

# Ordinance No. 455-2021

By Council Members Conwell, Brancatelli  
and Kelley (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Community Development to lease certain property located at 1400 East 105<sup>th</sup> Street from CLEworx for a period of three years, for the public purpose of processing lead applications and determining eligibility for lead abatement services for residents.

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WHEREAS, the City of Cleveland requires certain property located at 1400 East 105<sup>th</sup> Street for the public purpose of providing lead services to residents, including receiving and processing lead applications and determining eligibility for abatement for residents; and

WHEREAS, CLEworx has proposed to lease the property 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 Community Development is authorized to lease from CLEworx certain property located at 1400 East 105<sup>th</sup> Street.

Section 2. That the term of the lease authorized by this ordinance shall not exceed three years.

Section 3. That the rent for the lease authorized by this ordinance shall not exceed \$22,620 annually, or \$67,860 for the three year term, which is determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purposes of providing lead services to residents, including receiving and processing lead applications and determining eligibility for abatement for residents.

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

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Section 6. That the costs of the lease shall be paid from Fund No. 01-8006-6320, RQS 8006, RLA 2021-41.

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 Community Development, 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 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.

MC:nl  
6-7-2021  
FOR: Director Wackers

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REPORT  
after second Reading

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**READ FIRST TIME on JUNE 7, 2021**

**REPORTS**

and referred to DIRECTORS of Community Development, Finance, Law;  
COMMITTEES on Development Planning and Sustainability, Finance

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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

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Published in the City Record \_\_\_\_\_

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE

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