

# Ordinance No. 1010-2023

By Council Members McCormack and Griffin (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into a lease agreement with Aircraft Service International, Inc. dba Menzies Aviation for the use of space located in the passenger terminal building of Cleveland Hopkins International Airport for an office and break room relating to airline fueling operation services for multiple airlines; and to enter into a ground lease with Aircraft Service International, Inc. dba Menzies Aviation for property located on a portion of City-owned property for fueling operation services, for a period of one year, with four one-year options to renew, exercisable by the Director of Port Control.

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 Director of Port Control is authorized to enter into a lease agreement with with Aircraft Service International, Inc. dba Menzies Aviation (“Menzies”) for approximately 1,114 square feet of space located on the ramp level beneath Concourse A of the passenger terminal building at Cleveland Hopkins International Airport (“Leased Premises”), to be used for an office space and break room to support airline fueling operation services for multiple airlines (the “Lease”), for a period of one year, with four one-year options to renew, exercisable by the Director of Port Control.

Section 2. That for use of the Leased Premises in the Lease, Menzies shall pay the City an annual rental rate based on the airports’ annual rates and charges calculation, subject to annual changes. The rent is payable in twelve (12) equal monthly installments.

Section 3. That the Lease may authorize Menzies to make improvements to the Leased Premises subject to the approval of appropriate City agencies and officials.

Section 4. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to enter into a Ground Lease with Menzies for approximately 7,500 square feet of space, located on a portion of City-owned Permanent Parcel No. 029-35-005, for fueling operation services for various airlines (the “Ground

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Lease”), for a period of one year, with four one-year options to renew, exercisable by the Director of Port Control, and is more fully shown in the map placed in **File No. 1010-2023-A**.

Section 5. That the base rent for the Ground Lease authorized by this ordinance shall be based on fair market appraisal, subject to annual Consumer Price Index (CPI) adjustments, and shall be subject to Board of Control approval.

Section 6. That the Ground Lease may provide for the payment to the City of appropriate utility and other operating costs of the Ground Leased premises, which shall be deposited in a fund approved by the Director of Finance.

Section 7. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 8. That the Lease and the Ground Lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 9. 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.

JSM:nl  
4-10-2023  
FOR: Director Francis

**By Council Members McCormack and Griffin (by departmental request)**

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**READ FIRST TIME on SEPTEMBER 18, 2023**  
**and referred to DIRECTORS of Port Control,**  
**City Planning Commission, Finance, Law;**  
**COMMITTEES on Transportation and Mobility,**  
**Finance Diversity Equity and Inclusion**

**REPORTS**

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**CITY CLERK**

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**READ SECOND TIME**

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**CITY CLERK**

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**READ THIRD TIME**

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**PRESIDENT**

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**CITY CLERK**

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**APPROVED**

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**MAYOR**

**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
TRANSPORTATION and  
MOBILITY**

FILED WITH COMMITTEE

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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE, DIVERSITY, EQUITY  
and INCLUSION**

FILED WITH COMMITTEE

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