

Ordinance No. 645-2023

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 Aitheras Aviation Group, LLC for the lease of space located at 2301 North Marginal Road to support its fixed base operator, aircraft parking and light construction and aircraft maintenance services, for the Department of Port Control, 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 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 Lease Agreement (“Lease”) with Aitheras Aviation Group, LLC (“Lessee”) for use and occupancy of approximately 238,517 square feet of land and 20,430 square feet of building space located at 2301 North Marginal Road to (“Leased Premises”) which space has been determined to be not needed for public use for the term of the Lease. The Leased Premises shall be used to support Lessee’s fixed base operator, aircraft parking and light construction and aircraft maintenance services. The term of the Lease shall be for a period of one year, with four one-year options to renew, exercisable by the Director of Port Control. For use of the Leased Premises, Lessee shall pay the City an annual rent based on a third-party appraisal for fair market value at a per square foot rate. The rental amount shall be adjusted annually on the effective date of the agreement based on the United States Department of Labor, Consumer Price Index: “All Urban Consumers (CPI): Midwest Region”; however, never lower than the rate during the initial term. The rent is payable in twelve (12) equal monthly installments.

Section 2. That the Lease authorized by this ordinance 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.

