

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0071

| | |
|---|---|
| <p>Sponsored by: County Executive Budish/Department of Public Works</p> <p>Co-sponsored by: Councilmember Simon</p> | <p>A Resolution authorizing a revenue generating ground lease agreement with PACE Aviation, Inc. in the amount not-to-exceed \$907,179.00 to facilitate private construction of an airport hangar and related facilities and improvements to be located at the Cuyahoga County Airport, Curtiss Wright Parkway, Highland Heights, for the period 4/1/2018 - 3/31/2038; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p> |
|---|---|

WHEREAS, A letter of intent (LOI) was authorized by the Board of Control, by and between Cuyahoga County and PACE Aviation, Inc. In 2017 (CON2017-01) followed by an RFP exemption (RQ41618) providing for a ground lease; and

WHEREAS, PACE Aviation, Inc. has proposed building a 61,900 square foot hangar on approximately 1.36 acres of County-owned land at the Cuyahoga County Airport to be located on a part of PPN# 821-02-001 on Curtis Wright Parkway in the City of Highland Heights, Ohio; and

WHEREAS, such ground lease to PACE Aviation, Inc. will facilitate the development of an airplane hangar and private investment of approximately Three (3) Million Dollars; and

WHEREAS, said airplane hangar will become the property of Cuyahoga County at the end of the initial twenty (20) year term and the ten (10) year renewal term; and

WHEREAS, such investment will further increase revenues for the Cuyahoga County Airport through said ground lease and additional fuel flow fees, create jobs and expand the municipal and county tax base; and

WHEREAS, the County Executive/Department of Public Works recommends a revenue generating agreement with PACE Aviation, Inc. in the amount not-to-exceed \$907,179.00 (representing ground lease and fuel flow fees for the initial twenty-year term) for the period 4/1/2018 - 3/31/2038; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes a revenue generating ground lease agreement with PACE Aviation, Inc. in the amount not-to-exceed \$907,179.00 (\$395,304.00 in ground rent and \$511,875.00 in minimum fuel flow fees) for construction of an airport hangar and related facilities and improvements located at the Cuyahoga County Airport, Curtiss Wright Parkway, Highland Heights, for the period 4/1/2018 - 3/31/2038.

SECTION 2. That the County Executive is authorized to execute the agreement and all other documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Tuma, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Tuma, Gallagher, Schron, Conwell, Jones, Brown, Houser, Simon, Baker, Miller and Brady

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 27, 2018

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: April 10, 2018

Journal CC040

April 10, 2018