

# County Council of Cuyahoga County, Ohio

## Resolution No. R2023-0022

<p>Sponsored by: <b>County Executive Ronayne/Department of Public Works</b></p>	<p><b>A Resolution</b> authorizing an assignment and amendment to an agreement with Five Star Aviation, LLC for lease of land and a corporate hangar facility at the Cuyahoga County Airport, located at 26500 Curtiss-Wright Parkway, Highland Heights, for the period 8/13/1993 – 8/12/2033; to effectuate the assignment and assumption of the lease to Highland Heights Richmond LLC, effective 3/1/2023; and to amend the agreement to grant Tenant up to three (3) Renewal Terms through March 1, 2054; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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**WHEREAS**, the County Executive/Department of Public Works/ Division of County Engineer recommends an assignment and amendment to an agreement with Five Star Aviation, LLC for lease of land and a corporate hangar facility at the Cuyahoga County Airport, located at 26500 Curtiss-Wright Parkway, Highland Heights, for the period 8/13/1993 – 8/12/2033; to effectuate the assignment and assumption of the lease to Highland Heights Richmond LLC, effective 3/1/2023 and to amend the agreement to grant Tenant up to three (3) Renewal Terms through March 1, 2054; and

**WHEREAS**, the primary goal of this amendment is to follow through on the County’s contractual commitment under the lease agreement to consent to any proper transfer of the existing lease agreement and provide for an economically viable lease for an extended period of time; and

**WHEREAS**, the project is revenue generating; 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 an assignment and amendment to an agreement with Five Star Aviation, LLC for lease of land and a corporate hangar facility at the Cuyahoga County Airport, located at 26500 Curtiss-Wright Parkway, Highland Heights, for the period 8/13/1993 – 8/12/2033; to effectuate the assignment and assumption of the lease to Highland Heights Richmond LLC, effective 3/1/2023 and to amend the agreement to grant Tenant up to three (3) Renewal Terms through March 1, 2054.

**SECTION 2.** That the County Executive is authorized to execute the amendment and all other documents consistent with this Resolution. To the extent that any exemptions are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of 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. Sweeney, the foregoing Resolution was duly adopted.

Yeas: Kelly, Miller, Sweeney, Tuma, Gallagher, Schron, Conwell, Turner, Stephens, Simon and Jones

Nays: None

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County Council President                      Date

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County Executive                                      Date

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Clerk of Council                                      Date

First Reading/Referred to Committee: January 24, 2023  
Committee(s) Assigned: Public Works, Procurement & Contracting

Clerk's Note: Technical Correction made by Clerk: February 9, 2023

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