

Ordinance No. 1114-2024 AS AMENDED

By Council Members Polensek and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Safety to amend Lease Agreement No. LS 2018-24 with Cuyahoga County for the lease of certain space located on various floors of the Justice Center to extend the term for one additional year, beginning October 2, 2024, and to include additional space for the Clerk of Cleveland Municipal Court located on the 4th floor of the Justice Center.

WHEREAS, under Ordinance No. 920-18, passed August 15, 2018, this Council authorized the Director of Public Safety to enter into Lease Agreement No. LS 2018-24 with Cuyahoga County for the use and occupancy of all or a portion of floors 1, 3, 5, 6, 7, 8 and 9 located at the former Police Headquarters in the Justice Center which may be reduced during the term of the lease, and up to 93 ~~119~~ parking spaces located on Level P1 in the underground parking area for the purpose of conducting City business ("Original Lease"); and

WHEREAS, under Ordinance No. 991-2019, passed September 16, 2019, Ordinance No. 758-2020, passed October 7, 2020, Ordinance No. 767-2021, passed October 18, 2021, Ordinance No. 1065-2022, passed December 5, 2022, and Ordinance No. 908-2023, passed October 2, 2023 this Council, among other things, extended the Original Lease for additional one-year terms, added additional lease space and parking spaces; and

WHEREAS, another extension of the Original Lease is necessary and in addition, an amendment to the Original Lease is necessary to include additional space occupied by the Cleveland Municipal Court located on the 4th floor of the Justice Center for the purpose of conducting City business; 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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Safety is authorized to amend the Original Lease to extend the term for one additional year beginning on

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October 2, 2024, with one option to renew, ~~exercisable by the Director of Public Safety.~~
In addition, the Director of Public Safety, on behalf of the Clerk of Cleveland Municipal Court, is authorized to further amend the Original Lease to authorize the Clerk of the Cleveland Municipal Court to lease from Cuyahoga County, up to 3,717 square feet of space on the 4th floor of the Justice Center for the purpose of conducting City business (collectively the "Lease Amendment"). If there are no changes to the terms and conditions of the Lease Amendment, then the option to renew may be exercised by the Director of Public Safety. But if there are changes to the terms and conditions of the Lease Amendment, then the option to renew may only be exercised through additional legislative authority. (the "Lease Amendment").

Section 2. That the cost during the Lease Amendment shall be up to \$208,881.29 per month for rent (which includes approximately 118,217 square feet at \$20.50 per square foot and 7,557 square feet at \$11.00 per square foot); up to \$14,875 per month for up to 119 parking spaces at \$125 each; and approximately \$33,000.00 per month for proportional cost of utility costs, less reimbursement by the Cleveland Municipal Court of up to \$6,349.87 per month, for a monthly total cost of approximately \$250,406.42. All other terms and conditions of the Original Lease and Lease Amendment shall remain the same.

Section 3. That the Director of Public Safety, the Clerk of the Municipal Court, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, including an agreement between the City and the Cleveland Municipal Court concerning reimbursement of the rent and other related issues, and take any other actions which may be necessary or appropriate to effect the Lease Amendment authorized by this ordinance.

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Section 4. That the Lease Amendment 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 5. That the cost of the Lease Amendment shall be paid from Fund No. 01-001-9998. (RQS 6002, RLA 2024-98)

Section 6. 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.

RB:nl
10-14-2024
FOR: Director Drummond

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**REPORT
after second Reading**

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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 _____
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