

# City of Cincinnati

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## An Ordinance No. 25

- 2024

**AUTHORIZING** the City Manager to execute a Lease Agreement with Onflight, Inc. pursuant to which the City will enter into a new lease for the use and occupancy of Lunken Airport Lease Area 12 for up to 33 years.

WHEREAS, the City of Cincinnati (“City”) owns Lunken Airport (“Airport”) in the East End and Linwood neighborhoods, which is under the management of the City’s Department of Transportation and Engineering (“DOTE”); and

WHEREAS, the City and Onflight, Inc., an Ohio corporation (“Lessee”), are parties to an Agreement of Lease dated June 30, 2000, pursuant to which the City leases Lease Area 12 at the Airport to Lessee (“Existing Lease”); and

WHEREAS, the Existing Lease is set to expire on June 30, 2030, after which date title and ownership of the leasehold improvements constructed on Lease Area 12 shall vest with the City; and

WHEREAS, Lessee desires to renovate and expand the leasehold improvements constructed on Lease Area 12 and has requested a new lease with a term of up to 33 years to facilitate proposed investment in the leasehold improvements at Lease Area 12, as more particularly set forth in the Lease Agreement attached to this ordinance as Attachment A and incorporated herein by reference (“New Lease”); and

WHEREAS, the City Manager, in consultation with DOTE, has determined that (i) the Leased Premises is not needed for a municipal purpose for the duration of the New Lease, and (ii) leasing the Leased Premises to Lessee is not adverse to the City’s retained interest in the Leased Premises or the Airport; and

WHEREAS, the City’s Real Estate Services Division, in consultation with the City’s Airport Manager after considering airport industry standards and FAA requirements, has determined by a professional appraisal that the fair market rental value of the Leased Premises is approximately \$38,226.48 per year, subject to the base rent escalation provisions set forth on Attachment A; and

WHEREAS, pursuant to Section 331-5, Cincinnati Municipal Code, Council may authorize the lease of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City; and

WHEREAS, City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the New Lease at its meeting on December 15, 2023; now, therefore,

**BE IT ORDAINED** by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to execute a Lease Agreement with Onflight, Inc., an Ohio corporation (“Lessee”), in substantially the form attached as Attachment A to this ordinance and incorporated herein by reference, pursuant to which the City of Cincinnati will enter into a new lease with Lessee for Lease Area 12 at Lunken Airport (“Leased Premises”) for up to 33 years, as more particularly described on Attachment A.

Section 2. That (i) the Leased Premises is not needed for a municipal purpose for the duration of the lease, and (ii) leasing the Leased Premises to Lessee is not adverse to the City’s retained interest in the Leased Premises or the Airport.

Section 3. That the rent set forth in the Lease Agreement reflects the fair market rental value of the Leased Premises, as determined by appraisal by the City’s Real Estate Services Division in consultation with the City’s Airport Manager after considering airport industry standards and FAA requirements.

Section 4. That eliminating competitive bidding in connection with the City’s lease of the Leased Premises is in the best interest of the City because Lessee has been a good and responsible tenant at the Airport and the City desires to retain Lessee as a tenant.

Section 5. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions and intent of this ordinance and the Lease Agreement, including, without limitation, executing any and all ancillary documents associated with the Lease Agreement, such as amendments or supplements to the Lease Agreement deemed by the City Manager to be in the vital and best interests of the City.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: January 24, 2024

Attest: [Signature]  
Clerk

[Signature]  
VICE Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 25-2024  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 2/6/2024  
[Signature]  
CLERK OF COUNCIL