

# Ordinance No. 470-2024

**By Council Members McCormack and Griffin (by departmental request)**

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into a ground lease with SureWx, Inc. for the use and occupancy of property located at 5300 Riverside Drive of Cleveland Hopkins International Airport to install a weather station, for a period of five years, with two five-year options to renew, exercisable by the Director of Port Control.

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WHEREAS, the City of Cleveland owns certain property located at 5300 Riverside Drive of Cleveland Hopkins International Airport which is not needed for the City's public use; and

WHEREAS, SureWx, Inc., has proposed to lease the property from the City to install a weather station; 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, and at the direction of the Board of Control, the Director of Port Control is authorized to enter into a Ground Lease with SureWx Inc., for approximately 25 feet by 15 feet and 10 feet x 10 feet of space located at 5300 Riverside Drive at Cleveland Hopkins International Airport ("Leased Premises"), to be used to install a weather station to facilitate efficient and environmentally sustainable winter operations. The term of the Lease shall be for a period of five years, with two five-year options to renew, exercisable by the Director of Port Control.

Section 2. That for use of the Leased Premises in the Lease, SureWx, Inc. shall pay the City an annual rental rate based on a third-party appraisal for fair market value at a per square foot rate. The rental amount will be adjusted annually based on Consumer Price Index (CPI) adjustments, at a per square foot rate. The rent is payable in twelve (12) equal monthly installments.

Section 3. That the Lease may authorize SureWx, Inc., to make improvements to the Leased Premises subject to the approval of appropriate City agencies and officials.

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Section 4. That the Ground 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 for the Ground Lease and its termination.

Section 5. That the Directors of Port Control, 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 Ground Lease authorized by this ordinance.

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:uo  
4-29-2024  
FOR: Director Francis

