

Ordinance No. 1106-18

**Council Members Cleveland and Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into a Lease Agreement with T & G Flying Club, Inc. for the lease of space in the passenger terminal building at Burke Lakefront Airport for operation of a flight training school, aircraft rental program, and related services for student pilots, for the Department of Port Control, for a period of one year, with four one-year options to renew, the third of which is exercised by additional legislative authority.

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 the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with T & G Flying Club, Inc. ("Lessee") for use and occupancy of approximately 1,552 square feet of office space located in the terminal building at Burke Lakefront Airport and generally known as Suite No. 184 ("Leased Premises") for operation of a flight training school, aircraft rental program, and related services for student pilots.

Section 2. The term of the Lease shall be for a one year period, with four one-year options to renew. The first and second of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The third of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the third of the one-year options to renew is exercised, then the fourth of the one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the per annum rental rate shall be \$27,160.00 and is payable in twelve monthly installments of approximately \$2,263.00; which was determined by an independent third party appraisal, based on fair market value; and the rental rate for each of the option terms shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumers" Cleveland and Akron; however, never lower than the rate during the initial term.

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Section 4. That the Lease may authorize Lessee to make improvements to the Leased Premises subject to approval of the Director of Port Control and appropriate City agencies and officials.

Section 5. That the Director of Port Control, the Director of Law, and other appropriate City officials will have the authority to execute any other documents and certificates, and may take any other actions that may be necessary or appropriate to implement this ordinance.

Section 6. That the Lease authorized shall be prepared by the Director of Law.

Section 7. 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
9-10-18

FOR: Director Kennedy

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READ FIRST TIME on SEPTEMBER 10, 2018
and referred to DIRECTORS of Port Control, Finance, Law;
COMMITTEES on Transportation, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
TRANSPORTATION

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE