

Ordinance No. 982-2021

**By Council Member Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance to lease certain space located on the fifth floor of 65 Erieview Plaza from Alto 55 Erieview, LLC, for a term not to exceed seven years, with two five-year options to renew, exercisable by the Director of Finance, for the public purpose of providing office and administrative space for use by the Division of Assessment and Licenses; and authorizing various written standard purchase and requirement contracts needed for furniture, fixtures, and other related expenditures, including installation, if necessary.

WHEREAS, the City of Cleveland requires certain space located on the fifth floor of 65 Erieview Plaza for the public purpose of providing office and administrative space for the Department of Finance, Division of Assessment and Licenses; and

WHEREAS, Alto 55 Erieview, LLC (“Alto 55”) has proposed to lease and build-out the space to the City of Cleveland; 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 notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to enter into a lease with Alto 55 for approximately 14,052 square feet of space located on the fifth floor of 65 Erieview Plaza for the purpose of providing office and administrative space to the Division of Assessments and Licenses (“Lease”).

Section 2. That the term of the Lease authorized by this ordinance shall be for a term not to exceed seven years ending on December 31, 2028, with two five-year options to renew, exercisable by the Director of Finance.

Section 3. That the rent for the Lease authorized by this ordinance shall not exceed \$12.00 per square foot for Year 1 of the Lease, \$12.25 per square foot for Year 2 of the Lease, \$12.50 per square foot for Year 3 of the Lease, \$12.75 per square foot for Year 4 of the Lease, \$13.00 per square foot for year 5 of the Lease, \$13.25 per square foot for Year 6 of the Lease, and \$13.50 per square foot for year 7 of the Lease, exclusive of utilities.

Section 4. That Alto 55 shall provide tenant improvements at the Leased Premises for the benefit of the City and other valuable consideration.

Section 5. That the Lease may provide for the City’s payment of appropriate utility and other operating costs of the leased premises.

Section 6. That the costs of the Year 1 of the Lease shall include a three-month rent abatement and shall be paid from Fund No. 01-1503-6360 and the remaining years of the initial term of the Lease are subject to annual appropriation.

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Section 7. That the 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 8. That the Director of Finance, 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 9. That the Director of Finance is authorized to make one or more written standard purchase 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 director, for the necessary items of furniture, fixtures, and other related expenditures, including installation, if necessary, to be purchased 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 10. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance 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 11. That the costs of the standard and requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contracts, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 1503, RLA 2021-81)

Section 12. 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.

SD:nl
11-8-2021
FOR: Interim Director Gentile

