

RESOLUTION NO. 2009-39

AUTHORIZING THE GENERAL MANAGER/SECRETARY-TREASURER TO ENTER INTO A LEASE AGREEMENT WITH JOSEF ASKIE TO OPERATE A RESTAURANT AT THE WINDEMERE RAPID TRANSIT STATION FOR A TERM OF TWO (2) YEARS WITH THREE (3) OPTIONS OF ONE (1) YEAR EACH FOR A TOTAL OF FIVE (5) YEARS

WHEREAS, the Greater Cleveland Regional Transit Authority owns property at 14233 Euclid Avenue in East Cleveland, Ohio commonly known as the Louis Stokes Windemere Rapid Transit Station; and

WHEREAS, the Authority currently has a vacant restaurant space at the station which it wishes to lease; and

WHEREAS, the restaurant provides an amenity to riders on the Authority's transit system; and

WHEREAS, the Authority wishes to maximize the revenue from its real property assets; and

WHEREAS, the Authority advertised the restaurant space for lease through its real estate broker, Colliers Ostendorf-Morris; and

WHEREAS, Josef Askie is one of the many people who responded to the advertisement and it was determined that Josef Askie is the best candidate to operate the restaurant; and

WHEREAS, Josef Askie wishes to lease the vacant restaurant space at the station from the Authority and the Authority wishes to lease the space to Josef Askie.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1: That the General Manager/Secretary-Treasurer is hereby authorized to enter into the attached lease agreement with Josef Askie for approximately 1,117 square feet of restaurant space in the building commonly known as the Louis Stokes Windemere Rapid Transit Station and to exercise options for renewal terms as permitted by the lease agreement.

Section 2: That the lease term shall be two (2) years with an option for three (3) additional renewal terms of one (1) year each.

Section 3: That the annual rent for each lease year shall be Six Thousand Dollars (\$6,000.00) payable in equal monthly payments along with the tenant's proportionate share of the Authority's insurance premium.

Section 4. That Josef Askie will be responsible for his share of any real property taxes or new utilities charges as described in the lease terms under the Taxes and Utilities sections.

Section 5. That Josef Askie is responsible for keeping the space clean, including the public restroom facilities located inside the restaurant.

Section 6: That the General Manager/Secretary-Treasurer be, and is hereby authorized to enter into the Lease Agreement and to exercise three (3) one year renewal options with Josef Askie for use of the Greater Cleveland Regional Transit Authority property identified above in substantially the form of Attachment A hereto.

Section 7: That this resolution shall become effective immediately upon its adoption.

Attachment: Lease Agreement

Adopted: May 19, 2009

President

Attest: _____
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: WINDEMERE RAPID TRANSIT STATION RESTAURANT SPACE VENDOR: JOSEF ASKIE AMOUNT: \$6,000/YEAR	Resolution No.: 2009-39
	Date: May 14, 2009
	Initiator: Programming and Planning
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** GCRTA wishes to lease retail space at the Windemere Rapid Transit Station to Josef Askie for the operation of a restaurant that will provide an amenity to riders and maximize revenue from this real estate asset.

- 2.0 **DESCRIPTION/JUSTIFICATION:** GCRTA has had vacant retail space at the Windemere Rapid Transit Center since the previous restaurant lease was terminated in November 2008. GCRTA built out the retail space as a small restaurant when the station was constructed. GCRTA's real estate broker, Colliers Ostendorf-Morris, advertised the space for lease. Josef Askie was one of the parties who submitted a business plan in response to the advertisement. Mr. Askie currently is a driver out of GCRTA's Hayden Garage. Previously he was the owner-operator of Poor Boys Restaurant near GCRTA's Woodhill District Garage and the manager of a Shrimp Boat restaurant. Mr. Askie has been in the restaurant business for over 20 years. GCRTA employees who frequented his restaurant near the Woodhill Garage remember his food fondly and give him high reviews. He has a good business plan and understands the clientele at the Windemere station because of his work at the Hayden Garage. He will continue to work as a driver for GCRTA after the restaurant opens by hiring employees to cover shifts when he is driving.

- 3.0 **PROCUREMENT BACKGROUND:** Not Applicable

- 4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** Not Applicable

- 5.0 **POLICY IMPACT:** This action is compliant with the Board of Trustees Real Estate Procedures that specify the Board of Trustees must approve all leases with total revenue to GCRTA in excess of \$25,000.

- 6.0 **ECONOMIC IMPACT:** Entering into this lease allows GCRTA to gain revenue from underutilized real estate.

- 7.0 **ALTERNATIVES:** Recommend that the retail space remain vacant or that GCRTA solicit for another restaurant operator.

- 8.0 **RECOMMENDATION:** Staff recommends that the Board of Trustees approve the resolution to authorize leasing this property to Josef Askie.

9.0 ATTACHMENTS: None.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

CEO, General Manager/Secretary-Treasurer