

Ordinance No. 1044-2022**AN EMERGENCY ORDINANCE**

Authorizing the Director of Port Control to enter into a Lease Agreement with Paratus Air, for the lease of City-owned space located in the Terminal Building at Burke Lakefront Airport at 1501 North Marginal Road to support its helicopter tour services, for the Department of Port Control, for a period of one year with three one-year options to renew, the second of which requires additional legislative authority.

By Council Members McCormack and Griffin (by departmental request)

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 (“Lease”) with Paratus Air (“Lessee”) for use and occupancy of approximately 114 square feet of space, also known as Gate 4, located in the Terminal Building at Burke Lakefront Airport at 1501 North Marginal Road (“Leased Premises”) to support its helicopter tour services, for the Department of Port Control, for a period of one year with three one-year options to renew, the second of which requires additional legislative authority. The first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third one-year option to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

For use of the Leased Premises, Lessee shall pay the City an annual rate to be determined by a third party appraisal. The rental rate shall be adjusted annually on the effective date based on the United States Department of Labor, Consumer Price Index: “All Urban Consumers (CPS): Midwest Region, North Central,”; however, never lower than the rate during the initial term. The rent shall be payable in twelve (12) equal monthly installments.

Section 2. That the Lease authorized shall be prepared by the Director of Law.

Section 3. 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.

