

Ordinance No. 251-2019

Council Members: McCormack, Cleveland and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Port Control to lease certain property located at 1201 North Marginal Road to the Cleveland Coordinating Committee for the Cod, Inc. for the purpose of operating a submarine museum and memorial, for a term of two years with three one-year options to renew, the first of which would require additional legislative authority.

WHEREAS, the City of Cleveland owns certain property known as 1201 North Marginal Road, which is suitable for lease by another party for a public use; and

WHEREAS, the Cleveland Coordinating Committee for the Cod, Inc. ("the Lessee") has proposed to lease the property from the City for the purpose of operating a submarine museum and memorial; and

WHEREAS, this Council finds that the lease of the real estate is in conformity with the provisions of Charter Section 45; 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 Port Control is authorized to lease to Lessee certain property more fully described as 0.64 acres of land in the City of Cleveland located at 1201 North Marginal Road, which is suitable for lease by another party for a public use for operation of a submarine museum and memorial.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years with three one-year options to renew, the first of which would require additional legislative authority. If such additional legislative authority is granted, the second and third 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 property authorized by this ordinance shall be leased at \$1.00 annually and other valuable consideration, determined to be fair market value, exclusive of utilities.

Section 4. 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 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, 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 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.

Passed March 25, 2019.

Effective March 26, 2019.