

# Ordinance No. 876-2019

**Council Members Cleveland and Kelley  
(by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Director of Port Control to enter into a Lease Agreement with Ultimate JetCharters, LLC dba Ultimate Air Shuttle, LLC for the lease of certain space located in the passenger terminal building at Burke Lakefront Airport, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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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 Ultimate JetCharters, LLC dba Ultimate Air Shuttle, LLC ("Lessee") for use and occupancy of approximately 972 square feet of space for use as a holdroom/boarding area at Gate No. 2 to be leased at the rental rate of \$17.50 per square foot; approximately 142 square feet of office space located near the east entrance of the terminal to be leased at the rental rate of \$16.00 per square foot, and approximately 284 square feet of space located across from the holdroom area to be used as a passenger lounge to be leased at the rental rate of \$16.50 per square foot, which spaces are not needed for public use ("Leased Premises").

Section 2. That the term of the Lease shall be for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority, and shall commence on the effective date of the Lease. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That for the use of the Leased Premises, Lessee shall pay the City an annual rate of \$23,968.00 payable in monthly installments of \$1,997.00 which rate is based on fair market value determined by a third-party appraisal. The rental amount will be adjusted annually on the effective date by CPI calculation, but never less than the initial rate.

Section 4. That the Lease authorized shall be prepared by the Director of Law.

Section 5. 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.

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REPORT  
after second Reading

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**READ FIRST TIME on JULY 24, 2019**  
and referred to **DIRECTORS** of Port Control Finance, Law;  
**COMMITTEES** on Transportation, Finance

REPORTS

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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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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
TRANSPORTATION

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE

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