

**Ordinance No. 903-2020**

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

**An emergency ordinance authorizing the Director of Port Control to lease to the International Women’s Air and Space Museum, Inc. certain space at Burke Lakefront Airport, for a term of five years, with a five-year option to renew, exercisable with additional legislative authority.**

**WHEREAS**, the City of Cleveland owns certain property known as Burke Lakefront Airport, certain portions of which are not needed for public use for the next five years; and

**WHEREAS**, the International Women’s Air and Space Museum, Inc. has proposed to lease certain portions of such property from the City for the purpose of operating an International Women’s Air and Space Museum; 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease approximately 2,790 square feet of space, including display areas in the Burke Terminal Building at Burke Lakefront Airport, to the International Women’s Air and Space Museum, Inc. to operate an International Women’s Air and Space Museum which has been determined to be not needed for public use for the term of the lease.

**Section 2.** That the term of the lease authorized shall be five years, with a five-year option to renew, exercisable with additional legislative authority. International Women’s Air and Space Museum may also be granted the right to use certain wall and floor space free of charge for exhibits in the terminal at Burke Lakefront Airport provided that this exhibit space may be terminated prior to the expiration of the Lease by the Director of Port Control upon 90 days written notice.

**Section 3.** That the rental rate during the initial term of the lease shall be based on an independent third-party appraisal. For each year of the option term, the rental rate shall be adjusted based on the United States Department of Labor, Consumer Price Index: “All Urban Consumers” Midwest; however, never lower than the rate during the initial term.

**Section 4.** That the lease may authorize the lessee to make improvements to the leased premises subject to the approval of appropriate City departments and officials.

**Section 5.** That the lease agreement shall be prepared by the Director of Law.

**Section 6.** That the Directors of Port Control and Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions as may be necessary or appropriate to affect the lease agreement authorized in this ordinance.

**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.

**Referred to the Directors of Port Control; City Planning Commission; Finance; and Law; Committees on Transportation; and Finance.**