

**Ordinance No. 146-2019**

**Council Members:** Johnson and Kelley (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to lease certain space located in the Ticket House Building at League Park to the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum for the purpose of storing and displaying historical baseball memorabilia relevant to League Park, for a period of up to three years with two one-year options to renew, exercisable by the Director of Public Works.**

**WHEREAS**, the City of Cleveland owns certain land and the Ticket House Building at League Park, portions of which are not needed for the City's public use; and

**WHEREAS**, the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum has proposed to lease space in the Ticket House from the City; 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, the Director of Public Works is authorized to lease to the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum ("Lessee") approximately 4,000 square feet of space in the Ticket House Building at League Park, which is not needed for the City's public use.

**Section 2.** That the lease may authorize Lessee to sell museum and baseball-related merchandise to the general public. All merchandise shall be related to the Museum and its mission, which is to preserve and present the history of diversity in baseball by entertaining, educating and enlightening the visiting public about the multicultural heritage of baseball and the values it represents. Any lease agreement shall provide that the net proceeds from the sale of the merchandise will be used by the Lessee to offset Museum operating expenses.

**Section 3.** That the term of the lease authorized by this ordinance shall not exceed three years with two one-year options to renew, exercisable by the Director of Public Works.

**Section 4.** That the space authorized by this ordinance shall be leased at a rental of \$1.00 and other valuable consideration, which is determined to be fair market value, exclusive of utilities.

**Section 5.** That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

**Section 6.** That the lease shall be prepared by the Director of Law.

**Section 7.** That the Director of Public Works, the Director of 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 lease authorized by this ordinance.

**Section 8.** 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.

**Passed March 4, 2019.**

**Effective March 5, 2019.**