

Ordinance No. 228-2021 AS AMENDED

**By Council Members Cleveland, Gray,
Brancatelli and Kelley (by departmental
request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Economic Development to lease certain property located in the Opportunity Corridor Superblock 3B, to Norsom Development & Construction LLC, or its designee, for a term not to exceed three years; authorizing the Director of Public Works to enter into a Purchase Agreement with Norsom Development & Construction LLC, or its designee for those properties which are currently in the City's Land Reutilization Program, in connection with the construction and operation of the Construction Opportunity Institute of Cleveland; and authorizing the Commissioner of Purchases and Supplies to convey the properties, which are no longer needed for the City's public use.

WHEREAS, the City of Cleveland owns certain property currently in the Industrial-Commercial Land Bank and located in the vicinity of the Opportunity Corridor Superblock 3B, and known as Permanent Parcel Nos. 126-27-007 to 127-27-014, 126-27-070 to 126-27-104, 126-27-142, 126-27-143, 126-28-002 to 126-28-019, which are not needed for the City's public use; and

WHEREAS, Norsom Development & Construction LLC, or their designee ("Norsom"), has proposed to lease the property described above from the City and enter into a purchase agreement with the City to allow Norsom to construct and operate the Construction Opportunity Institute of Cleveland ("COIC") to serve as a bridge between Cleveland residents and the construction industry and to operate a concrete and asphalt plant on the property; 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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the City-owned properties currently in the Industrial-Commercial Land Bank and located in the vicinity of the Opportunity Corridor Superblock 3B, and known as Permanent Parcel Nos. 126-27-007 to 127-27-014, 126-27-070 to 126-27-104, 126-27-142, 126-27-143, 126-28-002 to 126-28-019 (the "Property") are no longer needed for the City's public use.

Ordinance No. 228-2021

AS AMENDED

Section 2. 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 Economic Development is authorized to lease to Norsom the Property.

Section 4. That the term of the lease authorized by this ordinance shall not exceed three years, commencing on the date of execution of the lease and shall end upon the purchase of the Property by Norsom from the City.

Section 5. That the lease may authorize Norsom to make improvements to and maintain the leased premises at its cost subject to the approval of the appropriate City departments and officials.

Section 6. That the Property shall be leased at fair market value as determined by the Board of Control.

Section 7. 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 Economic Development is authorized to enter into a Purchase Agreement with Norsom for the sale of the Property in connection with the future construction and operation of the COIC.

Section 8. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies is authorized to convey the Property to Norsom at a price determined to be fair market value by the Board of Control, discounting or deducting the cost or added value of any improvements made by Norsom, and taking into account all restrictions and encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 9. That the conveyance shall be made by an official quitclaim deed or deeds prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland. The deed or deeds shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision

Ordinance No. 228-2021

AS AMENDED

against the erection of any advertising signs or billboards except permitted identification signs.

Section 10. That the Director of Economic 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 effectuate this ordinance.

Section 11. That the Lease, the Purchase Agreement, and other documents necessary to effectuate this ordinance shall be prepared by the Director of Law.

Section 12. That the proceeds from the lease and sale of the Property shall be deposited into a fund or funds approved by the Director of Finance.

Section 13. 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.

SMA:nl
4-5-21
FOR: Director Ebersole

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the second whereas clause, lines 5 and 6, strike "and to operate a concrete and asphalt plant on the property".

Date: _____ (Signed): _____

Dennis Matejka
Assistant Director of Law

Ord. No. 228-2021

Ord. No.

REPORT
after second Reading

Mr.

AN EMERGENCY ORDINANCE authorizing the Director of Economic Development to lease certain property located in the Opportunity Corridor Superblock 3B, to Norsom Development & Construction LLC, or its designee, for a term not to exceed three years; authorizing the Director of Public Works to enter into a Purchase Agreement with Norsom Development & Construction LLC, or its designee for those properties which are currently in the City's Land Reutilization Program, in connection with the construction and operation of the Construction Opportunity Institute of Cleveland; and authorizing the Commissioner of Purchases and Supplies to convey the properties, which are no longer needed for the City's public use.

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

Recorded Vol. _____ Page _____

Published in the City Record _____

