

Ordinance No. 167-2024 AS AMENDED

By Council Members Kazy and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to extend the lease with City Rose, Ltd., for the public purpose of operating the Division of Cleveland Public Power's Eastside Service Center at 14100 Darley Avenue, for a term of five years, with one option to renew for an additional five-year period, exercisable by the Director of Public Utilities with additional legislative authority.

WHEREAS, commencing September 1, 2020, the City of Cleveland (the "City") entered into a lease with City Rose, Ltd., under Contract No. CT-2004-LS2020*010 (the "Lease"), for the property and use described below; and

WHEREAS, the Lease expires August 31, 2024; 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Utilities is authorized to extend the Lease with City Rose, Ltd., for certain property with an entrance at 14100 Darley Avenue, formerly 743 East 140th Street, Cleveland, Ohio, for the public purpose of continuing the operations the Division of Cleveland Public Power's Eastside Service Center. The leased premises, which is located on a portion of Permanent Parcel No. 112-27-007, consists of the southern half of City Rose, Ltd.'s industrial building (the leased space measuring approximately 97,000 square feet), a paved parking area and a storage yard (measuring approximately 2.5 acres).

Section 2. That the term of the Lease extension authorized by this ordinance shall be five (5) years, commencing September 1, 2024, with one (1) option to renew for an additional five-year period, exercisable by the Director of Public Utilities with additional legislative authority.

Section 3. That the annual base rent for the Lease extension shall be \$250,000.00, plus the City's share of utilities, insurance and taxes.

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Section 4. That the Lease extension 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 5. That the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions that may be necessary or appropriate to effect the Lease extension authorized by this ordinance.

Section 6. That the costs of the Lease extension authorized by this ordinance shall be paid from Fund No. 58 SF 001. (RQS 2004, RL 2024-20)

Section 7. 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.

KR:nl
2-5-2024
FOR: Director Keane

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**REPORT
after second Reading**

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READ FIRST TIME **REPORTS**

and referred to _____

by the council _____

CITY CLERK

READ SECOND TIME

by the council _____

CITY CLERK

READ THIRD TIME

by the council _____

PRESIDENT

CITY CLERK

APPROVED

MAYOR