

City of Cincinnati

CHM

An Ordinance No. 360

- 2023

EESW

AUTHORIZING the City Manager to execute a First Amendment to Ground Lease with BLOC Ministries, Inc., pursuant to which the City will lease approximately three and one-half acres of land at 1655 Ross Avenue in the East Price Hill neighborhood of Cincinnati for the operation of a youth horse riding academy.

WHEREAS, the City of Cincinnati and BLOC Ministries, Inc., an Ohio nonprofit corporation (“Lessee”), are parties to a Ground Lease, authorized by Ordinance No. 191-2018, passed by Council on June 27, 2018, pursuant to which the City leases to Lessee approximately seven acres of real property in the East Price Hill neighborhood located at 1655 Ross Avenue (“Leased Premises”) for the development and operation of a youth horse riding academy; and

WHEREAS, the City owns approximately three and one-half acres of vacant land abutting the Leased Premises (“Lease Expansion Property”), which is under the management of the Cincinnati Recreation Commission (“CRC”); and

WHEREAS, the City and Lessee desire to amend the Ground Lease to include the Lease Expansion Property to facilitate the expansion and enhancement of services provided at the youth horse riding academy, as detailed in the First Amendment to Ground Lease attached to this ordinance as Attachment A and incorporated herein by reference; and

WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is a public interest and proper public purpose for the State or its political subdivisions to sell, lease, exchange, or otherwise dispose of property within the State of Ohio for industry, commerce, distribution, and research; and

WHEREAS, the City Manager, in consultation with CRC, has determined that (i) the Lease Expansion Property is not needed for municipal or recreational purposes for the duration of the Ground Lease, and (ii) leasing the Lease Expansion Property to Lessee is not adverse to the City’s retained interest in the Lease Expansion Property; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-5, 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 eliminating competitive bidding in connection with the City’s lease of the Lease Expansion Property is in the best interest of the City because the City desires to facilitate the expansion and enhancement of services provided at the youth horse riding academy and has identified the Lease Expansion Property as being an appropriate and suitable location for such expansion; and

WHEREAS, the City's Real Estate Services Division has determined, by a professional appraisal, that the fair market rental value of the Lease Expansion Property is approximately \$3,000 per year; however, the City is agreeable to lease the Lease Expansion Property to Lessee for less than its estimated fair market rental value, namely, for \$0.00 because the City anticipates that it will receive economic and non-economic benefits from the lease of the Lease Expansion Property that equal or exceed its fair market rental value because Lessee's operation of a horse riding academy for kids after school and during the summer expands exposure to unique cultural and educational programs, activities, and opportunities in the City for CRC patrons; and

WHEREAS, the City has determined that the lease of the Lease Expansion Property to Lessee is commercial in nature and constitutes a proper public purpose because the youth horse riding academy will result in the creation of employment and recreational opportunities for the benefit of the community; and

WHEREAS, Cincinnati Recreation Commission approved the lease of the Lease Expansion Property to Lessee at its meeting on May 17, 2022; and

WHEREAS, the City Planning Commission, having the authority to approve the change in use of City-owned property, approved the lease of the Lease Expansion Property to Lessee at its meeting on August 18, 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 First Amendment to Ground Lease with BLOC Ministries, Inc., an Ohio nonprofit corporation ("Lessee"), in substantially the form attached to this ordinance as Attachment A and incorporated herein by reference, pursuant to which the City will lease to Lessee approximately three and one-half acres of land located at 1655 Ross Avenue in East Price Hill ("Lease Expansion Property") on the same terms and conditions as set forth in that certain Ground Lease dated July 31, 2018, which Ground Lease Council authorized by Ordinance No. 191-2018, passed on June 27, 2018.

Section 2. That the Lease Expansion Property is not needed for a recreational or other municipal purpose for the duration of the Ground Lease.

Section 3. That leasing the Lease Expansion Property to Lessee is not adverse to the City's retained interest in the Lease Expansion Property.

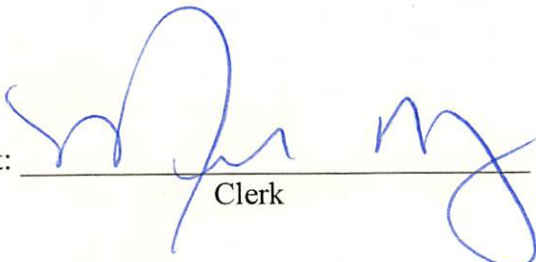
Section 4. That the City's Real Estate Services Division has determined, by professional appraisal, that the fair market rental value of the Lease Expansion Property is approximately \$3,000 per year; however, the City is agreeable to lease the Lease Expansion Property to Lessee for less than its estimated fair market rental value, namely, for \$0.00 because the City anticipates that it will receive economic and non-economic benefits from the lease of the Lease Expansion Property that equal or exceed its fair market rental value because Lessee's operation of a horse riding academy for kids after school and during the summer expands exposure to unique cultural and educational programs, activities, and opportunities in the City for CRC patrons.


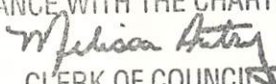
Section 5. That eliminating competitive bidding in connection with the City's lease of the Lease Expansion Property is in the best interest of the public because the City desires to facilitate the expansion and enhancement of the youth horse riding academy and has identified the Lease Expansion Property as being an appropriate and suitable location for such expansion.

Section 6. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance and the First Amendment to Ground Lease, including executing any and all ancillary documents associated therewith, such as amendments or supplements to the Ground Lease deemed by the City Manager to be in the vital and best interests of the City.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: November 1, 2023

Attest: 
Clerk


Vice-Mayor
I HEREBY CERTIFY THAT ORDINANCE NO. 300-2023
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 11/14/2023

CLERK OF COUNCIL