

Ordinance No. 40-2025

By Council Members Starr, Bishop, Hairston and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Directors of Public Works and Economic Development to enter into a ground lease with Rust Belt Riders Composting, LLC for the use and occupancy of property located at 3270 East 79th Street to consolidate its composting facility operations and to install a retail operation at the location, for a period of ten years with two ten-year options to renew, exercisable by the Directors of Public Works and Economic Development.

WHEREAS, the City of Cleveland owns certain property located at 3270 East 79th Street which is not needed for the City's public use; and

WHEREAS, Rust Belt Riders Composting, LLC ("RBR"), has proposed to lease the property from the City to consolidate its composting facility operations and to install a retail operation at the location; 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 Directors of Public Works and Economic Development are authorized to enter into a Ground Lease with RBR, for the property located at 3270 East 79th Street ("Leased Premises"), to consolidate its composting facility operations and to install a retail operation at the location. The term of the Lease shall be for a period of ten years with two ten-year options to renew, exercisable by the Directors of Public Works and Economic Development.

Section 2. That for use of the Leased Premises in the Lease, RBR shall pay the City an annual rental rate based on an independent third-party, fair market value appraisal.

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

Section 4. That the Ground Lease shall be prepared by the Director of Law and shall contain such other 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 Public Works, Economic Development, 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
1-6-2025
FOR: Directors McNair and Williams

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READ FIRST TIME on JANUARY 6, 2025 **REPORTS**
and referred to DIRECTORS of Public Works, Economic Development,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability,
Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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REPORT after second Reading

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

FILED WITH COMMITTEE

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

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

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