

# Ordinance No. 207-2021

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

## AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to ground lease certain property located at 13000 Harvard Avenue from the Cleveland Metropolitan School District, for a term not less than ten years, for operating the John F. Kennedy Recreation Center located on the John F. Kennedy High School campus.

WHEREAS, in the 1960s a Joint Recreation Council of the City of Cleveland and Board of Education existed with the goal of determining the feasibility of jointly locating schools and recreation centers for the mutual benefit of both and the entire community; and

WHEREAS, the City of Cleveland requires legal possession of certain property located at 13000 Harvard Avenue from the Cleveland Metropolitan School District (“Cleveland Schools”), for repairing and operating the John F. Kennedy Recreation Center located on the John F. Kennedy High School campus; and

WHEREAS, Cleveland Schools has proposed to ground lease the property to the City of Cleveland for a term of ten years; 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 Public Works is authorized to ground lease from Cleveland Schools portions of certain properties more fully described as follows:

Portions of PPN 141-11-019 and 141-12-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot Number 73 and being bounded and described as follows:

Beginning at the most southwesterly corner of Parcel “A” of the Lot Split Plat For Council For Economic Opportunities In Greater Cleveland as shown in Volume 276 of Maps, Page 62 of Cuyahoga County Records;

Thence along the Northwesterly prolongation of the Southerly line of said Parcel “A” N89° 50’ 45”W about 385.00 feet to a point:

Thence Northeasterly parallel with the west line of said Parcel ”A”, N00°09’15”E about 110.00 feet to a point:

Thence Southeasterly parallel with the first described line, S89° 50’ 45”E passing through an angle point on the west line of said Parcel “A” located at about 255.00 feet and continuing along an interior line to an interior corner a total distance of 385.00 feet to a point;

Thence Southwesterly along the west line of said Parcel ”A”, S00°09’15”W about 110.00 feet to the Principle Place of Beginning containing within said bounds about 42,350 Sq. Ft.

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Section 2. That the term of the ground lease authorized by this ordinance shall not be less than ten years.

Section 3. That the rent for the lease authorized by this ordinance shall not exceed \$1.00 and other valuable consideration 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 operating the John F. Kennedy Recreation Center located on the John F. Kennedy High School campus.

Section 5. That the lease shall give exclusive possession of the recreation center buildings to the City and shall give non-exclusive possession of the parking lots and grass to the City, to allow for shared use of parking lots and greenspace.

Section 6. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 7. That the costs of the lease shall be paid from funds approved by the Director of Finance.

Section 8. 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 9. That the Director of Public Works, 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 10. 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.

LW:nl  
3-29-2021  
FOR: Director Cox

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READ FIRST TIME on MARCH 29, 2021

and referred to DIRECTORS of Public Works,  
City Planning Commission, Finance, Law;  
COMMITTEES on Municipal Services and Properties,  
Development Planning and Sustainability, 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

Recorded Vol. **108**

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REPORT  
after second Reading

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**MUNICIPAL SERVICES  
AND PROPERTIES**

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**DEVELOPMENT, PLANNING AND  
SUSTAINABILITY**

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**FINANCE**

FILED WITH COMMITTEE

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