refreshment Area (the “Arena District DORA”) and authorize the Mayor, or his designee, to amend the Memorandum of Understanding (“MOU”) between the City and AD DORA, LLC, and to declare an emergency

WHEREAS, Ordinance No. 2088-2021 approved the Mayor’s First Amended Application and authorized the execution of an MOU between the City and AD DORA, LLC to manage, operate and maintain the Arena District Outdoor Refreshment Area (“Arena District DORA”); and

WHEREAS, after more than a year of DORA activation and usage, there is a need and desire to once again amend the application and to amend the MOU to provide consistency to the District, patrons, and participants to activate the DORA not only on home-team game days, (with home-team defined as “Each of the Columbus Blue Jackets, the Columbus Clippers and the Columbus Crew) but also when there are other events (such as concerts, tournaments, exhibition games, etc.) at any of the three following venues: Nationwide Arena, Huntington Park, and Lower.com Field; and

WHEREAS, upon approval of the Second Amended Application, the term “Game Day” will include other events taking place at Nationwide Arena, Huntington Park and Lower.com, in addition to home games at those same establishments; and

WHEREAS, the MOU with AD DORA LLC must be amended to reflect that AD DORA LLC will manage, operate and maintain the Arena District DORA on all Game Days as that term is defined above, and in the same manner as provided in the original MOU; and

WHEREAS, the boundaries of the DORA will remain the same. All exhibits to the City’s First Amended Arena District DORA Application, which exhibits were adopted in Ordinance 2008-2021 and not modified herein, will remain the same and in full force and effect, ensuring the continued operation of the Arena District DORA; and

WHEREAS, emergency action is requested in order to immediately approve the Mayor’s Second Amended Application and to amend the MOU with AD DORA LLC, in order for the license holders and businesses to prepare for the operational and maintenance needs associated with the amendments herein, and avoid a disruption in services, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That Council approves the Mayor’s Second Amended Application to activate the Arena District DORA on all “Game Days”, as that phrase is defined below. Council also authorizes the Mayor, or his authorized designee, to amend the MOU between the City and AD DORA LLC to provide for the continued management, operation and maintenance of the Arena District DORA on all Game Days.

SECTION 2. That pursuant to the Second Amended Application, the term “Game Day” is hereafter defined as: “All days when a game or other event is being held at the sporting venues currently known as Nationwide Arena, Huntington Park, and Lower.com Field, starting three (3) hours prior to the start of the game or event and continuing until 11:59 PM on that same day (each, a “Game Day”). In addition, the term “Home Team” is hereafter defined as: “Each of the Columbus Blue Jackets, the Columbus Clippers, the Columbus Crew and the operators of each venue where each team plays.”

SECTION 3. That the Mayor, or his authorized designee, is authorized to enter into an amended MOU with AD DORA LLC to reflect that AD DORA LLC will manage, operate and maintain the Arena District DORA on all “Game Days” as that term is defined above.

SECTION 4. The boundaries of the DORA will remain the same. All exhibits to the City’s First Amended Arena District DORA Application, as approved by City Council in Ordinance 2008-2021, and not modified herein, remain the same and in full force and effect for the continued operation of the Arena District DORA.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.