

# Ordinance No. 587-2023

By Council Members McCormack and Griffin (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into an absolute triple net Lease Agreement with Aero Mag 2000 CLE, LLC for the lease of space in the North Cargo Facility Building at Cleveland Hopkins International Airport for operation of an aircraft deicing support and vehicle maintenance facility, for the Department of Port Control, for a period of one year, with two one-year options to renew, exercisable by the Director of Port Control.

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 Port Control is authorized to enter into an absolute triple net Lease Agreement (“Lease”) with Aero Mag 2000 CLE, LLC. (“Lessee”) for use and occupancy of approximately 21,271 square feet of space located in the North Cargo Facility Building at Cleveland Hopkins International Airport, which consists of approximately 20,620 square feet of warehouse space and approximately 651 square feet of office space (“Leased Premises”) for operation of an aircraft deicing support and vehicle maintenance facility. The term of the Lease shall be for a one-year period, with two one-year options to renew, exercisable by the Director of Port Control. For use of the Leased Premises during the initial period, Lessee shall pay fair market value as determined by an independent third party appraisal. For each option year exercised, 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 2. That the Lease authorized shall be prepared by the Director of Law and shall contain such additional provisions to protect and benefit the public interest.

Section 3. 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.

AP:nl  
5-8-2023  
FOR: Interim Director Kramer

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REPORT  
after second Reading

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**READ FIRST TIME on MAY 8, 2023**

REPORTS

and referred to DIRECTORS of Port Control, Finance, Law;  
COMMITTEES on Transportation and Mobility,  
Finance Diversity Equity and Inclusion

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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 and  
MOBILITY**

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**FINANCE, DIVERSITY, EQUITY  
and INCLUSION**

FILED WITH COMMITTEE

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