

---

## **MEMORANDUM**

TO: Members of Council  
FROM: Tanisha R. Briley, City Manager  
DATE: June 8, 2018  
RE: June 11, 2018

---

## **MEETINGS & REMINDERS**

Monday, June 11	-	6:15 p.m.	-	Committee of the Whole
Wednesday, June 13	-	7:00 p.m.	-	Planning Commission
Thursday, June 14	-	6:00 p.m.	-	Meet Your Police
Friday, June 15	-	9:30 a.m.	-	Commission on Aging

---

## **LEGISLATION**

1. Community Development Block Grant Funds
  - Family Connections
  - Cleveland Tenant Organization
  - Heights Community Congress
  - Home Repair Resource Center
  - Heights Youth Club, Inc.
  - Open Doors
  - Lake Erie Ink
2. OPWC Culvert Emergency Rehabilitation
3. Adopting Cedar Lee SID Plan and Petition
4. Cedar Fairmount SID Resolution of Necessity
5. Note Ordinance
6. Tobacco 21 Legislation

## **GENERAL INFORMATION**

1. Enclosed is an update from the City Manager and the agenda.
2. Enclosed is an update from the Vice City Manager.
3. Enclosed are updates from the Public Works Director.
4. Enclosed is an update from the Planning and Development Director.
5. Enclosed is an update from the Economic Development Director.
6. Enclosed is an update from the Parks and Recreation Director.
7. Enclosed is the weekly activity report from the Fire Chief.
8. Enclosed is the weekly activity report from the Police Chief.

9. Enclosed are minutes for ABR.

TRB/jkw  
Enclosures



## COUNCIL UPDATE

JUNE 8, 2018

### 1. LEGISLATION

- **Community Development Block Grant Funds**
  - **Family Connections.** This legislation authorizes an agreement with Family Connections for up to \$20,000.
  - **Cleveland Tenants Organization.** This legislation authorizes an agreement with Cleveland Tenants Organization for up to \$7,000.
  - **Heights Community Congress.** This legislation authorizes an agreement with Heights Community Congress for up to \$6,000.
  - **Home Repair Resource Center.** This legislation authorizes an agreement with Home Repair Resource Center for up to \$118,126 for Operating Expenses; \$10,000 for Assist Incentive Grants; \$20,000 for Deferred Loan Match; \$5,000 for the Senior Home Stability Grant; and \$19,577 for Housing Counseling; for a total grant of up to \$172,703.
  - **Heights Youth Club, Inc.** This legislation authorizes an agreement with Family Connections for up to \$35,000.
  - **Open Doors Academy.** This legislation authorizes an agreement with Open Doors Academy for up to \$11,966.
  - **Lake Erie Ink.** This legislation authorizes an agreement with Family Connections for up to \$12,128.
  
- **OPWC - Dugway East Culvert.** This legislation authorizes the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement programs to be used for the Dugway East Culvert Emergency Rehabilitation project.
  
- **Note Ordinance.** This legislation provides for the issuance and sale of \$722,000 of notes, in anticipation of the issuance of bonds, for the purpose of reconstructing, resurfacing and otherwise improving City streets; rebuilding Monticello Boulevard and Taylor Road, including engineering and planning costs and acquiring motorized equipment and appurtenances.
  
- **Tobacco 21.** This legislation enacts Chapter 729, "Smoking-Related Prohibitions," of the Codified Ordinances of Cleveland Heights. This will raise the age for

tobacco sales to 21 and over in Cleveland Heights.

## **2. COMMITTEE OF THE WHOLE MEETING - PREP**

- The bulk of Monday's meeting will be devoted to presentations from the two development team finalists for the Meadowbrook & Lee site. We will spend one hour with each team, 30 minutes for their presentation and 30 minutes for Q & A. Please review the enclosed materials for each development team. There is also a summary memo and chart to assist your review process.

## **3. CDC STATUS**

- Work continues on the CDC project. I met this week with Future Heights Executive Director, Deanna Bremer Fisher to discuss options to address the concerns raised by Council members since the presentation of the working group's recommendations regarding adequate and appropriate oversight of the organization as it relates to CDC specific activity. Deanna and I will touch base again next week.

## **4. RACIAL EQUITY INSTITUTE**

- You should have received an invitation via email to the Groundwater Workshop scheduled for Thursday, June 21, 2018. Please be sure to register before next Friday. The registration process is quick and is needed to determine the headcount for lunch in addition to collecting required demographic information for participants. Please contact Executive Assistant to the City Manager, Jennifer Williams, if you have any issues.



# CLEVELAND HEIGHTS

## Committee of the Whole

June 11, 2018

### Agenda

1. Report of City Council Members 6:15 p.m. – 6:20 p.m.  
*Goal: Mayor and City Council members will provide updates on items of interest*
  
2. Legislation Overview 6:20 p.m. – 6:25 p.m.  
*Goal: Discuss proposed legislation*
  
3. Discussion of Staff Reports 6:25 p.m. – 6:30 p.m.  
*Goal: Council members will ask staff questions about their reports and/or activities*
  
4. Meadowbrook & Lee Developer Presentations 6:30 p.m. – 9:00 p.m.  
*Goal: Council members will receive presentations from developers interested in the Meadowbrook & Lee property*
  - Cedar Lee Connection* *6:30 p.m. – 7:30 p.m.*
  - Newland Developments, LLC* *7:40 p.m. – 8:40 p.m.*
  - Executive Session – To consider the terms of a lease of City-owned real property* *8:45 p.m. – 9:00 p.m.*
  
5. Citywide CRA Status 9:00 p.m. – 9:20 p.m.  
*Goal: Staff will present an update on the citywide CRA project*

**TO: TANISHA R. BRILEY , CITY MANAGER**

**FROM : SUSANNA NIERMANN O'NEIL, ASSISTANT CITY MANAGER**

**RE: COMMUNITY OUTREACH UPDATE**

**DATE: JUNE 8, 2018**

**COMMUNITY RELATIONS:**

- **Delamere Road meeting:** Staff (Mannarino, Clinkscale, Vander Tuig and O'Neil) met last night with the residents of Delamere regarding their water issues. Each resident told their experiences with backup in their basements , some of them enduring it for years! Staff is looking at data and the individual situations to come up with a game plan. Something must be done.

**COMMUNICATION INITIATIVES:**

- Mary Trupo has led the team looking at the 10 proposals that responded to the RFQ for a Promotional initiative for the City, to include branding, marketing and outreach. The final selection recommendation will be reported in the near future.
- Ongoing communication with Crain's and the finalization of ads for the Fall/Winter Focus.
- Biweekly newsletter went out today.

**SOCIALMEDIA:**

- Promotion of Cumberland Pool and the children's garden that has returned to the pool area
- Promotion of the Cedar Lee Hot Rods&Classics event
- Announcement of Summer meals for children
- Street paving notices



**To: Tanisha Briley-City Manager**  
**From: Alex Mannarino-Public Works Director**  
**Date: June 8, 2018**  
**Subject: Public Works Weekly Update**

**Forestry:**

- Tree Tracker work history from May 31, through June 6, 2018.
- YTD: Trimmed 138 trees, removed 138, planted 150 trees, and dumped 77 loads of woodchips and 36 loads of logs

**Sewer:**

- Continued repairing the catch basin at 1054 Hillstone
- Repaired the storm main at 2460 Euclid Hts Blvd
- Repaired catch basin at 2499 Canterbury
- Repaired tree lawn at 2591 Queenston
- Replaced manhole lid and poured cement at Station 3
- Unblocked sanitary main at Parkway and Superior and Fairfax and North Park
- Jetted drains at Cain Park
- Unblocked sanitary main on Chestnut Hills
- Jetted house laterals at 3692 Burbridge, 2689 E Overlook, 1317 Burlington and 3747 Bainbridge
- Put road plate on hole by catch basin at 1299 Cleveland Hts Blvd
- Investigated broken catch basin at Berkshire and Kent
- Investigated sink holes at 2583 Queenston, 3552 Washington and 1364 Forest Hills Blvd.
- Hauled 304 away from CWD jobs on Cedar Glen
- Attended SORP meeting at City Hall
- Investigated flooded basements at 1905 Parkway, 3515 Randolph and 1944 Staunton
- Investigated hole behind catch basin at 2997 North Park
- Unblocked flooded area at 820 Woodview
- Attended Leadership Training Session 1 & 2

**Sewer Service Calls:**

- 3499 Bainbridge, 2608 Ashton, 3958 Monticello, 3357 Scarborough, 3513 Bainbridge, 3116 Fairmount, 3014 Washington, 1314 Cleveland Heights Blvd, 2884 Fairmount, 2553 Kingston, 3692 Burbridge, 1139 Clifford, 3277 Dellwood, 2582 Canterbury, 2153 Chatfield, 1842 Wilton, 3048 Washington, 1637 Coventry

**Water Admin:**

- **CWD:**
  - Obtained Final Readings
  - Turned water off/on for plumbing repairs
  - Investigated water complaints regarding leaks

### **Refuse:**

- Transported 339.76 (22 loads) of refuse to Shiloh landfill and 16.53 tons (1 load) to Harvard Transfer Station
- Transported 13.30 tons (6 loads) of mixed recycling to Kimble

### **Streets Maintenance:**

- **Asphalt:** Mayfield at Coventry (CWD cutout), Antisdale (3630, 3585, 3578,3570, 3566, 3554, 3529), 1169 Sylvania (pothole), Superior (Mayfield to E.Cleveland line), Lover's Lane (potholes), Coventry, (E. Overlook to Berkshire, 1929 at Coleridge, 2357, 2353) Fairmount at W. St. James (cutout), Forest Hills, (by concession stand patched bad area), Roxboro at Fairmount (potholes), 14170 Superior (road repaired), Cedar Hill (curb lanes west and east), 2160 Chatfield, (curb), Oxford (955, 961, 965, 971, 975, 979), 1047, 1034 Selwyn, (CWD cutout), 3402 Spangler (CWD cutout), 3747 Northampton (CWD cutout), E. Overlook (3090, 3124)
- **Construction Crew:** 2160 Chatfield (replaced 30ft of curbing and sidewalk blk), Mayfield at Coventry (CWD cutout, concrete – EB), Cedar Hill (2 CWD cutouts, sawcut, concrete to top), 3378, 3431 Henderson, (CWD cutout, concrete), 3586 Hartwood (CWD cutouts, concrete), 1099 Woodview (CWD cutout, concrete), 3402, 3430 Spangler (CWD cutout, concrete), 3747 Northampton, (CWD cutout), 1015 Elbon (CWD cutout, concrete), Cedar Hill (CWD cutout, concrete), Mayfield at Transfer Station (CWD cutout, concrete)
- **Special Pick Ups:** 2367 N. Taylor, 3187 Rumson, 935 Beverly, 3935 Northampton, 3498 Bainbridge, 2605 Exeter, 2261 Stillman, 2315 Lamberton, 1715 Wood, 1620 Oakwood, 4040 Ardmore, 1590 Crest, 2764 Berkshire, 3229 Berkshire
- **Miscellaneous:** Helping with grass cutting, Cumberland Pool, Mechanic shop, Block Party (2233 Demington), Community Center (put snow fence up)
- **Sweepers:** City Garage, Parking Lot, Forest Hills Park, Business Districts, Ballfields, Blanche, Hampshire, Lancashire
- **Hauling:** Grinding leaves, woodchips, hauling mulch (Midwest)

# MEMORANDUM

To: Tanisha Briley-City Manager  
From: Alex Mannarino-Director of Public Works  
Date: June 8, 2018  
Re: Capital Projects Weekly Update

---

## Legislative Matters

Legislation is being presented which authorizes the City Manager to file an application with the Ohio Public Works Commission. This application is necessary for the City to enter into an agreement for the emergency funds for the Dugway East Emergency Culvert Rehabilitation.

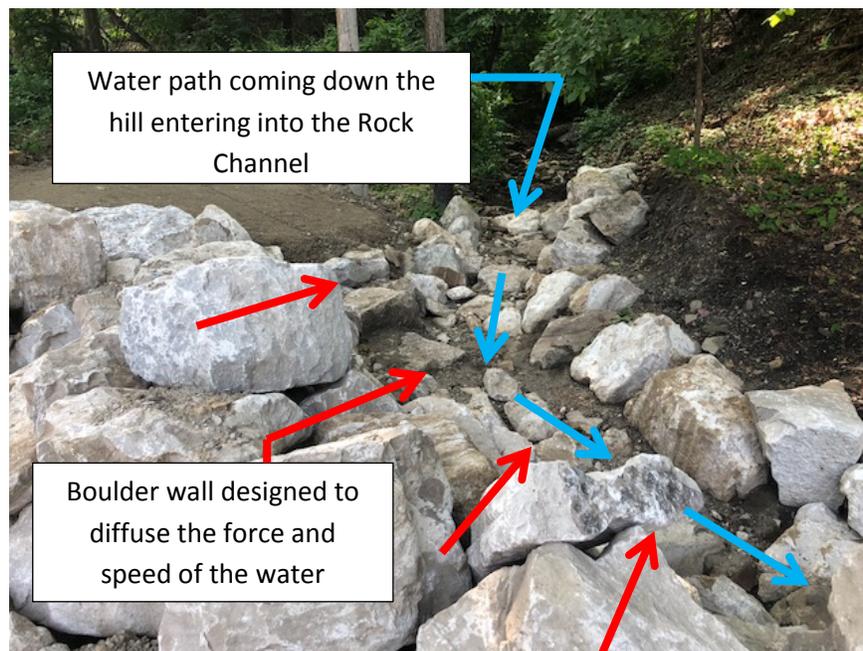
## Community Center – Dugway East Culvert Failure

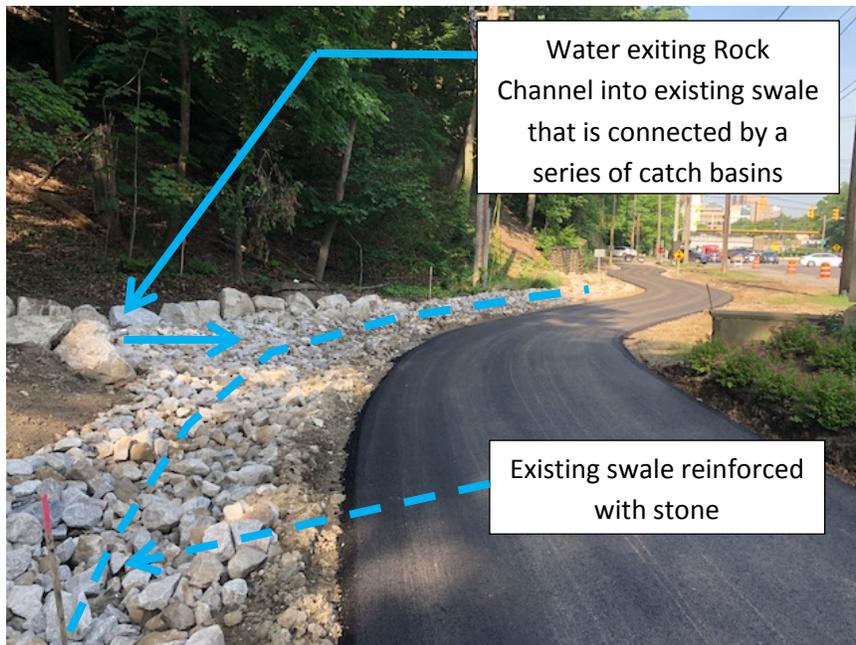
We were recently notified that the Ohio Public Works Commission will commit emergency funds to pay 75% of the construction costs up to a maximum of \$180,295. We are very thankful for their participation in this urgent matter.

We are currently working out some details related to contractor proposals, and should have more information available next week.

## Cedar Road Resurfacing/Cedar-Fairmount Streetscape

The storm water mitigation work has been completed. Perk as finished constructing the large rock channel that has been designed by the engineers to diffuse the speed of water flowing down the hill from Chestnut Hills and direct it into the catch basins along the path. The paving contractor for Perk was out on Thursday, and they completed re-paving the multi-purpose path.





Perk still has some additional grading and seeding to be completed along the path, along with any punch list items.

### **Cuyahoga County Aggregated Solar Project**

The City has submitted the Letter of Intent to participate in the County's Request for Proposals (RFP).

This will probably take some time for the county to initiate. Updates will be provided as information becomes available.

### **Mayfield Signalization**

Contract has been signed, and the pre-construction meeting is scheduled for June 13<sup>th</sup>. Work should commence shortly thereafter. We will continue to provide updates as information becomes available.

### **Safe Routes to Schools – ODOT PID 101112**

Stage 3 comments from ODOT have been received and are currently being addressed.

### **#18-01 North Park – Buffered Bike Lane – ODOT PID 106001**

No new updates

### **Edgehill and Overlook Intersection Re-Design – ODOT PID 106749**

Stage 2 Plan designs have been submitted for review by ODOT.

### **2018 Street Resurfacing Program**

Burton Scot has finished grinding Woodview, Lecona, Medford, Clarence, Nobleshire, and Vineshire. They still have some remaining grinding work to perform on Randolph.

### **2018 Surface Treating Program**

The contractor was out this week driving the streets, and laying out their work. Street repair work should begin next week on Ardoon St., Derbyshire Rd., Idlewood Rd., Parkhill Rd., and Tudor Rd.. During this time access to drives should be maintained.

### **2018 Pavement Striping Program**

No new updates

### **Dominion East Ohio**

#### **Woodview and Elbon PIR-1527**

Contractor continues with sidewalk restoration.

#### **Washington Boulevard PIR-3047**

We have contacted the designer to inquire about the status of the Historic Preservation review.

## **Euclid Heights Boulevard**

We have been communicating with Dominion regarding the design of this project. They are currently undergoing historic preservation review by the Ohio Historic Preservation Office. We expect to have a preliminary set of plans sometime next week.

# MEMORANDUM

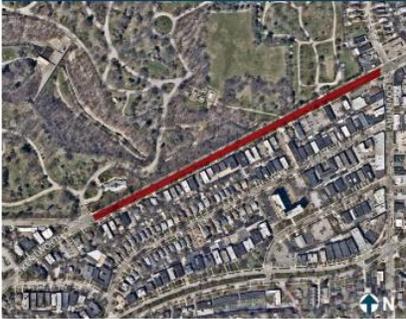
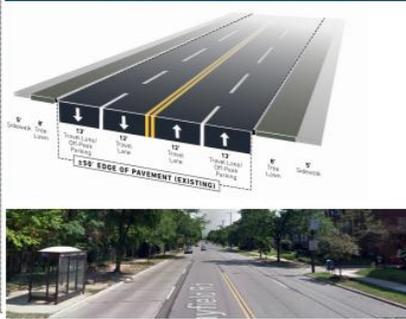
**To:** Tanisha Briley, City Manager  
**From:** Richard Wong, Planning Director  
**Date:** June 8, 2018  
**Subject:** Weekly Update

## Mayfield Road Multimodal Plan

Roughly the same number—50 to 60-- as the first meeting in South Euclid attended this second meeting that was in the Community Center. Joe McRae and staff did an amazing job quickly setting up the room. The consultants from MKSK and Nelson

### POTENTIAL DESIGN OPTIONS: SELECT YOUR TOP PREFERENCE

PLACE YOUR DOT: ● = PREFERRED OPTION

<p><b>YOU ARE HERE:</b></p> 	<p><b>TYPICAL EXISTING CONFIGURATION</b></p> 	<p><b>OPTION 1: BUFFERED BIKE LANE</b></p> 
<p><b>OPTION 2: ON-STREET PARKING</b></p> 	<p><b>OPTION 3: PARKING + SHARED USE PATH</b></p> 	<p><b>CREATE YOUR OWN!</b></p> <p>VISIT THE "KIT OF PARTS" STATION TO BUILD YOUR OWN STREET CONFIGURATION FOR THIS SEGMENT OF MAYFIELD ROAD!</p> 

### MAYFIELD CORRIDOR STUDY | ROADWAY CONFIGURATION - KENILWORTH RD TO COVENTRY RD

Nygaard did equally well encouraging participation and input. Marc Lefkowitz, Howard Maier and Sam Bell of the Transportation Advisory Committee attended. The consultants will summarize attendees' comment sheets and road configuration preferences. A follow-up meeting between city representatives and the consultants is planned for Thursday, June 21 at our city hall.

**National Complete Streets Coalition**

By the end of this year, our policy will be graded from 1 to 100 by this organization. Cleveland Heights will be added to the growing list of communities committed to changing roads so that they serve all users and help improve livability and vitality.

**CDBG**

The June 18<sup>th</sup> Council meeting will see 7 pieces of legislation regarding the Year 44 CDBG contracts with our partner agencies. Included is contract legislation for both the Cleveland Tenants Organization and Heights Youth Club. While both organizations have suspended operations, they have both indicated that they are in the process of reorganizing and have every intention of returning to serve the community. We would like to support these efforts and are asking that Council approve both pieces of legislation so that we do not hamper their desired comebacks. Additionally, the Legal Aid Society of Cleveland has assumed the duties of CTO's Landlord Tenant Hotline, the activity that CTO has been awarded Year 44 funds for. We are anticipating that Legal Aid will ask to be named a sub-contractor under CTO's contract while CTO is temporarily closed.

Cleveland Heights  
Economic Development



**To:** City Manager Tanisha Briley  
**From:** Economic Development Director Tim Boland  
**Subject:** Activities Report – June 8, 2018

---

**Activities and Initiatives:**

**1. Meadowbrook & Lee Site Redevelopment**

Please see attached report and supporting documents in your packet related to the Meadowbrook & Lee site redevelopment project.

**2. Community Reinvestment Redesign Update**

Please see attached report, supporting documents, and draft legislation in your packet related to the proposed City-wide Community Reinvestment Area.

**3. Special Improvement District Renewals**

Included in your packet are two pieces of legislation related to the renewal of Special Improvement Districts. For the **Cedar Fairmount SID**, legislation is included declaring the necessity to implement the plan for public services/improvements submitted with the previously approved petitions from property owners in the district. For the **Cedar Lee SID**, legislation is included to approve the plan for public services/improvements and petitions from property owners representing 60% of the total front footage in the district.

Both pieces are asked to be considered as emergency legislation in order to meet the County deadline of the second Tuesday in September for tax assessments to be included for the next year.

**4. Income Tax Offset Program Update**

Based on Council feedback, staff is preparing several case study examples of income tax offset projects from other communities (including Shaker Heights and Solon). Those will be included in a future Council packet for review and additional discussion.

## 5. Outreach & Marketing

Upcoming events:

- Top of the Hill Project Community Meeting – June 19, 7pm at the Community Center
- Doing Business in the Heights (in conjunction with the SBA and SBDC) – June 28, 9am at the Cleveland Heights Lee Road Library
- Historic Tax Credit Workshop (hosted by Heritage Ohio) – July 9, 4:30pm at the Cleveland Heights Lee Road Library

Staff attended/participated in the following meetings:

- Noble Neighbors
- Future Heights Planning & Development Committee

Thank you,

*Tim Boland*

Economic Development Director

**Cleveland Heights  
Economic Development**



**To:** City Manager Tanisha Briley  
**From:** Economic Development Director Tim Boland  
**Subject:** Meadowbrook & Lee Site Redevelopment

---

**MEADOWBROOK & LEE SITE REDEVELOPMENT**

**EXECUTIVE SUMMARY:**

The following is a status report on the redevelopment of the City-owned vacant Meadowbrook & Lee property, located in the Cedar Lee Commercial District. Information on the process of selecting Development Partner finalists and the findings of the City's internal project evaluation team are detailed below.

After issuing a Request for Qualifications and Preliminary Development Proposals (RFQ/RFP), review of the proposals submitted, and presentations/Q & A's of four (4) Development Partner Team candidates, the City's evaluation team has determined that the development vision of two of the candidates, **Cedar Lee Connection** and **Newland Developments, LLC**, were most responsive and recommends that these finalists attend and make presentations at the City Council Committee of the Whole meeting on June 11, 2018.

At this meeting, these finalists will present their development vision and qualifications, as well as be available to answer questions regarding their proposal to be the City's Development Partner for this important project.

**BACKGROUND – PROCESS OF SELECTING DEVELOPMENT PARTNER FINALISTS:**

The City received submittals from four (4) development teams in response to the Request for Qualifications and Preliminary Development Proposals (RFQ/RFP) issued by the City on February 26, 2018 that were due on April 16, 2018. The submitting teams were:

- Cedar Lee Connection
- Newland Developments, LLC
- NRP Group, LLC
- "The Mural Stays"

The City's evaluation team met on April 25, 2018 to review the responses based on five primary areas:

1. Developer Qualifications
2. Development Concept
3. Development Approach
4. Economic & Fiscal Impact
5. Development Schedule

The evaluation team determined and recommended on May 1, 2018 to City Manager Tanisha Briley that three of the four development teams, excluding “The Mural Stays”, should be invited to present to an expanded evaluation team, adding the City Manager and two representatives from the Cedar Lee Special Improvement District (SID), on May 21, 2018.

At these interviews, consisting of presentations from the development teams and Q & A periods, the City was represented by the expanded evaluation team consisting of myself, Tanisha Briley, Kelley Robinson, Bill Mitchell, Richard Wong, Brian Anderson, Karen Knittel, and Kara Hamley O’Donnell.

Each development team was provided 30 minutes for presentations followed by a 20 minute question and answer period. Following these interviews, the evaluation team determined that **Cedar Lee Connection** and **Newland Developments, LLC**, should be the development team finalists for the project and be invited to present to City Council.

A summary of the evaluation of each development team that submitted is provided below.

**FINDINGS:**

The purpose of the RFQ/RFP process is for the City to identify a qualified development partner or team possessing the vision, experience, and financial resources to carry out a wide-ranging development that is best suited to work collaboratively with the City to create and execute a development plan that accomplishes the goal of redeveloping this site. Throughout this process, the City has encouraged highly creative ideas and approaches to the redevelopment of this site. As stated in the RFQ/RFP for this project, the City seeks to develop the Site in a way which, at a minimum:

1. Creates a dense, vibrant, pedestrian friendly and unique commercial, office, residential or potentially mixed-use development that leverages the placemaking opportunities of the site;
2. Encourages the inclusion of minority-owned and female-owned business enterprises in the construction of the development;
3. Dovetails with the architecture and aesthetics of the surrounding Cedar Lee District;
4. Complements and is harmonious with adjacent residential neighborhoods;
5. Creates positive economic and fiscal benefits for the neighborhood and the City;

6. Incorporates greenspace, and/or a strong landscaping plan into the design and construction of the development;
7. Strives to achieve LEED certification and, at a minimum, implements sustainability best practices; and
8. Effectively incorporates community feedback into the design.

The evaluation team's findings relative to the proposals submitted and interviews are as follows:

#### THE MURAL STAYS

Principal – Fran Mentch, Key participants – Gary Kanter and Ralph Solonitz. The initial City evaluation team determined that the submittal made by “The Mural Stays” group, proposing that this site be developed as a park, was not sufficiently responsive to the City’s Development Goals for the project (noted above), and that there were shortcomings in the submittal from this group relative to the Evaluation Criteria, including Developer Qualifications, Development Concept, Development Approach, and Economic & Fiscal Impact. As a result, the Evaluation Team determined that the submittal from this group should not receive further consideration at this time. “The Mural Stays” team was not included in the presentations to the City evaluation team on May 21, 2018.

#### THE NRP GROUP, LLC

This team proposed a mixed-use urban in-fill development targeted towards the LGBT community with street-level retail / office uses with affordable inclusive housing. The proposal included the use of lower income housing tax credits. The group also indicated they would be pursuing “Green Building” Design approaches in this redevelopment. A portion of the commercial areas would be leased out as neighborhood co-working and office space.

The NRP Group has a strong track record and capacity to carry out this proposed development. However, the City evaluation team felt that the design of the building proposed provided the least amount of detail of the submittals for construction on this site. Unfortunately, the evaluation team did not learn a great deal more about the proposed potential design, and based on other projects that this developer has done, we were not confident that a highly creative design would be pursued for the Meadowbrook & Lee site. The capital investment in this project was estimated at roughly \$12 million. The potential inclusion of The Beauty Shoppe co-working space in this development was seen as a potentially significant and high impact use for this project. The evaluation team asked NRP if they were open to constructing the residential portion of the project as a market-rate residential development, to which the developer responded that this would significantly add to the financial gap for the project.

Based on these findings, it was not recommended that The NRP Group, LLC be asked to present to City Council.

## CEDAR LEE CONNECTION

Vision: The Cedar Lee Connected has submitted a proposal for a retail and residential mixed use development consisting of a modified “V” shaped building offering a unique middle courtyard area that could be programmed private space or public civic space. The proposal includes street level retail and chef driven restaurants. This development group points to and draws heavily on The Quarter project located on the corner of W. 25<sup>th</sup> Street and Detroit Avenue as the model for the Meadowbrook & Lee site.

Qualifications: Cedar Lee Connections has assembled a strong development team including Sequoia Realty, headed by Richard Ferris, as development partner, the Snively Group, LDA Architects headed by Dominick Durante who has been involved in several high profile projects such as Church and State in Ohio City, and Roger Bliss. Staff is extremely excited about the potential opportunity to work with the Snively Group, which has been involved in a number of impressive projects in the Hingetown/Ohio City area, such as The Quarter project mentioned above, and has encouraged Mr. Snively to consider assuming a prominent role in the development team structure. The evaluation team is impressed with the strong development track record and financial capacity of the Snively Group to successfully implement the proposed mixed-use vision for the Meadowbrook & Lee site.

Staff had the opportunity to visit The Quarter mixed-use development on May 30. The project is well-designed, has impressive amenities and is a tremendous example of a catalytic/transformational mixed-use project that is revitalizing an entire neighborhood. The project is set to open in the summer of 2018. Total capital investment for the project is \$60,000,000 and consists of 275,000 sq. ft. of residential upper floors and retail, office and co-working space. The Beauty Shoppe co-working space in the development area is an exciting element and co-working space could be a unique and groundbreaking addition if included in the Meadowbrook & Lee site.

Economic Impact: The estimated capital investment in the project is \$19,000,000+/- million. This group stresses sustainable practices. This development team does not have the same level of specific job and payroll creation figures as provided by Newland Developments, but with half the amount of office being proposed in this proposal as is proposed by Newland Developments, we may be able to deduce that the impact may be at a similar reduced scale. The concept of co-working space added to the Meadowbrook & Lee Development could be an exciting element this development team could potentially provide, given the location of the Beauty Shoppe in “The Quarter” overall project.

Concept: The building design proposed impressed the evaluation team with its creativity and somewhat unconventional approach. Retail and residential mixed-use with a unique “V” shaped centrally located street level plaza space that could potentially be programmed has tremendous potential to have a catalytic effect along the Lee Road Corridor.

The evaluation team believes it is important for the role of FutureHeights to be fully defined relative to this proposal. It would appear that this role as proposed is one of community engagement, yet it would be important to know how this role will be balanced with this organization's role as the future CDC for the City.

**Schedule:** The project is proposed to take approximately 18 months from groundbreaking to completion of construction, from February of 2019 to August of 2020.

**Summary:** The proposal is creative in its design, and the presence and track record of the Snavely Group provides tremendous potential and opportunity. Highlights include 15,000 sq. ft. of new retail in the District, 80,750 sq. ft. of new residential market rate apartments, and 10,000 sq. ft. of office. We look forward to their presentation on June 11.

### NEWLAND DEVELOPMENTS, LLC

**Vision:** Proposes a mixed-use commercial, retail, restaurant street level development, with office and residential uses on upper floors. The proposal appears to be the submittal with the strongest level of potential economic and fiscal impact of all the submittals received, however, the evaluation team continues to be interested in seeing more details on this group's development track record and financial capacity to successfully implement their proposed vision.

**Qualifications:** Newland Developments has assembled a strong development team including HK Capital Group, and Hanna Commercial Real Estate. Eric Newland would serve as project architect. Projects that Mr. Newland and/or the development partners have been associated with include: Liberty Commons Mixed-Use project in Medina, Ohio (7500 sq. ft. retail, 27 residential units and structured parking); Sacred Heart Mixed-Use in South Euclid, Ohio (adaptive re-use/renovation, 15,000 sq. ft. of retail redevelopment); West Bay Plaza Redevelopment in Westlake, Ohio (Redevelopment and Reconstruction, 150,000 sq. ft. retail redevelopment); Steelyard Commons (2a) in Cleveland, Ohio (Ground Up Development, 100,000 sq. ft. of retail); Garnett (O'Neill) Health Campus in Fairview Park, Ohio ( 75,000 sq. ft. full-service skilled nursing facility, 88 suites, 130 beds).

Staff had the opportunity to visit the Garnett (O'Neill) Health Campus in Fairview Park on June 7. The project is well-designed, has impressive amenities and appeared to be a successful in-fill project.

**Economic Impact:** The estimated capital investment in this project is \$20 million. It is anticipated that the project could create 140-210 new jobs with projected annual payroll in the \$7,800,000 - \$16,000,000 range. This proposal was very strong relative to sustainability/"Green Building" concepts. The City evaluation team was enthusiastic about the inclusion of a significant amount of Class "A" office space, which the City currently lacks, and the subsequent employment this could generate. The Developer is working through the market analysis that would support this use in this location. The mix of uses proposed has the potential to invigorate activity along the Lee Road Corridor throughout the day and evening.

**Concept:** The building design initially proposed is straightforward and somewhat “vanilla” in nature. Staff has encouraged creativity and has emphasized focus on elements that would make the building more unique and better able to complement existing architecture themes in the area. The need for the proposed surface parking (52 new spaces) in addition to the 82 spaces reserved by the City in the Tullamore Garage to support development of the Meadowbrook & Lee site has been questioned by the evaluation team. The Developer is reviewing the need for this additional parking and their overall parking plan. Newland Developments, LLC was the only respondent that addressed in detail the AT&T utility line and easement that traverses the site. This feature apparently created some challenges to redeveloping the site in the past.

**Schedule:** The project is proposed to take approximately 18 months from groundbreaking to completion of construction, from spring of 2020 to 2<sup>nd</sup> quarter 2021.

**Summary:** The proposal has tremendous potential economic impact on the Lee Road Corridor and commercial district. Highlights include 20,000 sq. ft. of Class “A” office with 38-57 market + rate apartments and potential for condominiums, with ground floor retail and restaurants to add significant new vitality to the streetscape during the day and evenings. We look forward to their presentation on June 11.

**FINAL COMMENTS:**

Please find a “side by side” comparison of the proposals provided by **Cedar Lee Connection** and **Newland Developments, LLC**, following this report. Following the “side by side” comparison is a copy of questions that were considered by the City’s evaluation team at the May 21, 2018 internal interviews. Finally, we have enclosed the May 21 presentations and April 16 proposals from Cedar Lee Connections and Newland Developments, LLC, for reference.

Please know that time will be set aside on Monday evening for deliberations by Council regarding the two development finalists for this project. According to the project schedule, once a development partner is selected, staff would proceed promptly with contract negotiations with the selected team.

Thank you,

*Timothy M. Boland*

Timothy M. Boland  
Economic Development Director

**Meadowbrook & Lee (M&L) Site Redevelopment  
Development Team Comparisons - June 8, 2018**

6/8/2018

<b>Development Teams:</b>		
	<b>Cedar Lee Connection</b>	<b>Newland Developments, LLC</b>
<b>Company Information</b>		
Year Founded:	Snavely Group - 1950 / Sequoia Realty - 1990	Newland Developments, LLC - 2010
# Employees:	Snavely Group - 45 / Sequoia Realty - 9	A Collaborative - currently 7-8 to expand to 40 for this project.
Headquarters:	Snavely Group - Chagrin Falls,OH/Sequoia Realty - Mentor,OH	Newland Developments, LLC - Lyndhurst, Ohio
Development Partners:	<b>Sequoia Realty</b> - Development Partner <b>Snavely Group</b> - General Contractor <b>LDA Architects</b> - Architect	<b>HK Capital Group</b> - Development & Equity Partner <b>Hanna Commercial Real Estate</b> - Commercial Leasing <b>Singerman, Mills, Desberg &amp; Kauntz</b> - Legal
<b>Project Summary</b>		
Vision:	Mixed-Use: Ground floor retail, restaurants, upper level residential. Pedestrian oriented.	Mixed-use Ground Floor Retail / Restaurant; 2nd Floor class "A" office; Residential Apts. on upper floors.
Building Size:	5 Stories	20,000 sq. ft. footprint/4-5 stories, 80,000-100,000 sq. ft.
Proposed Uses:		
Retail -	15,000 sq. ft. retail and restaurant space.	16,600 sq. ft. retail & restaurant space.
Residential Apartments -	80,750 sq. ft. / 450-1200 sq. ft. per unit / avg. apt. 750 sq. ft.	38-57 market rate apartments/57-114 residents.
Office -	10,000 sq. ft.	20,000 sq. ft. Class "A" office space.
Other -	"V" shaped publicly available plaza.	Condominium options - 1,000-1500 sq. ft. - \$300,000-\$350,000
Commercial Lease Rates:	\$16-\$25 per sq. ft.	16600 sq. ft. ground floor retail-target rent rates \$20.00+/-NNN
Residential Lease Rates:	\$2 per sq. ft. +/-studio,1BR,2BR.Target: \$1,000-\$2,000 per unit.	1BD:\$900-\$1000; 2BD:\$1050-\$1250; 3BD:\$1500-\$1750 per unit
Capital Investment:	\$19,000,000 +/-	\$20,000,000
Parking:	Utilize 82 spaces in City Tullamore Garage via use agreement - spaces reserved by City to support M&L site.	Utilize 82 spaces in City Tullamore Garage - additional 52 surface parking stalls to be provided on-site.
Sustainability:	Green LEED (or Enterprise Green Community certification.	Highly energy efficient, LEED AP project leader.
Site Development:	Flexible regarding Dev. Agrmt. or use Agrmt. Terms.	Open to land lease/acquisition - Developer to retain project.
Other:	Potential for ground floor co-working space.	Business/work centers, workout facility, lounge areas etc.
Timeline:	No phasing required.	No phasing required.
	Groundbreaking to Completion - 18 months.	Approximately 12 - 18 months to complete.
Schedule:	Feb. 2019 to August 2020.	Begin construction spring 2020 - complete 2Q 2021.
<b>Architectural Design / Surrounding District</b>		
Project Architect:	LDA Architects	Newland Developments, LLC
Building design / efforts to complement surrounding district - integration into Streetscape:	Retail and residential mixed-use building with a unique "V" shaped centrally located street level public plaza space that potentially could be programmed.	Traditional elements, details and materials, peppered with modern elements & materials; use of balconies, effort made to differentiate building façade & complement existing urban fabric; Somewhat taller and longer than surrounding buildings.

<b>Development Teams:</b>		
	<b>Cedar Lee Connection</b>	<b>Newland Developments, LLC</b>
<b>Financing</b>		
Equity Source:	Principal and Partners	BB&T, Private Equity Partners (HK Capital)
Personal Guarantee of Debt Financing from Firm's Principals:	Yes, as required by lenders.	Dependent upon proven value/income, costs and incentives
Tax Increment Financing (TIF):	No	No
Tax Abatement:	Yes	Yes
Development contingent on availability of County, State, Federal funding sources outside City control:	Possible Port Authority underwriting of PACE financing.	No other government funding sources being considered beyond tax abatement. Commercial PACE being considered.
Other:	PACE Financing being contemplated.	C-PACE Financing
<b>Economic Impact</b>		
Anticipated economic impact of the project:	Income taxes generated from construction, retail and restaurant employees; Potential co-working space; Real estate taxes - \$20 M in anticipated new valuation; increased sales & income taxes - increased economic activity.	Projecting 140 - 210 created jobs, projected employee payroll of \$7,800,000 - \$16,000,000/yr. Projected NOI of \$1,500,000 / year, 100-150 employees - Class "A" office, 40-60 employees in retail / restaurant component.
<b>Relevant Development Experience</b>		
Projects that the Development Team or individual members of the Team have been involved in that translates into experience that will benefit M&L project:	The Quarter Development - W. 25th & Detroit Church & State - Ohio City Lakeland Community College - Madison, Ohio Kenilworth Mews - Cleveland Heights Little Italy Apartments - Cleveland, Ohio	Liberty Commons - Medina, Ohio Sacred Heart - South Euclid, Ohio West Bay Plaza Redevelopment - Westlake, Ohio Steelyard Commons - Cleveland, Ohio Garnett Health Campus - Fairview Park, Ohio
<b>MBE &amp; FBE Inclusion</b>		
Inclusion Plan:	The project team is committed to the inclusion of minority owned and female owned businesses and have set a minimum goal of 10% MBE and 10% FBE.	Target FBE/MBE lending institutions for primary & secondary financing. Potential to incentivize non-profit / grant system for MBE/FBE or start-ups - assist with rent & fit-out costs. Potential lower rents for start-ups /incubator space. Higher yield rents at end-caps of building - in-line residual space can be discounted for MBE/FBE operations.

## **Meadowbrook & Lee RFQ/RFP**

### **General questions for all groups being interviewed:**

- Please provide an overview of your company (year founded, # employees, headquarters);
- Please explain the role of your firm and that of any development partners in your Team for this project;
- Developer qualifications – what is your firm’s/Team’s history of successful, high-impact urban development projects? Discuss your firm’s/Team’s ability to successfully navigate development hurdles;
- Please explain your firm’s/Team’s ability to access sufficient levels of equity and debt capital to successfully develop this project;
- Please explain in detail your development concept for this site, including the proposed size, intensity of use of the site, investment level required for your concept, amenities proposed, compatibility with the surrounding district and neighborhood, architectural style and overall impact of the development proposed;
- Please describe how your development proposal is sustainable;
- Please describe the ability of your proposal to “stand the test of time” and age well over time;
- Please describe the estimated economic and fiscal impact of your development;
- What if any incentives are contemplated to be needed for the project?
- What is your plan for inclusion of minority and female owned business enterprises into the project?
- What is the proposed development schedule needed to realize your proposal?
- As noted in the RFQ/RFP, there is an AT&T utility line and easement that traverses this site, with a map provided on the City webpage for the development project. What if any impact does this feature pose for your proposed redevelopment vision for the site?

### **Questions for Cedar Lee Connection/Sequoia Realty:**

- Please expand on your Team’s development track record and financial capacity to successfully implement your proposed vision;
- The estimated range for capital investment levels in the project is \$16 million to \$25 million – please explain why this range is so large at this time and what development variables and issues are expected to impact this range in the future;
- Does the proposed middle courtyard area provided by the modified “V” shaped design submitted for the building offer sufficient area for programmed public or private space? How is this design on this site superior to providing a more conventional street level row of retail and restaurant uses?
- Please expand on the proposed role of FutureHeights in your proposal;

**Questions for Newland Developments, LLC:**

- Please expand on your Team's development track record and financial capacity to successfully implement your proposed vision;
- Please discuss your Team's proposal for including a significant amount of Class A office space into your vision potentially for medical, higher education and professional service providers;
- What factors led your Team to propose additional surface parking over and above the amount of spaces the City is making available in the City-owned parking lot that is across the street from the development site?
- Please discuss the compatibility of your proposed building size and architectural style with the surrounding district and neighborhood, and if you would be willing to work with the City in developing these concepts further for your development.

**Cleveland Heights  
Economic Development**



**To:** City Manager Tanisha Briley  
**From:** Economic Development Director Tim Boland  
**Subject:** Community Reinvestment Area (CRA) Status

---

**CITY-WIDE COMMUNITY REINVESTMENT AREA (CRA)**

Please find below a report on the status of the proposal to re-design the City's 7 active / 1 inactive CRA's into a City-wide CRA.

**UPDATES OF CRA PROPOSAL:**

Attached for discussion purposes is DRAFT legislation dated 6/6/18. Since our last update to Council on April 9, 2018, staff has made the following changes in the proposal based on Council feedback, and is reflected in this draft legislation. Staff has also conducted the research noted below:

**1. OWNER OCCUPANCY:**

Staff has clarified and added language to Sections 4. b. & h. removing the "owner occupancy" requirement relevant to the construction of new and remodeling of existing two family dwelling units. Under the current proposal, "owner occupancy" would be a requirement for abatement eligibility only for new construction and remodeling of single family dwelling units, conversion of existing two family structures to a single family dwelling unit, and the construction of new townhomes and condominiums.

**2. DEMOLITION OF NRHP DISTRICT AND LOCALLY DESIGNATED LANDMARK PROPERTIES:**

Staff has clarified that properties located in National Register of Historic Places Districts or locally designated landmark properties can be demolished and have CRA eligibility for the proceeding project if the existing building is determined by the City to be structurally unsound, uninhabitable or other such similar finding. You will find this clarification in the last paragraph of Section 4.

**3. REMODELING AND COUNTY VALUATION:**

High ticket cost remodeling may not necessarily have a direct correlation to increases in assessed value as determined by the County. Value increases from remodeling may not show up until a property is sold – will this discourage remodeling? The program is what it is – investment activity that increases the assessed value of a property would be eligible for abatement of the taxes on said increased value.

I had the opportunity to discuss this with the Cuyahoga County Fiscal Office – which confirmed that the value of remodeling improvements made have the potential not to be reflected in the assessed value of a property until that property is sold. To increase the probability that such eligible remodeling improvements are reflected in the assessed value of the property prior to sale, future building permit applications and applications for CRA tax abatement should be as detailed as possible regarding the type of improvements made and their cost.

#### 4. THE POTENTIAL COST OF REQUIRING LEED “SILVER” CERTIFICATION:

A Goal of our Master Plan, is to be an “Environmentally Sustainable Community” and the Plan envisions utilizing the CRA to incentivize “green building” design. As currently proposed, the program would establish a base level exemption (no sustainability certification required) of 5 years 25% abatement percentage for any eligible new construction project. Higher levels of abatement term and % would be attainable by incorporating sustainability into the project. At this time, we have established LEED “Silver” certification as the criteria for achieving these higher incentives for incorporating sustainable practices.

The current proposal offers a tiered approach to incentives – consistent with the Master Plan. From research performed by staff, I believe it is clear that LEED “Silver” certification will increase the cost of construction by some amount – however I am not aware of a definitive determination as to an average amount of these increases. I have researched a number of sources such as The Green Home Institute, The American Chemistry Council, and the US Green Building Council. I have contacted the City of Cleveland Community Development Department, who was quite helpful, and reached out to their sustainability verifier and the City of Cincinnati on their experience or if they have studied the potential construction cost increase of LEED. Staff has reached out to local architects and information appears to be anecdotal in nature. Costs ranging from \$2,900 all the way up to \$22,000 have been cited. I believe it is likely that the cost is clearly a function of the scope and size of the proposed project. In addition, many sources reminded users that the upfront cost of achieving sustainability certification may be more than offset by having a low cost energy efficient building resulting from certification. Again, it appears to be an open question. The overall performance of LEED certified building in terms of sustainability is not a closed question and is still actively debated in the construction industry.

As a result, the proposed CRA legislation has been modified to include a base level of abatement for new single-family and two-family residential building construction for a non-LEED “silver” certified project of 5 years for 25% in Sections 4. a. and b., thus providing a true tiered system. Remodeling is not subject to LEED certification so as not to discourage in any way reinvestment in our existing housing stock. I recommend that the current proposal remain as proposed, with the possible exception of adding additional rating criteria options. Please see below for additional information on this topic from discussion at the recent City Economic Development Breakfast Event held for Real Estate Brokers and Developers on June 1.

**REAL ESTATE BROKERS & DEVELOPERS INPUT MEETING AND STAFF REVIEW:**

The following suggestions and comments came from the meeting noted above and/or internal staff review:

1. Suggestion that the City consider allowing more than just LEED "Silver" as a sustainability standard / rating system option. The City of Cleveland provides options for owners to select from in order to gain certification of their project. If an applicant can provide evidence of their project attaining certification under one of these recognized rating systems, they are eligible for the incentives. In addition to LEED "Silver", the City of Cleveland also allows "Enterprise Green Building (established by Enterprise Community Partners)" and the "National Association of Home Builders National Model Green Home Building Guidelines". I recommend we consider providing these additional options to owners - options could help to reduce perceived higher cost and would be consistent with our goal to promote sustainability. If 3<sup>rd</sup> party certification can be attained, across a consistent criteria, then I do not think the City has to be tied to one rating criteria.
2. Suggestion that the City consider requiring a sustainability criteria for remodeling projects as well. I recommend we keep the sustainability certification criteria for new construction only at this time. Adding it to remodeling would add complexity to the program as well as potentially create additional hurdles to residents investing in our existing housing stock;
3. Is the \$400,000 minimum per unit investment for new town homes and condominiums on the high end? - I recommend we do not change this minimum at this time - this amount was established in the City's existing Turkey Ridge CRA;
4. Should the minimum \$500,000 investment to qualify for abatement under the rehabilitation of residential dwelling units in contributing buildings in a NRHP District and/or locally designated historic landmark be reduced? I plan to take a closer look at this comment, but at this time, I recommend we do not change this minimum. The City is certainly trying to encourage the broad use of the CRA program, but we also want to promote high quality, catalytic projects and high levels of investment in our community.
5. Will the minimum investment level of \$1,500,000 for commercial remodeling exclude smaller businesses? Staff will perform additional research on costs, but at this point I would say we proceed as is – the established amount and commercial mixed use remodeling structure of the proposal is designed to encourage significant project investment.

**EXHIBIT C:**

As you will note from the 6/6/18 Draft Legislation, Exhibit C has been excluded. This exhibit is currently being worked on by the City's Law Department, myself and Karen Knittel. This exhibit is designed to rescind all existing CRA's once the City-wide CRA is adopted, and will provide protection of incentives currently being pursued by developers including parcels that have units constructed by a developer but not yet transferred to owner occupants, and therefore not yet certified for tax exemption, and parcels that are vacant but where development plans have been

approved by the City and/or the City has provided some type of official support for the proposed development project.

The State of Ohio ODSA has assured us that “when a CRA is rescinded, the active agreements are still valid until the end of the term. Rescinding an area would just prevent the City from granting new tax exemptions, it would have no impact on existing agreements”.

**FINAL COMMENTS:**

I have enclosed the following information:

- Program Matrix Draft #11 dated 5/11/18 – this provides a one page outline of the current proposal and how the program would work;
- CRA Scoring Map – illustrates how the Target Reinvestment Criteria noted in the legislation will be applied city-wide;
- Map of the City’s Existing CRA’s;
- Map of Vacant Properties owned by the City which indicates major opportunity areas for the City to utilize the city-wide CRA to redevelop for new residential units;
- Draft CRA legislation dated 6/6/18;

I look forward to answering any questions.

Thank you,

*Timothy M. Boland*

Timothy M. Boland  
Economic Development Director

**City-wide Community Reinvestment Area (CRA) Re-Design Ordinance - DRAFT #11**

5/11/2018

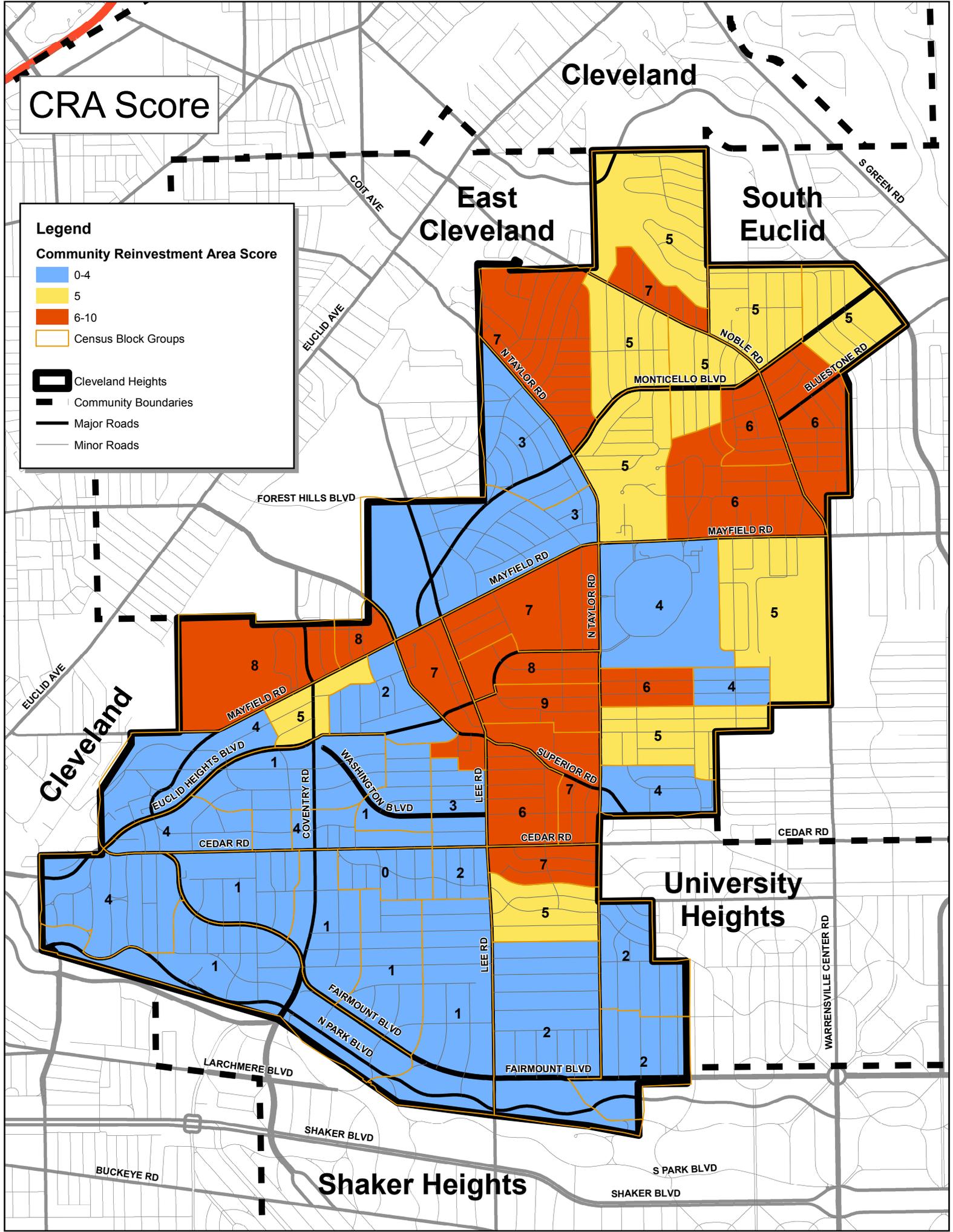
<b>Public Purpose: New Construction</b>	<b>Term</b>	<b>%</b>	<b>Public Purpose: Remodeling of Existing Structures</b>	<b>Term</b>	<b>%</b>
<b>A. New single family residential building construction of owner occupied dwelling units:</b>			<b>F. Remodeling of single family residential buildings of owner occupied dwelling units:</b>		
(Improvement certified LEED "Silver" (CLS) level)			(Minimum remodeling cost - \$10,000 per unit)		
> Base level exemption	5	25%	Base level exemption	7	50%
> Base level exemption (CLS)	10	50%	Meeting 5 target criteria*	10	75%
> Meeting 5 target criteria (CLS)*	12	75%	Meeting 6 or more target criteria*	12	100%
> Meeting 6 or more target criteria (CLS)*	15	100%	*Refer to CRA Target Reinvestment Criteria Scoring Map		
*Refer to CRA Target Reinvestment Criteria Scoring Map			<b>G. Remodeling of two-family residential buildings of dwelling units: (Minimum cost - \$10,000 per unit)</b>		
(Improvement certified LEED "Silver" (CLS) level)			Base level exemption		
> Base level exemption	5	25%	Meeting 5 target criteria*	10	75%
> Base level exemption (CLS)	10	50%	Meeting 6 or more target criteria*	12	100%
> Meeting 5 target criteria (CLS)*	12	75%	*Refer to CRA Target Reinvestment Criteria Scoring Map		
> Meeting 6 or more target criteria (CLS)*	15	100%	<b>H. Conversion of two-family homes to owner occupied single family homes, or attached SF homes or owner occupied condominiums; Conversion of two-family homes to owner occupied condominiums (Minimum remodeling cost - \$25,000 per unit)</b>		
<b>C. Construction of new residential fee simple townhome or condominium structures (Improvement certified LEED "Silver" (CLS) level)</b>			12 100%		
Base level exemption	5	25%	I. Rehabilitation for residential dwelling units in a contributing building in NRHD or locally designated Historic Landmark - Follows SISR - minimum investment of \$500,000 in rehab costs		
Base level exemption (CLS)	7	65%	10 100%		
\$400,000 /\$1,600,000: per unit /plan investment (CLS)	10	100%	J. Remodeling construction activities to residential Multi-Family dwelling units		
\$400,000 /\$4,000,000: per unit /plan investment (CLS)	15	100%	Minimum \$25,000 per unit or \$500,000 project costs		
<b>D. Construction of new residential multi-family dwelling units (Improvement certified LEED "Silver" (CLS) level)</b>			Minimum Project investment of \$1,000,000		
Min. \$75,000 per unit or \$1,500,000 project cost (CLS)	7	50%	7 50%		
Minimum Project investment of \$3,000,000 (CLS)	10	100%	10 100%		
<b>E. Construction of new mixed use, commercial, or industrial real property (Improvement certified LEED "Silver" level) Minimum project investment of \$3,000,000 (Exemption Guidelines to be developed) ** School District Participation</b>			<b>K. Renovation construction activities to mixed use, commercial, or industrial real property Minimum Project investment of \$1,500,000 (Exemption Guidelines to be developed) ** School District Participation</b>		
Up to 15 years Negotiated** case-by-case basis	Up to 100% Negotiated** case-by-case basis		Up to 12 years Negotiated** case-by-case basis	Up to 100% Negotiated** case-by-case basis	

# CRA Score

**Legend**

**Community Reinvestment Area Score**

- 0-4
- 5
- 6-10
- Census Block Groups
- Cleveland Heights
- Community Boundaries
- Major Roads
- Minor Roads

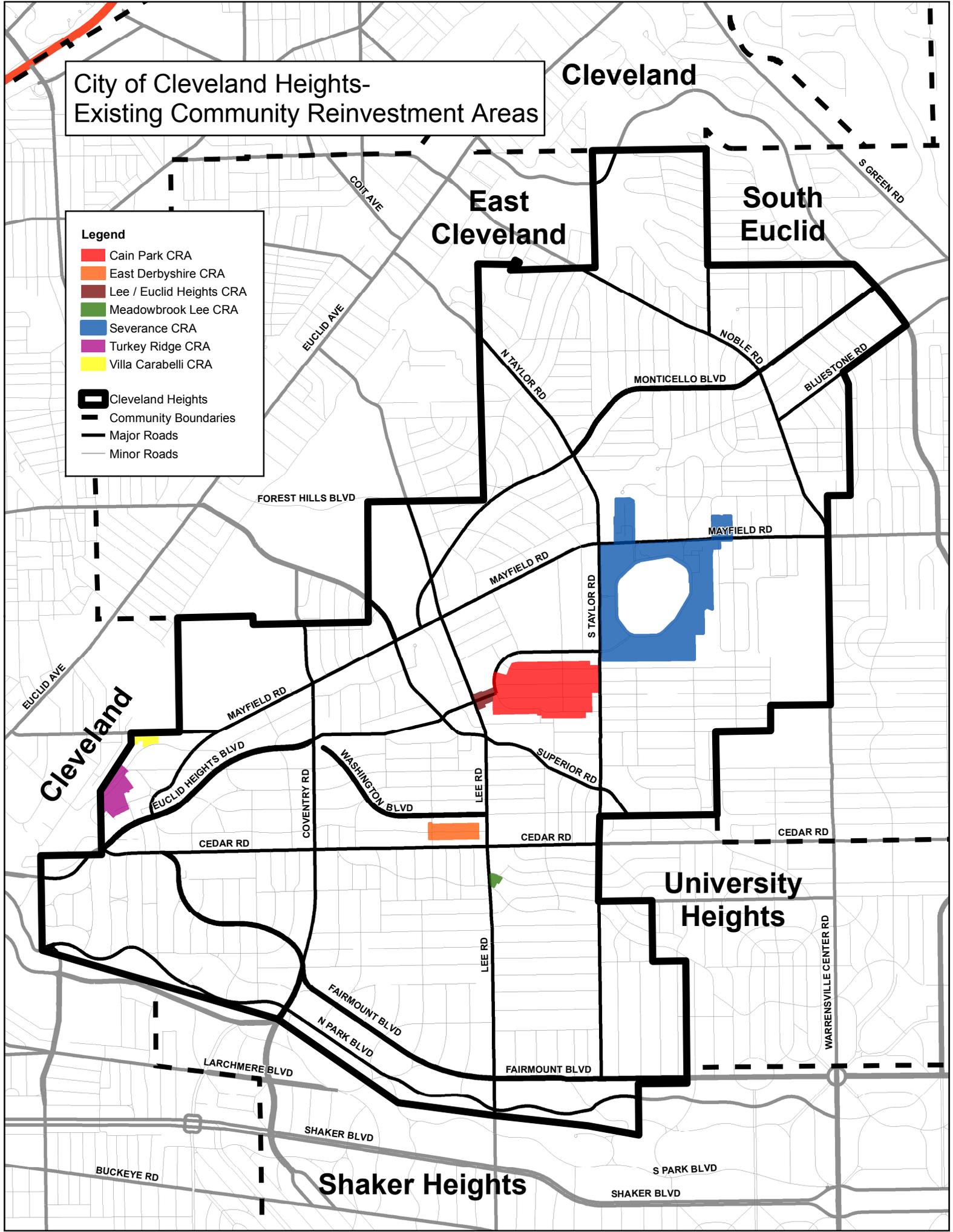


# City of Cleveland Heights- Existing Community Reinvestment Areas

## Legend

- Cain Park CRA
- East Derbyshire CRA
- Lee / Euclid Heights CRA
- Meadowbrook Lee CRA
- Severance CRA
- Turkey Ridge CRA
- Villa Carabelli CRA

- Cleveland Heights
- Community Boundaries
- Major Roads
- Minor Roads



# Proposed CRA - Housing Market Stability and City Owned Vacant Properties

**Legend**

**Strength of Housing Market**

- Healthy
- Moderately Healthy
- Moderate
- Weak

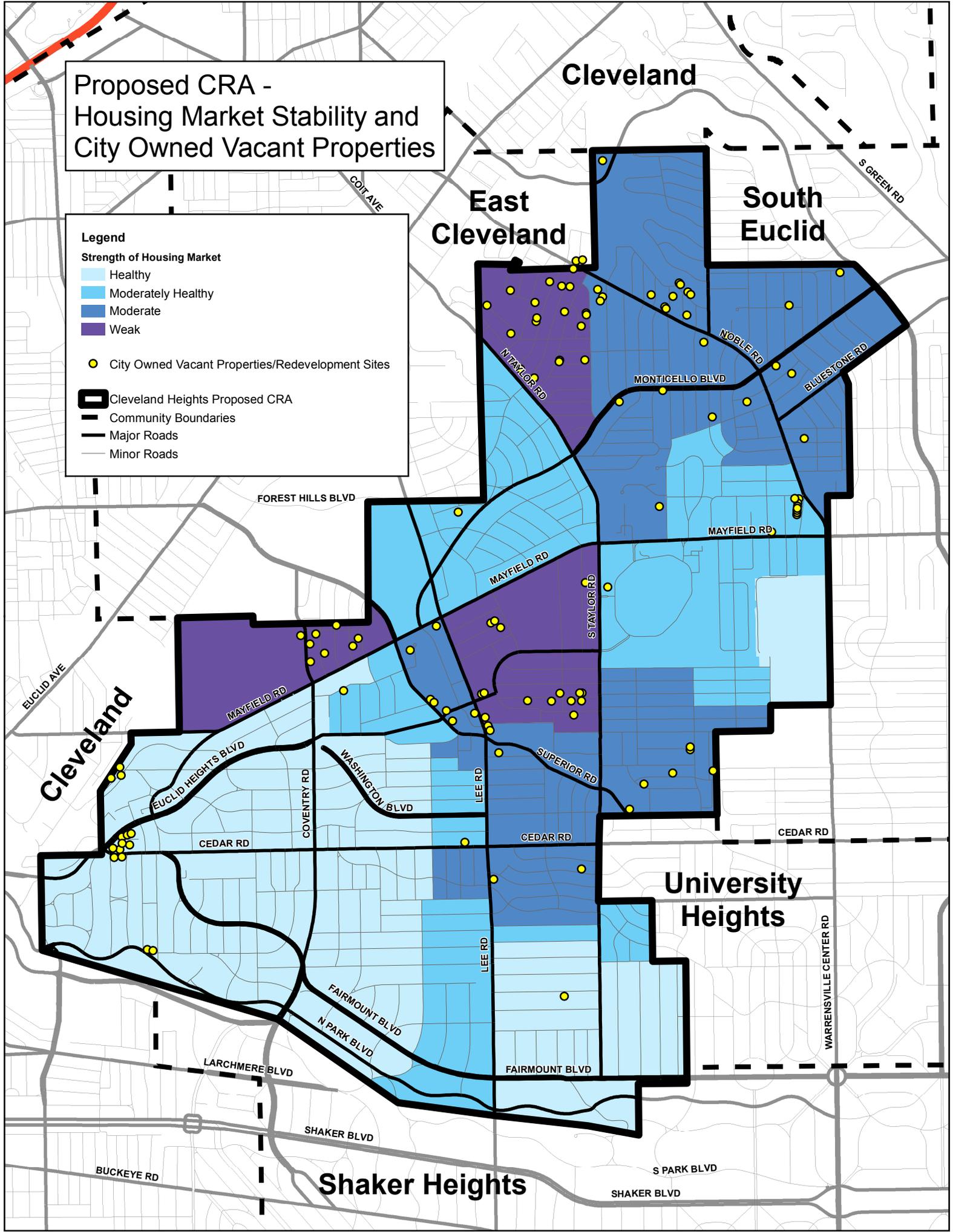
City Owned Vacant Properties/Redevelopment Sites

Cleveland Heights Proposed CRA

Community Boundaries

Major Roads

Minor Roads



DRAFT FOR DISCUSSION PURPOSES ONLY 6-6-18

Proposed ?????

ORDINANCE NO. (F)

Council Member

An Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of Cleveland Heights, State of Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council and a tax incentive review council; and declaring an emergency.

WHEREAS, the Council of the City of Cleveland Heights (hereinafter “Council”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development throughout the City of Cleveland Heights in specific areas that have not enjoyed reinvestment from remodeling or new construction;

WHEREAS, a survey of housing, a copy of which is on file in the City’s Departments of Planning and Development and Economic Development, as required by Ohio Revised Code (“ORC”) Section 3735.66, has been prepared for the area to be included in the proposed Community Reinvestment Area;

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities;

WHEREAS, the previously enacted legislation establishing eight (8) Community Reinvestment Areas, listed in attached Exhibit C, is hereby terminated and superseded by this ordinance, provided, however, that certain properties and projects listed in Exhibits C.1, C.2, and C.3 shall be governed by the applicable past and current ordinances, as the case may be, until the dates of termination set forth in Exhibits C.1, C.2, and C.3; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The area designated as the Cleveland Heights Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and

in which new construction or repair of existing facilities has been discouraged.

SECTION 2. Pursuant to ORC Section 3735.66, the Cleveland Heights Community Reinvestment Area is hereby established in the following described area:

The Community Reinvestment Area shall be located within and bounded by the existing corporation limits of the City of Cleveland Heights.

The Community Reinvestment Area is approximately depicted as the shaded area on the map attached to this Ordinance (see Exhibit A) and by this reference incorporated herein.

Only residential, mixed use, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program. Mixed use development is higher density commercial and/or residential development of a tract of land, building or structure having a variety of complementary and integrated uses such as, but not limited to, residential, office, and retail.

SECTION. 3 All properties identified in Exhibit A as being within the designated Community Reinvestment Area are eligible for this incentive, subject to the combination of project types listed below in Section 4. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Cleveland Heights intends to undertake supporting public improvements in the designated area.

SECTION 4. Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to mixed use, commercial and industrial real property, and the term of those exemptions, shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3735.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer in the following percentage amounts and periods.

The following housing, mixed use, commercial and industrial activities in the Community Reinvestment Area are declared to be a public purpose:

- a. The construction of new single family owner-occupied dwellings containing not more than one housing unit, as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below:

The owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of five (5) years for twenty-

five percent (25%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If such housing activities are certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category:

The owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of ten (10) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If the aforementioned new single family owner-occupied dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned new single family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- b. The construction of new two family dwellings containing not more than two housing unit, as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below:

The owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of five (5) years for twenty-five percent (25%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If such housing activities are certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for sixty-five percent (65%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If the aforementioned LEED Certified new two-family dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned LEED Certified new two-family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- c. The construction of dwelling units consisting of new fee simple townhome or condominium structures, as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below:

The fee simple owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of five (5) years for twenty-five percent (25%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If such housing activities are certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category:

The fee simple owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for sixty-five percent (65%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The fee simple owner of any such real property in the Community Reinvestment Area having a per unit investment of no less than \$400,000 and a development plan that upon completion constitutes an investment of no less than \$1,600,000, may file an application for exemption from real property tax for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The fee simple owner of any such real property in the Community Reinvestment Area having a per unit investment of no less than \$400,000 and a development plan that upon completion constitutes an investment of no less than \$4,000,000, may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on

the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- d. The construction of new multiple-family building dwelling units having three (3) or more units as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below, with such housing activities required to be certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category:

The owner of any such real property in the Community Reinvestment Area, having a minimum investment level of \$75,000 per unit or costs greater than \$1,500,000 for the total residential portion of the project, may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The owner of any such real property in the Community Reinvestment Area that is part of a development project that upon completion constitutes an investment of no less than \$3,000,000 per development project may file an application for exemption from real property tax for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- e. The construction of new improvements to mixed use, commercial and/or industrial real property shall be eligible for a tax exemption up to and including one hundred percent (100%) and the term of those exemptions being up to fifteen (15) years on the increase in the assessed valuation resulting from the improvements, shall be negotiated on a case-by-case basis in advance of construction occurring according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. Such activities must be as a result of a development plan that upon completion constitutes an investment of no less than \$3,000,000. Such activities shall be required to be certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category.
- f. Remodeling construction activities resulting in the remodeling of existing single family owner-occupied dwellings containing not more than one housing unit, as described in ORC Section 3735.67, where the per unit cost of the improvements is at least \$10,000, the term and percentage of the exemption from real property taxation resulting from such remodeling activities shall be as stated below:

The owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing single family dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of ten (10) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing single family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- g. Remodeling construction activities resulting in the remodeling of existing two-family dwellings containing not more than two housing units, as described in ORC Section 3735.67, where the per unit cost of the improvements is at least \$10,000, the term and percentage of the exemption from real property taxation resulting from such remodeling activities shall be as stated below:

The owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing two-family dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of ten (10) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing two-family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- h. Remodeling construction activities, as described in ORC Section 3735.67, resulting in the conversion of existing two-family dwelling unit structures to owner-occupied single family homes or attached single family homes, or owner-occupied condominiums, or renovation construction activities resulting in the conversion of existing two-family dwelling unit structures to owner-occupied condominiums, where the cost of the improvements is at least \$25,000 may file an application for exemption from real property tax for a period of twelve (12) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.
- i. Remodeling construction activities, as described in ORC Section 3735.67, resulting in the rehabilitation of an owner-occupied single or a two-family building, and/or a multiple-family building residential dwelling units in a contributing building in any National Register Historic District or is a locally designated historic landmark located within the City of Cleveland Heights that follows the Secretary of the Interior's Standards for Rehabilitation; and that has a minimum investment of \$500,000 in rehabilitation costs; the owner of such property may file a real property tax exemption application for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.
- j. Remodeling construction activities, as described in ORC Section 3735.67, resulting in the remodeling of multi-family building dwelling units having three (3) or more units, with the term and percentage of the exemption from real property taxation as stated below:

The owner of any such real property in the Community Reinvestment Area, having a minimum investment level of \$25,000 per unit or costs greater than \$500,000 for the total residential portion of the project, may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The owner of any such real property in the Community Reinvestment Area that is part of a development project that upon completion constitutes an investment of no less than \$1,000,000 per development project may file an application for exemption from real property tax for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- k. Remodeling construction activities to existing mixed use, commercial and/or industrial real property shall be eligible for a tax exemption up to twelve (12) years and up to and including one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the activities described in ORC Section 3735.67, and shall be negotiated on a case-by-case basis in advance of construction occurring according to the rules outlined

in the ORC Section 3735.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. Such activities must be as a result of a development plan that upon completion constitutes an investment of no less than \$1,500,000.

For the purposes of the above described Community Reinvestment Area, structures exclusively used for residential purposes and composed of one (1) or more units shall be classified as residential structures.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

To be eligible for a tax exemption within this Community Reinvestment Area, the construction activities stated above shall not demolish or intentionally physically destroy the architectural character and distinguishing features of any contributing building or structure located in an established National Register Historic District, or is a locally designated historic landmark as identified in Exhibit B Map B-V. However, if said building or structure so designated is determined by the City to have reached a condition rendering the building uninhabitable or unusable, said building or structure could be demolished and the new construction improvements would be eligible for tax abatement as described in this Section.

SECTION 5. All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually unless waived.

SECTION 6. To administer and implement the provisions of this Ordinance, the City's Economic Development Director is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

SECTION 7. ORC Section 3735.69 states that a "Community Reinvestment Area Housing Council" shall be created, and the City of Cleveland Heights has previously created said Housing Council which will continue to serve as the Housing Council for this Community Reinvestment Area, consisting of two members appointed by the Mayor of the City of Cleveland Heights, two members appointed by the Council of the City of Cleveland Heights, and one member appointed by the Planning Commission of the City of Cleveland Heights. The majority of the members shall then appoint two additional members who shall be residents within the area. Terms of the members of the Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made. The Community Reinvestment Area Housing Council shall make an annual inspection of the properties

within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Housing Council shall also hear appeals under Section 3735.70 of the ORC.

A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85, and the City of Cleveland Heights has previously established said Tax Incentive Review Council which will continue to serve as the Tax Incentive Review Council for this Community Reinvestment Area, and shall consist of three representatives appointed by the Cuyahoga County Executive with the concurrence of County Council, two representatives of the municipal corporation, appointed by the Municipal CEO with City Council concurrence, the county auditor or designee and a representative of each affected Board of Education. At least two members must be residents of the City of Cleveland Heights. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to City Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

SECTION 8. The Council reserves the right to re-evaluate the designation of the Cleveland Heights Community Reinvestment Area after December 31, 2019 and annually thereafter, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

SECTION 9. The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Housing Council shall also hear appeals under 3735.70, of the ORC.

SECTION 10. Under ORC Section 3735.68, the City, upon receiving a recommendation from the Tax Incentive Review Council, may terminate the tax exemption after the first year if the Housing Officer finds that the property is not being properly maintained or repaired due to the neglect of the owner; and once terminated shall not reinstate the tax exemption. The Housing Officer shall include this requirement on the application for tax exemption signed by the applicant.

SECTION 11. The City, upon receiving a recommendation from the Tax Incentive Review Council, may terminate the tax exemption after the first year if the Housing Officer finds that the property taxes have become delinquent; and once terminated the City shall not reinstate the tax exemption. The Housing Officer shall include this requirement on the application for tax exemption signed by the applicant.

SECTION 12. The previously enacted legislation establishing eight (8) Community Reinvestment Areas, listed in attached Exhibit C, is hereby terminated and superseded by this ordinance, provided, however, that properties and projects listed in Exhibits C.1, C.2, and C.3 shall be governed by the applicable past and current ordinances, as the case may be, until the date of termination set forth in Exhibits C.1, C.2, and C.3, respectively.

SECTION 13. The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

SECTION 14. The City Manager of the City of Cleveland Heights is hereby directed and authorized to petition the Director of the Ohio Development Services Agency for approval and confirmation of the findings contained within this Ordinance.

SECTION 15. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon approval and confirmation by the Director of the Ohio Development Services Agency of the findings of this Ordinance.

SECTION 16. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 17. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to implement said agreement as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

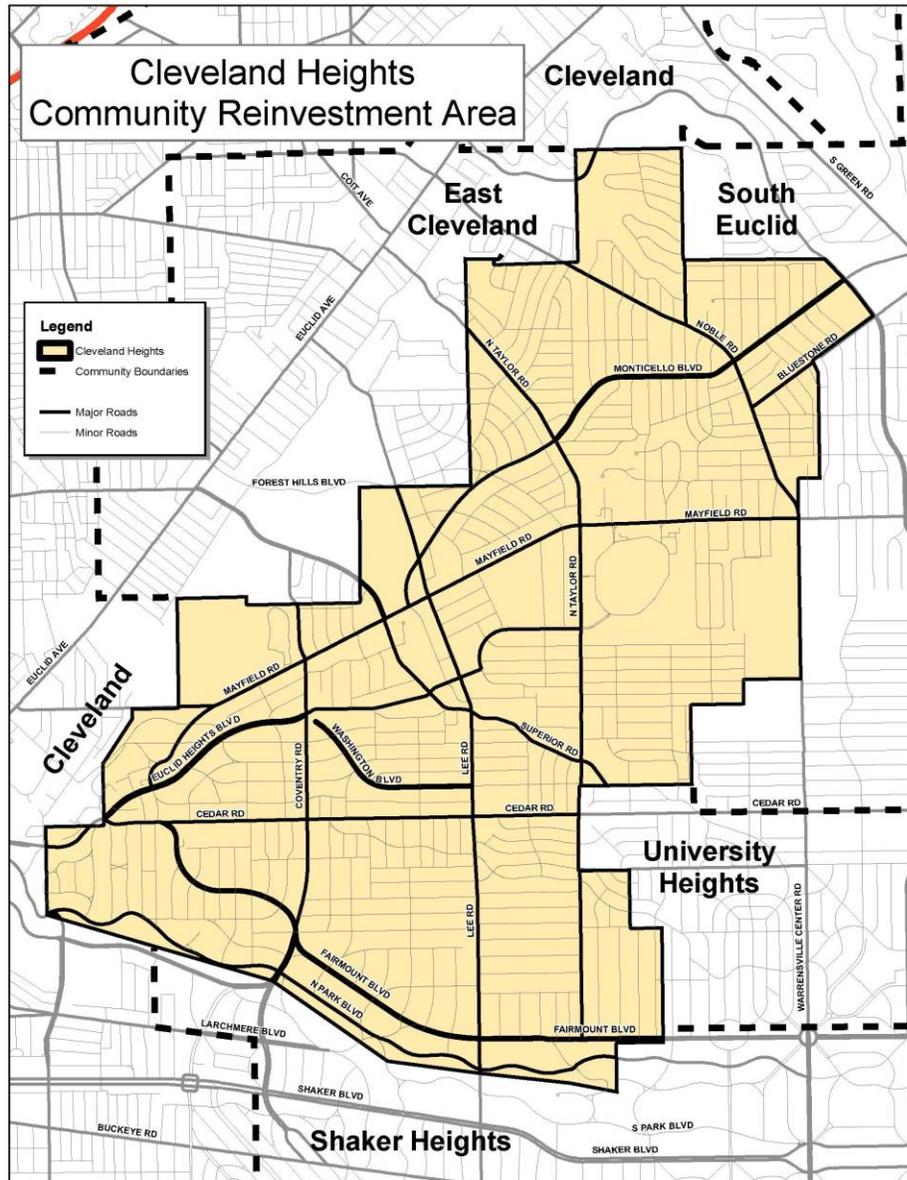
LAURIE SABIN  
Clerk of Council

PASSED:

# Exhibit A

## Map of

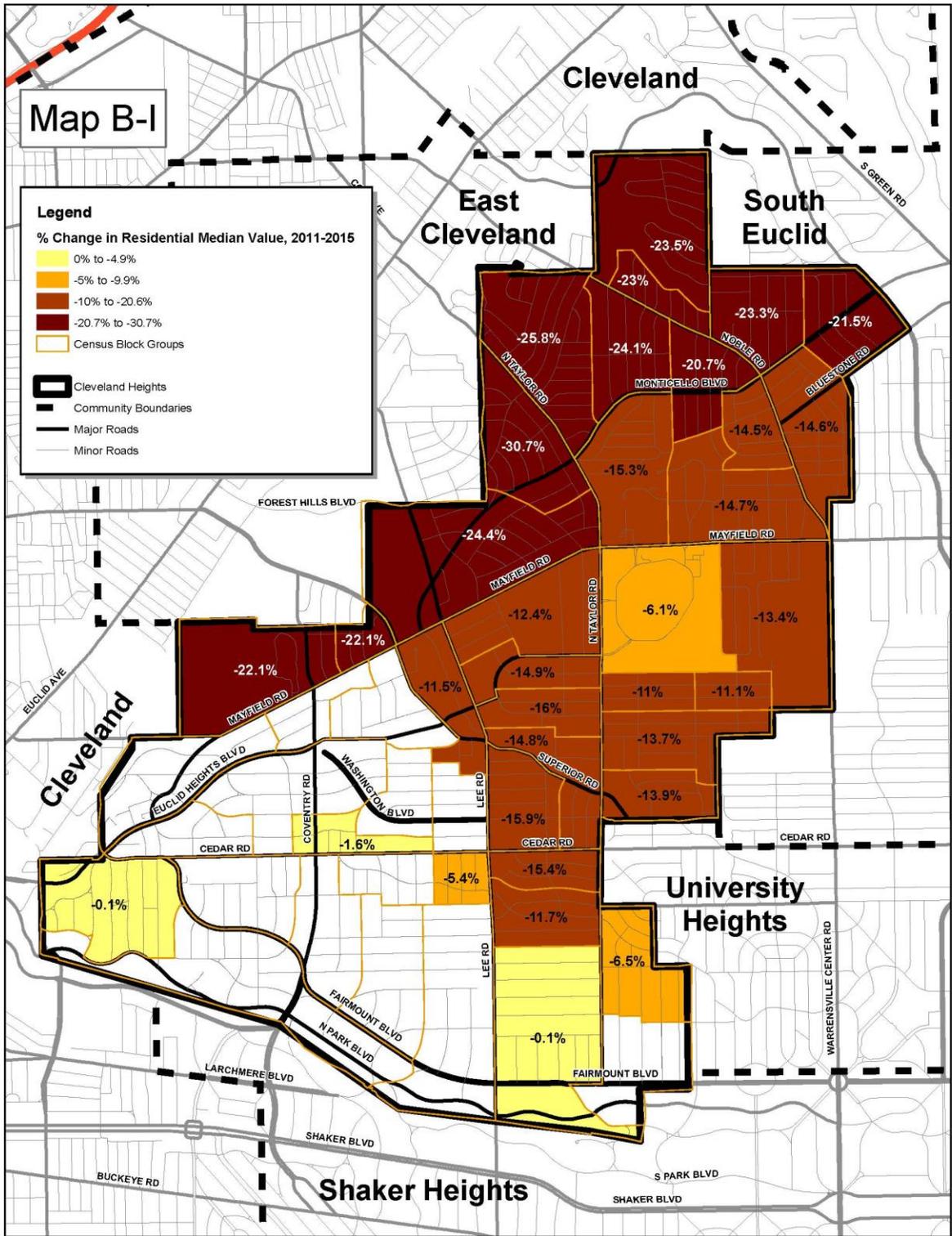
### Cleveland Heights Community Reinvestment Area

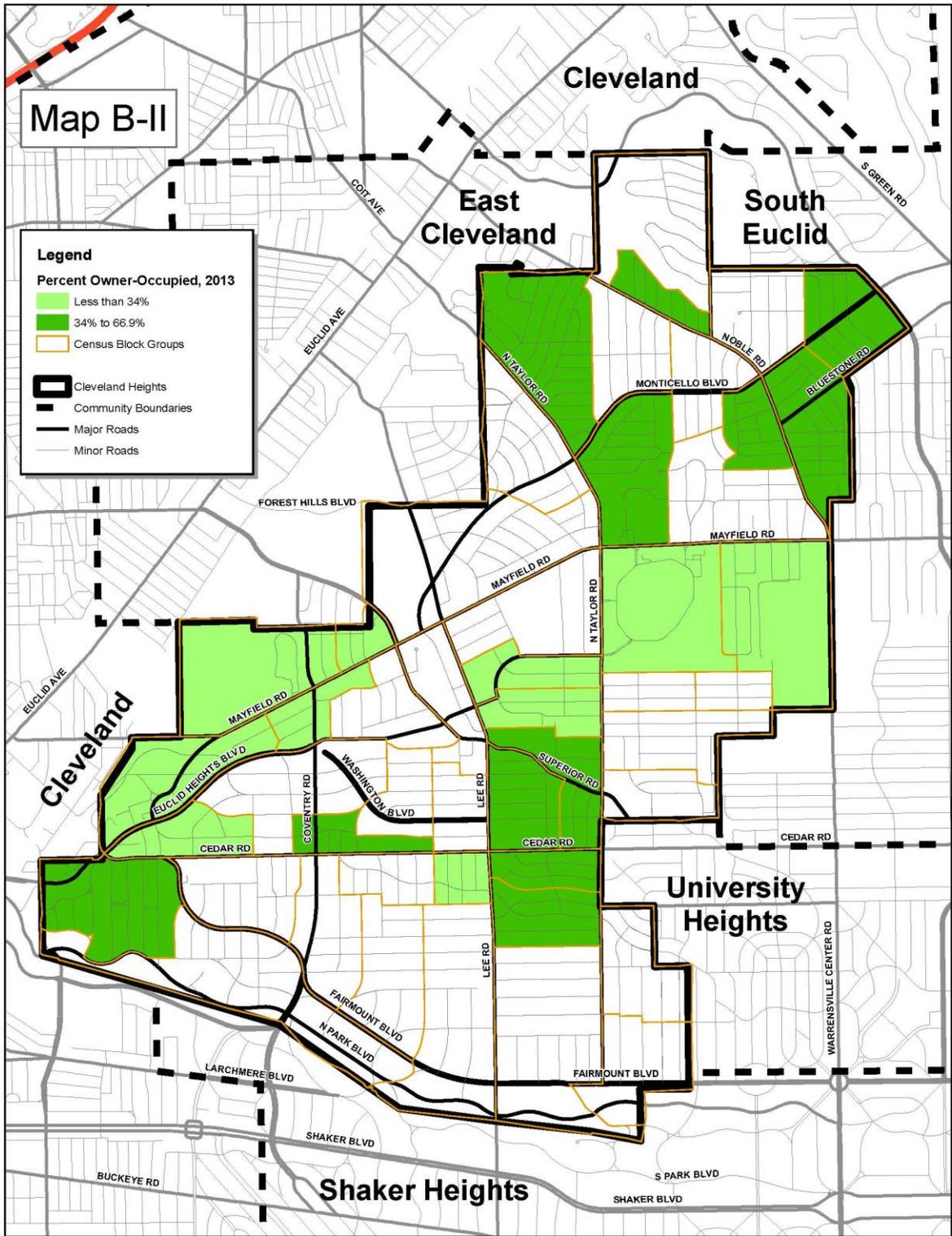


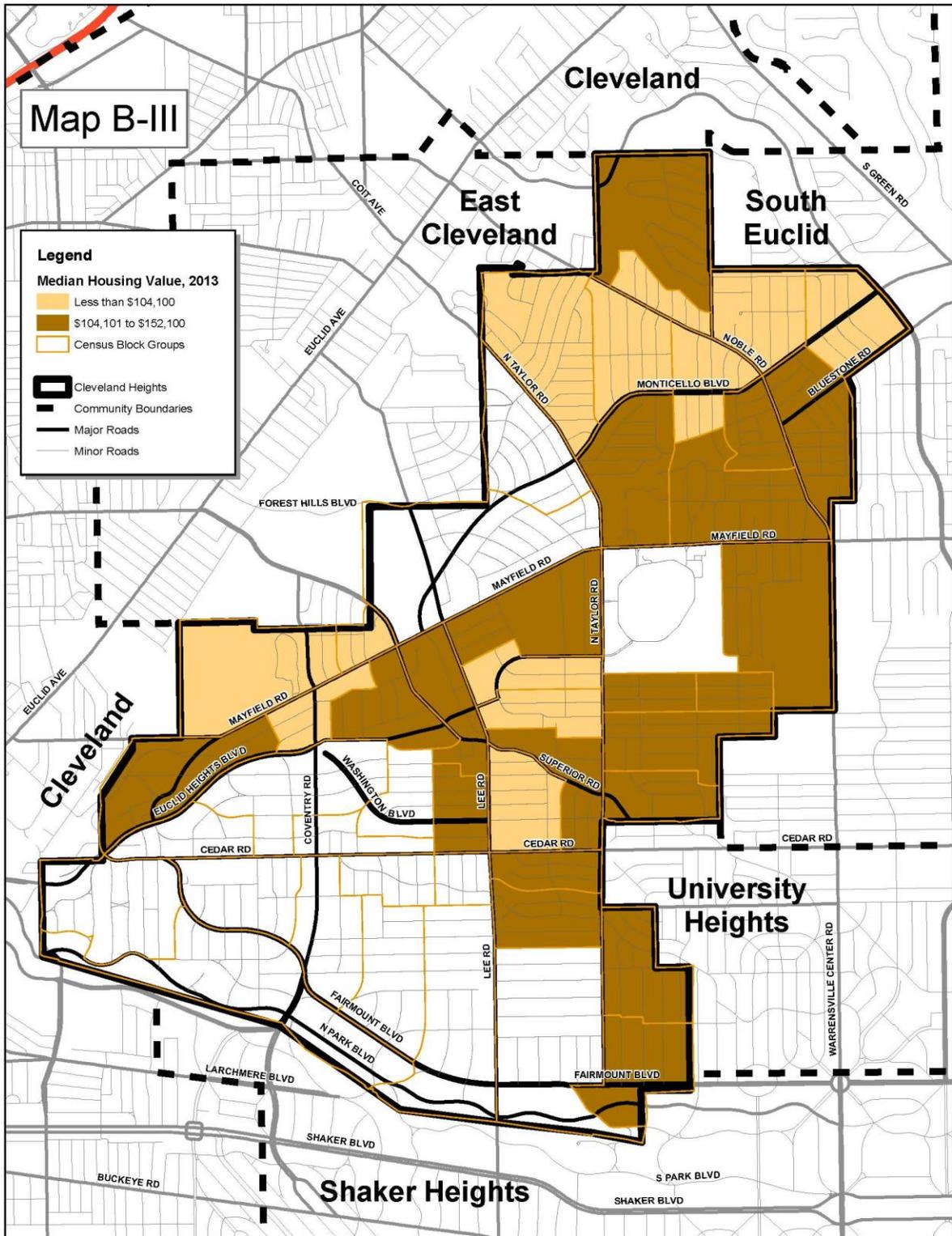
## **Exhibit B**

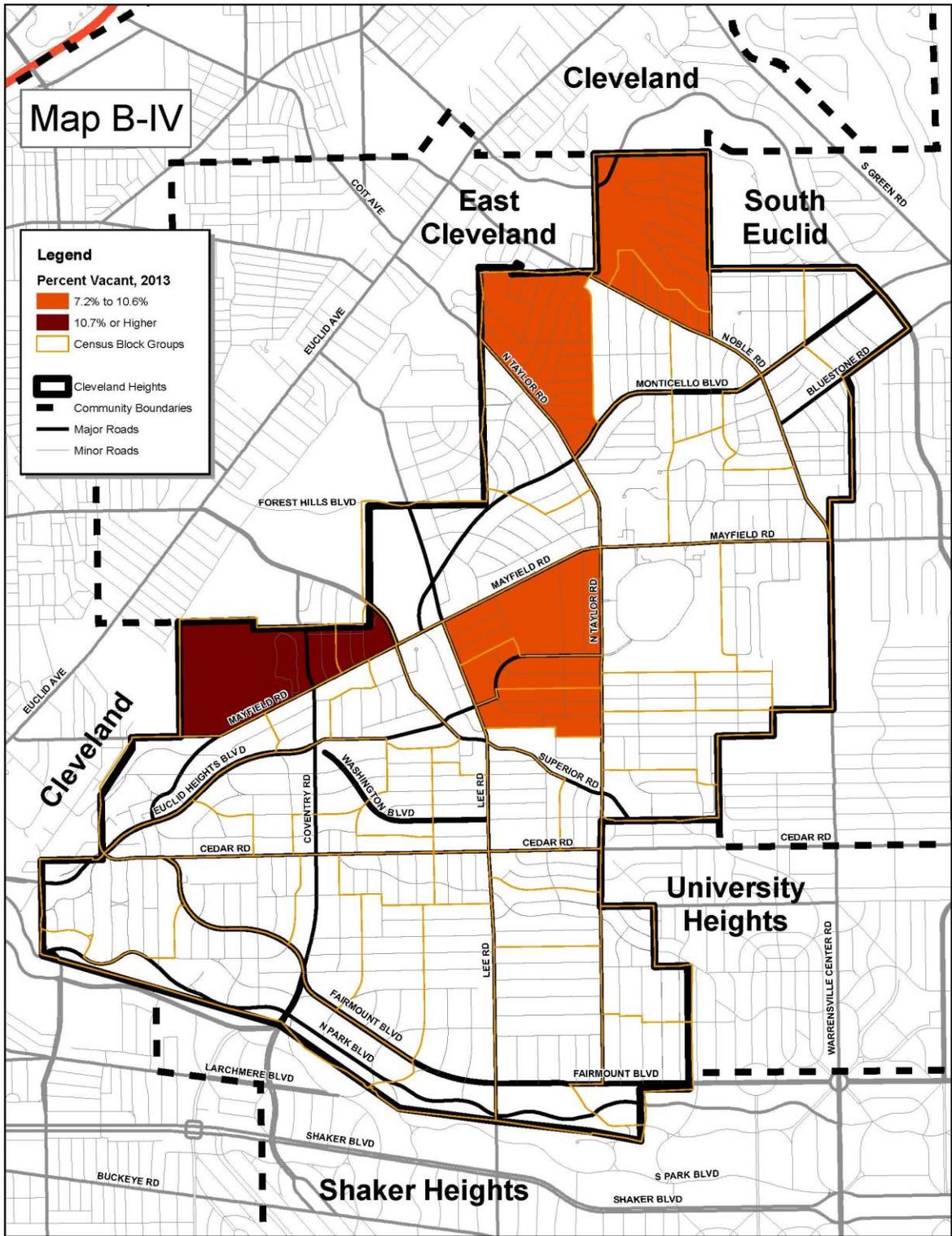
### **Target Reinvestment Criteria**

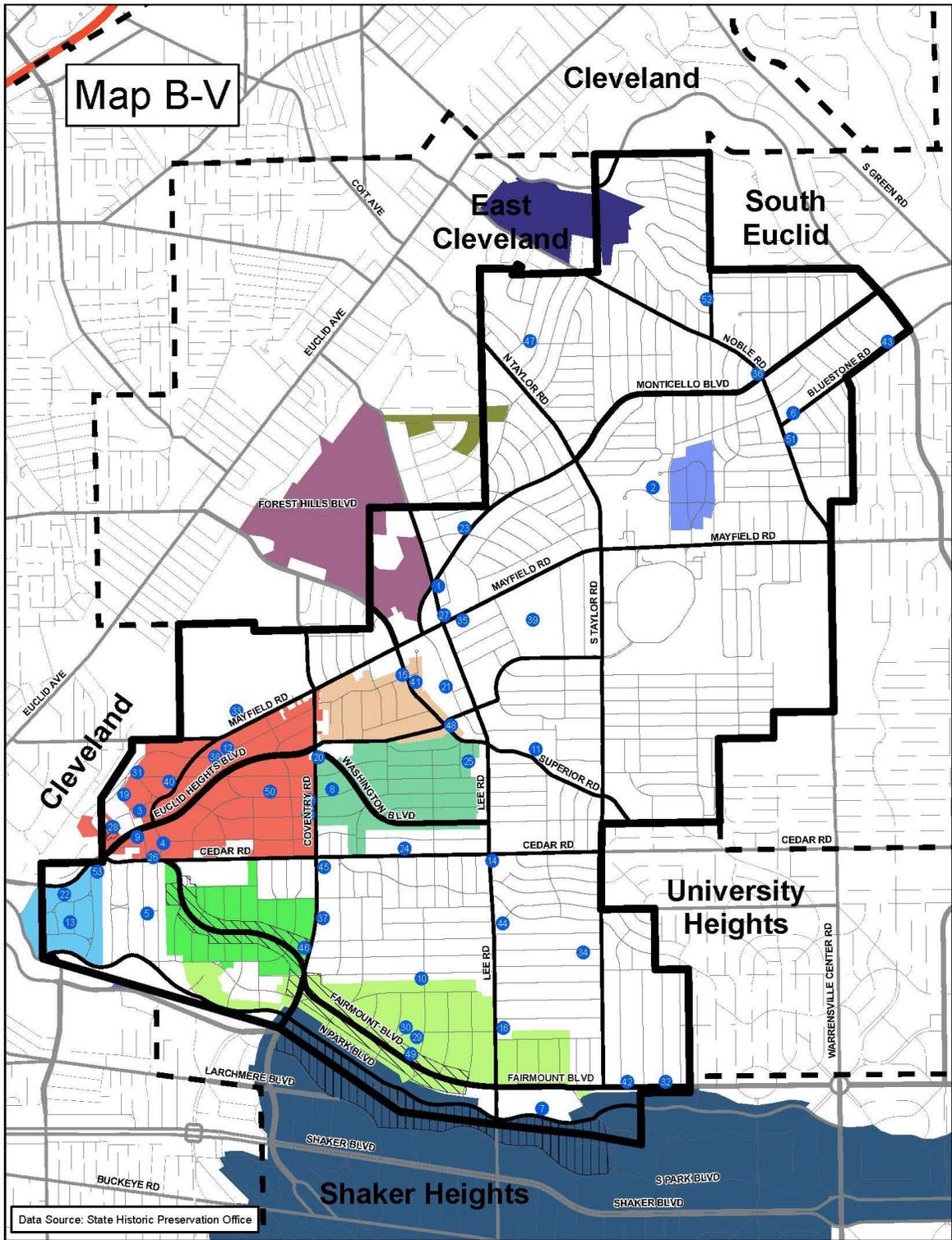
- I. Declining property values – (refer to Map B-I);
- II. Less than 66.9% owner occupancy rates – (refer to Map B-II);
- III. Median housing value rates less than \$152,100 (refer to Map B-III);
- IV. High residential vacancy rates – rates equal to or exceeding 7.2 % (refer to Map B-IV);
- V. Designated National Register of Historic Places District (refer to Map B-V);
- VI. Designated neighborhood redevelopment areas, having high concentrations of City-owned vacant properties resulting from Neighborhood Stabilization Program demolitions. These areas include the following neighborhoods:
  - The Altamont / Desota / Berkley Neighborhood (refer to Map B-VI);
  - The North Coventry Neighborhood (refer to Map B-VI);
  - The North Taylor / Noble / Rushleigh / Monticello Neighborhood (refer to Map B-VI);
- VII. Median Household Income – (refer to Map B-VII);
- VIII. CDBG Eligible Areas – (refer to Map B-VIII);
- IX. Commercial Vacancy Rate – (refer to Map B-IX);
- X. Strength of Housing Market – (refer to Map B-X).











**Cleveland Heights Landmarks**

- |   |  |  |
|---|--|--|
| 1 Abeyton Realty Corporation Forest Hill Real Estate Office | 18 Clapp-Curran Estate (Gardener's Cottage)              | 36 Noble Road Fire Station                         |
| 2 Adams House   | 19 The College Club                                      | 37 Nutt House & Carriage House                     |
| 3 Adella Prentiss Hughes House                              | 20 Coventry Library                                      | 38 Overlook Place Condominiums                     |
| 4 Alcazar Hotel   | 21 Cumberland Park                                       | 39 Park Synagogue                                  |
| 5 Alfred E. & Flora Cook House                              | 22 Elizabeth Keyes Churchill House                       | 40 Patrick Calhoun House                           |
| 6 Asa Cady House  | 23 Finneburgh House                                      | 41 Preyer House                                    |
| 7 Beaumont School/Painter Estate                            | 24 Grace Lutheran Church                                 | 42 Richard Penly House                             |
| 8 Bramson House   | 25 Grant W. Deming House                                 | 43 Schroeder House                                 |
| 9 Braverman-Brantley Building                               | 26 Heights Center Building                               | 44 Silsby Road Fire Station                        |
| 10 Burdick House  | 27 Heights Rockefeller Building                          | 45 St. Ann Church Group/Communion of Saints Parish |
| 11 Cain Park  | 28 Herrick Mews  | 46 St. Paul's Church                               |
| 12 Campbell-Euclid Heights Realty House                     | 29 James C. Beardslee & Cornelia Wadhams Beardslee House | 47 Start Right Church of God in Christ             |
| 13 Canfield House   | 30 Jeavons House   | 48 Superior Schoolhouse                            |
| 14 Cedar-Lee Theatre Building                               | 31 John Hartness Brown House                             | 49 Tremaine-Gallagher House                        |
| 15 Christ Our Redeemer A.M.E. Church                        | 32 John Hecker House                                     | 50 Warner-Racca House and Carriage House           |
| 16 Church of the Saviour                                    | 33 Lake View Cemetery                                    | 51 Willard Wight House                             |
| 17 Clapp-Curran Estate                                      | 34 Lanphear-Callander Sears House                        | 52 William Quilliam House                          |
|   | 35 New Spirit Revival Center                             | 53 Zerbe-Halle House                               |

**Designated National Register of Historic Places Districts**

-  Ambler Heights Historic District
-  Euclid Golf Historic District
-  Euclid Heights Historic District
-  Fairhill Road Village Historic District
-  Fairmount Boulevard District
-  Forest Hill Historic District
-  Forest Hill Park
-  Grant Deming's Forest Hill Allotment Historic District
-  Inglewood Historic District
-  Mayfield Heights Historic District
-  Nela Park Historic District
-  North Union Shaker Site
-  Overlook Road Carriage House District
-  Shaker Farm Historic District
-  Shaker Village Historic District

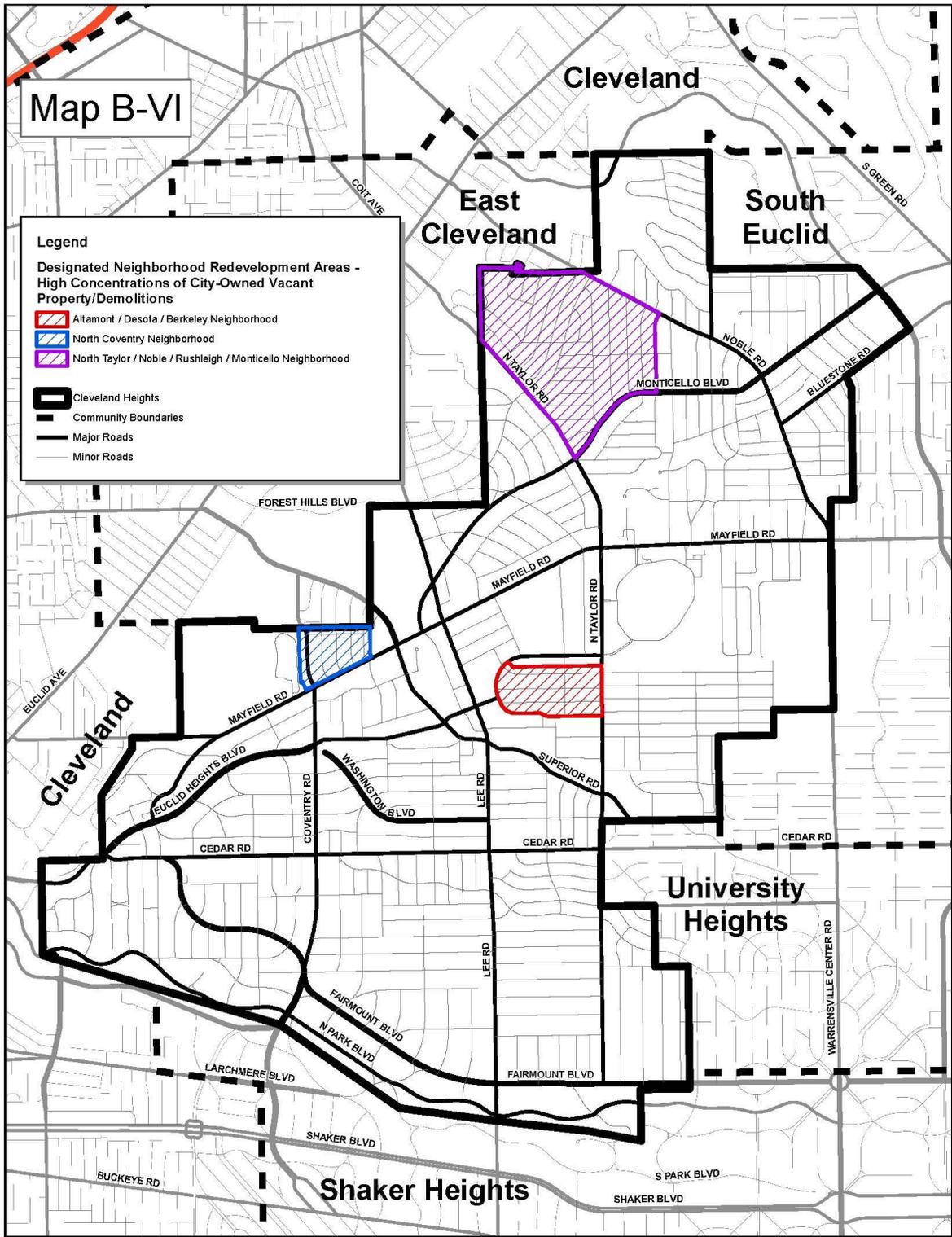
-  Cleveland Heights
-  Community Boundaries
-  Major Roads
-  Minor Roads

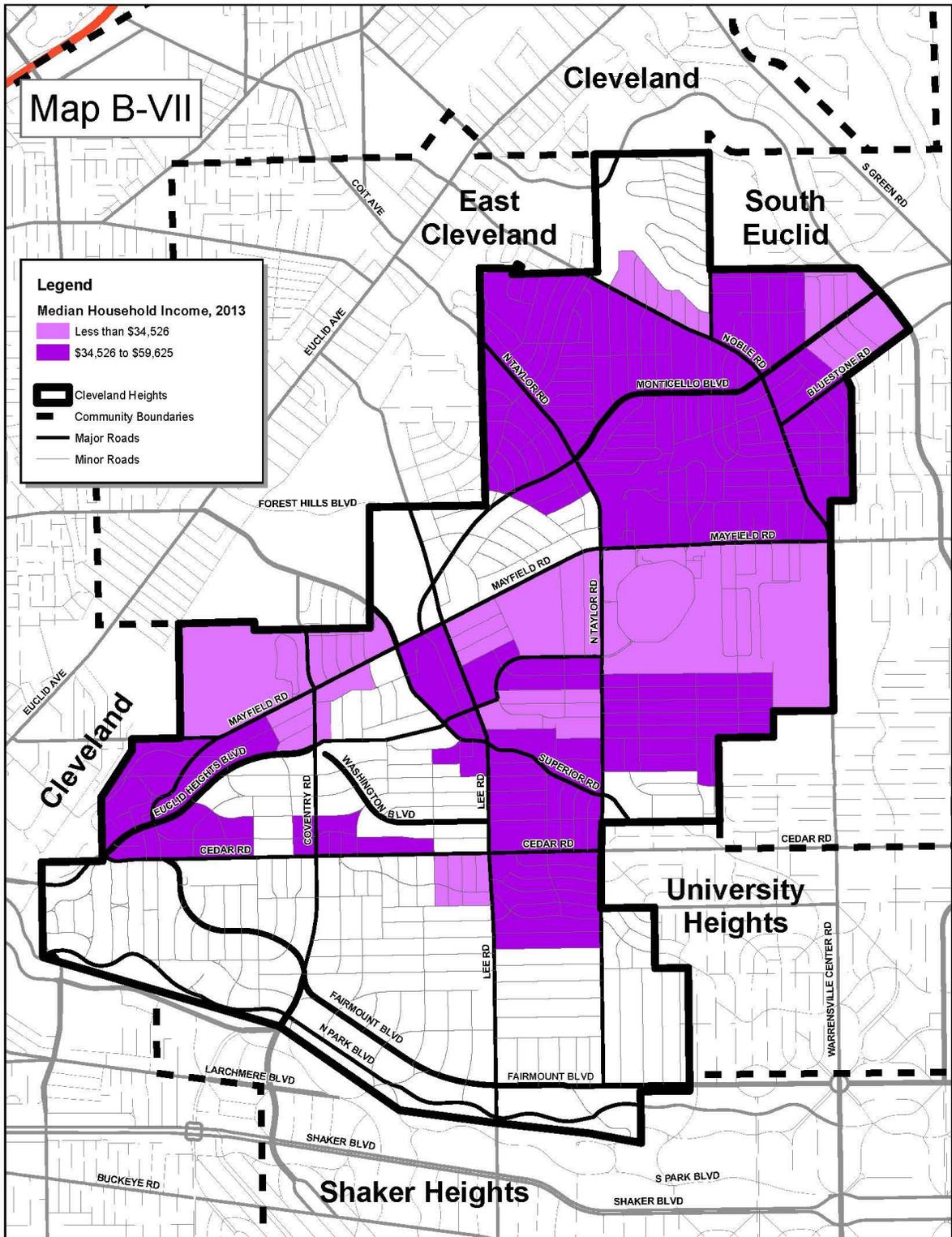
Map B-VI

**Legend**  
Designated Neighborhood Redevelopment Areas - High Concentrations of City-Owned Vacant Property/Demolitions

- Allamont / Desota / Berkeley Neighborhood
- North Coventry Neighborhood
- North Taylor / Noble / Rushleigh / Monticello Neighborhood

Cleveland Heights  
Community Boundaries  
Major Roads  
Minor Roads





Map B-VIII

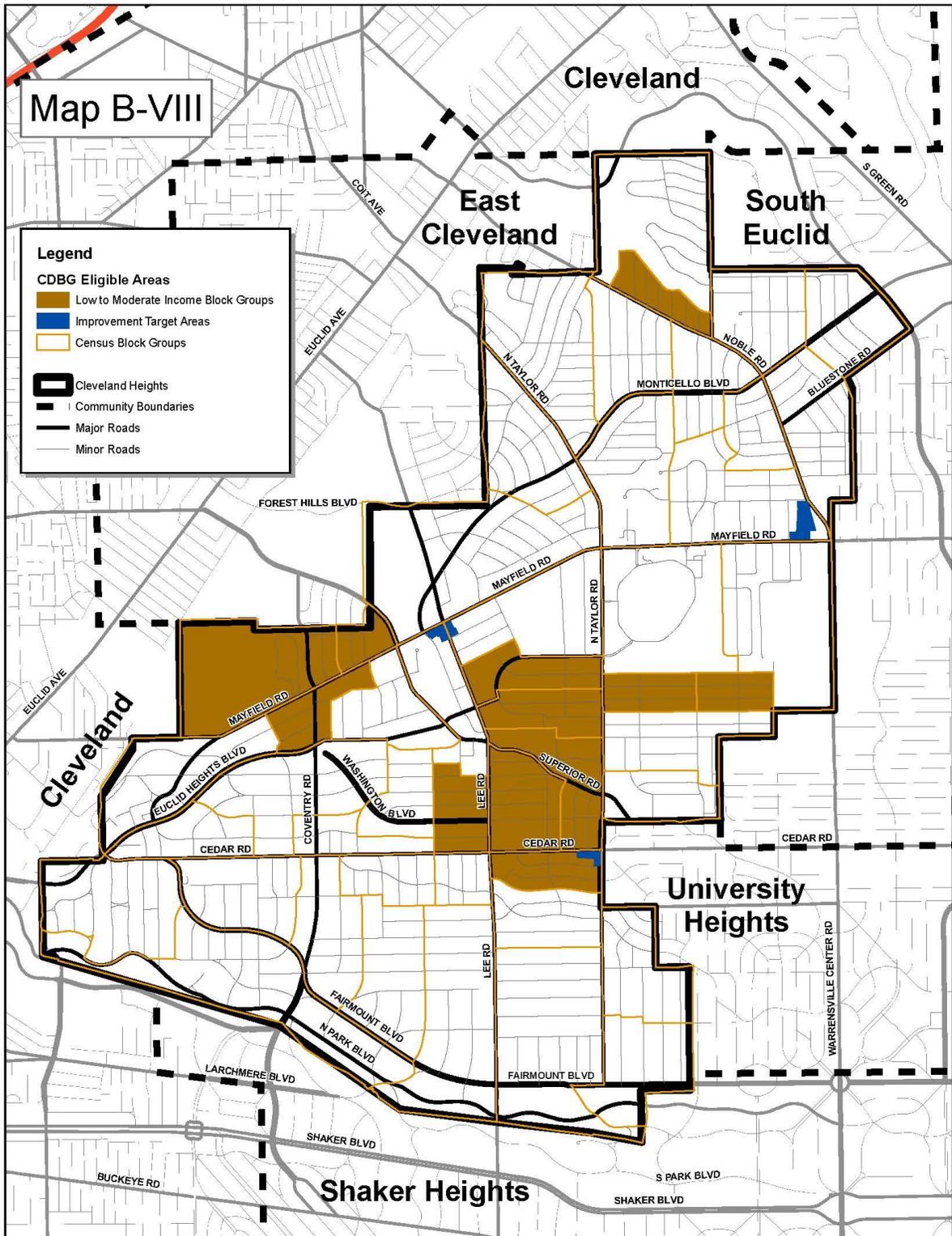
**Legend**

**CDBG Eligible Areas**

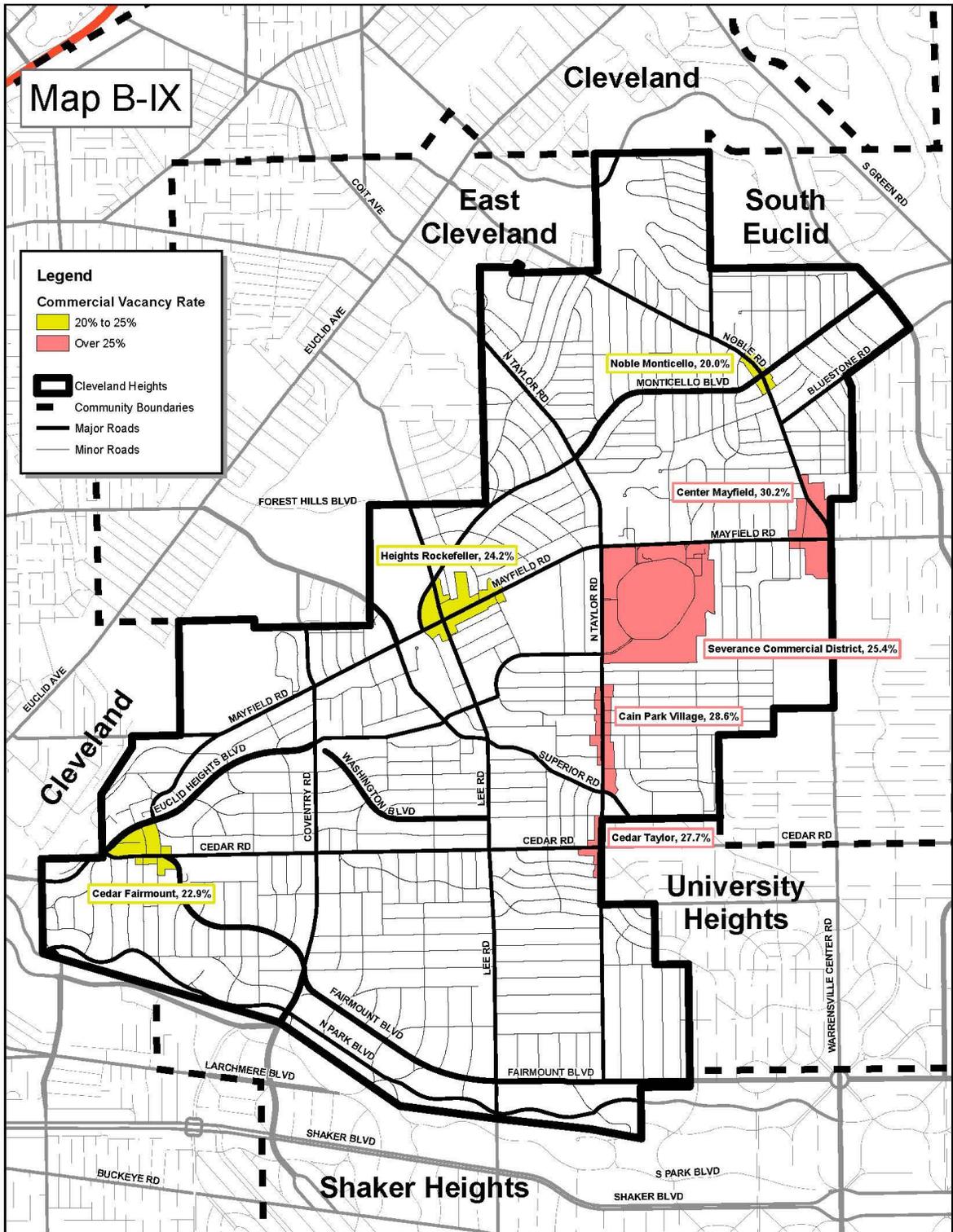
- Low to Moderate Income Block Groups
- Improvement Target Areas
- Census Block Groups

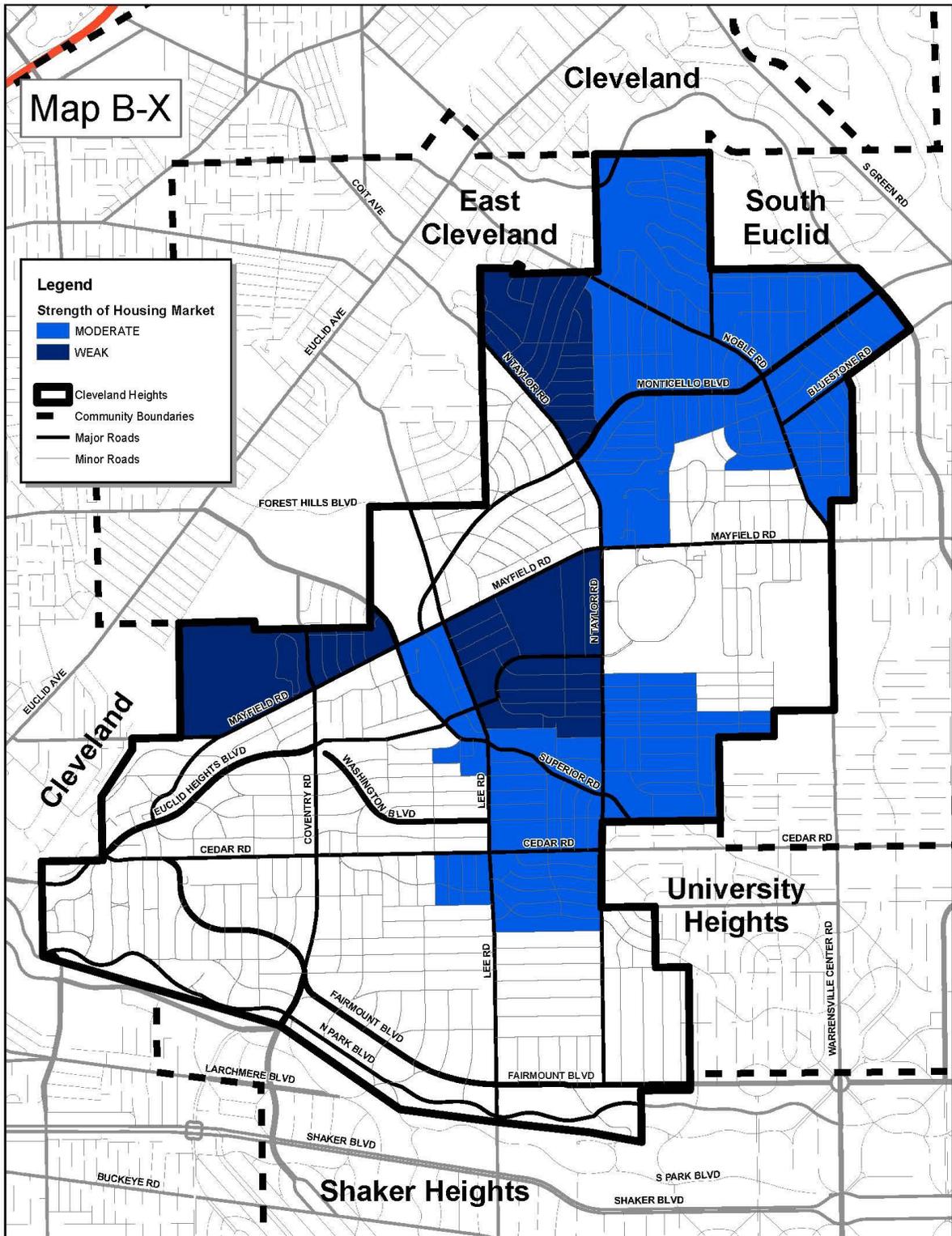
**Other Features**

- Cleveland Heights
- Community Boundaries
- Major Roads
- Minor Roads



Map B-IX





**Exhibit C**

DRAFT

This page left intentionally blank.

# Memorandum

To: Tanisha Briley, City Manager  
From: Joseph P. McRae, Parks and Recreation Director  
Subject: Parks and Recreation Department Update  
Date: June 8, 2018

Please find a brief summary of the Parks and Recreation Department announcements and activities attached for your review:

## General Announcements

- The Cain Park Splash Pad will open on Saturday, June 9 and is free for residents.
- Demolition and grading of the current Caledonia Playground will begin next week. Staff will add drainage to the site and prep for install of the new equipment. The total project will take approximately 2-3 weeks to complete. The new playground equipment will be installed by the end of the month, weather permitting.
- The first session of Safety Town will begin next week. We have 11 kindergarten age kids signed up to participate. They learn about traffic and pedestrian safety habits.

## Ice Programs

- The Community Center North Ice Rink has been closed for a comprehensive refrigeration system upgrade. The scope of work includes a new ammonia based ice system as well as a new dehumidification and heating system. The project is scheduled to be completed by late August.

## Cain Park

- This year's Cain Park Theater production will be Memphis The Musical. Opening Night will be Thursday, June 14 at 7pm in the Alma Theater. The show will run Thursdays – Sundays until July 1, 2018.
- The complete entertainment lineup for the 80<sup>TH</sup> summer season at Cain Park has been released. Details can be found on the new Cain Park website, [www.cainpark.com](http://www.cainpark.com).
- The City has partnered with Heights Youth Theater to provide the HY Teens Broadway at the Park Summer Camp. The camp will run from June 11-29 and culminate with the youth doing a performance at the Alma Theater on June 30.



# Cleveland Heights Fire Department

## Weekly Activity Report

Total Emergency Calls Year To Date	3,059
------------------------------------	-------

Total Emergency Calls for Period	135
----------------------------------	-----

Report Date Period: 06/01/2018 - 06/08/2018

### Fire Data

	<u>Current Period</u>	<u>Year to Date</u>	<u>Last Year to Date</u>	<u>Current Year % of Run Count</u>
Emergency Fire Run Count	26	619	498	20.84 %
Emergency Structure Fire Count	2	37	34	
Emergency Non Structure Fire Count	24	579	461	
Emergency Vehicle Fire Count		3	3	

### Emergency Medical Data

Total Emergency Run Count	109	2,440	2,265	79.16 %
Emergency Medical Run Count	105	2,368	2,205	
Automobile Accident Run Count	4	72	60	
Advanced Life Support Run Count	31	619	646	
Basic Life Support Run Count	77	1,807	1,613	
Total EMS Transports	63	1,635	1,496	
Total EMS Non Transports	43	675	665	

## Mutual Aid Run Count to Date

<b>Mutual aid received</b>	SEFD A - 27 SHFD A - 22 ECFD A - 8 UHFD A - 28
<b>Mutual aid given</b>	SEFD A - 23 SHFD A - 24 ECFD A - 12 UHFD A - 6
<b>Automatic aid received</b>	SEFD A - 4 SHFD A - 12 ECFD A - 5 UHFD A - 8
<b>Automatic aid given</b>	SEFD A - 2 SHFD A - 9 ECFD A - 0 UHFD A - 1

<b><u>Fire Prevention</u></b> <b><u>Bureau</u></b>	<b><u>Current</u></b> <b><u>Period</u></b>	<b><u>Year to</u></b> <b><u>Date</u></b>
<b>Total Completed Fire Inspections</b>	<b>133</b>	<b>600</b>
<b>Company Fire Inspections</b>	<b>27</b>	<b>148</b>
<b>Fire Prevention Fire Inspections</b>		<b>9</b>
<b>Fire Alarm Test Inspections</b>		
<b>Kitchen Supression Test Inspections</b>		
<b>Sprinkler Test Inspections</b>		
<b>Other Inspections</b>	<b>106</b>	<b>443</b>
<b>Smoke Detectors Distributed</b>	<b>3</b>	<b>65</b>



CITY OF  
CLEVELAND  
HEIGHTS 

DEPARTMENT OF POLICE

ANNETTE M. MECKLENBURG, CHIEF

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 – Telephone 216-291-4974

## MEMORANDUM

**To:** Tanisha R. Briley, City Manager

**From:** Annette Mecklenburg, Chief of Police

**Date:** June 8, 2018

**Subject:** Weekly Update

On Monday, June 4, 2018, around 9:05 am Officers responded to a Burglary that had just occurred at 1659 Hillcrest. The resident reported that a male had kicked in her back door and fled after she confronted him in the kitchen. Officers in the area quickly located the suspect at Hillcrest and Superior. The suspect was positively identified and placed under arrest for Burglary. The suspect was identified as 36 year old Tavares Bell. He is currently being held in our jail on a \$20,000 cash/surety bond.

On Monday, June 4, 2018, around 8:24 pm Officers responded to 3919 Elmwood #17 on a report of a male who had been shot. Upon arrival Officers located the victim on the back stairwell. He was treated on the scene by CHFD and transported to University Hospital for medical treatment. Investigation revealed that the victim was visiting his friend who lives in apartment #17. The resident, Terrance Murphy, was working on his gun and believed that it was completely unloaded. However, during this time the gun fired and struck the victim in the chest. Upon further investigation it was determined that the shooting was accidental. Terrance Murphy was charged with Negligent Assault and has been released on bond.

As you may recall, on April 25, 2018, around 3:00 pm there was a report of a suspicious male that approached a juvenile male in the area of Crest and Wood and asked him to get in the truck. The juvenile then ran home. The suspect is described as a middle aged white male with black and gray hair, dark colored eyes, and a thick black and gray mustache. The suspect was seen driving a burgandy colored truck. While there have been no other incidents reported involving this suspect, we still have not been unable to identify him. The victim met with a sketch artist and a sketch of the suspect has been completed. The below sketch will be released on Facebook and Next Door in an attempt to identify the male. (see next page for composite sketch)

### Upcoming Events:

**Safety Forces Night Out – Community Center August 7, 2018**

**Citizens Police Academy – August 14 – September 26, 2018**

CITY OF  
CLEVELAND  
HEIGHTS 

DEPARTMENT OF POLICE

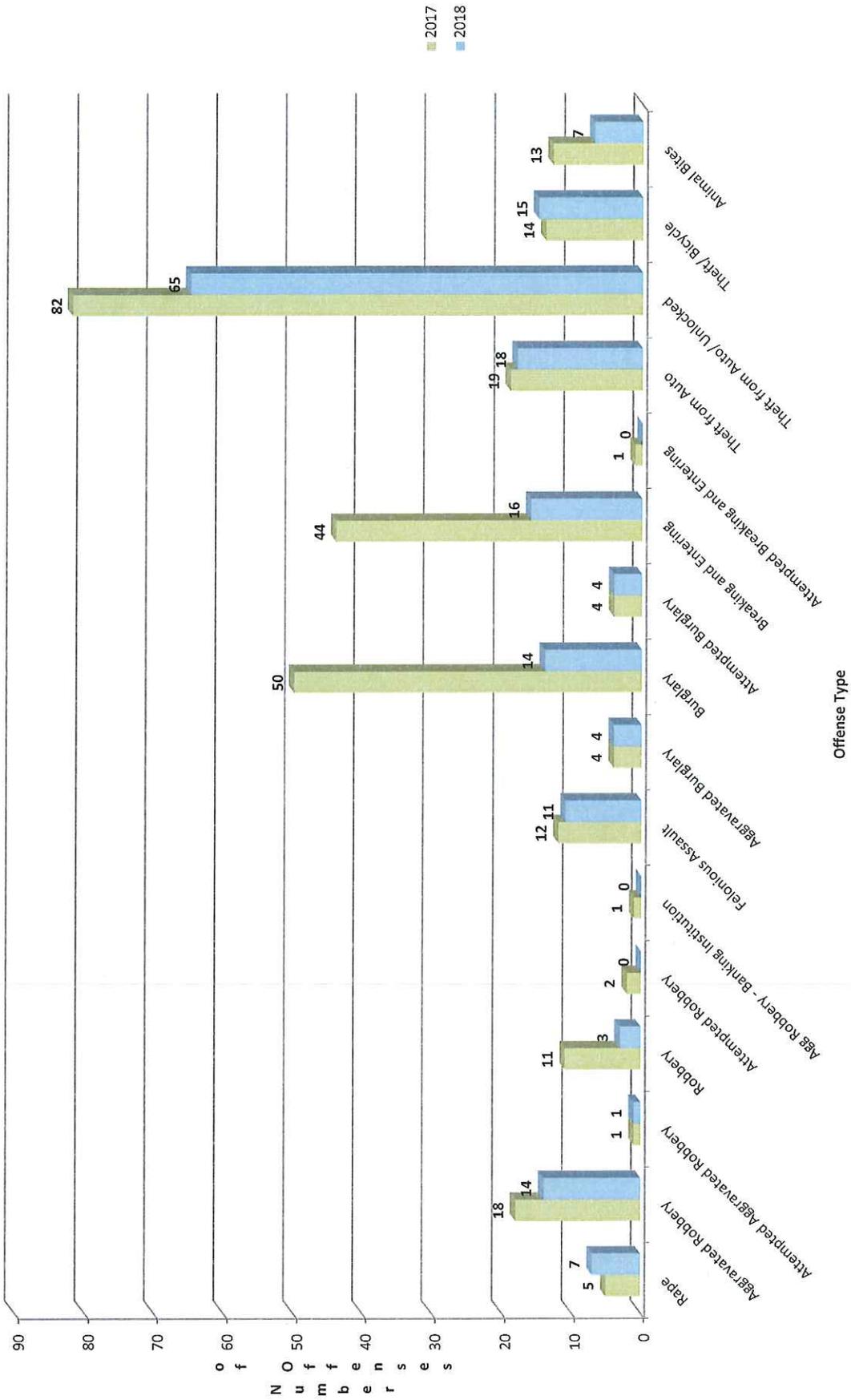
ANNETTE M. MECKLENBURG, CHIEF

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 – Telephone 216-291-4974



WIS  
CH18-01920  
6-5-18

Crime Comparison:  
January 1 - June 8, 2017 Compared to January 1 - June 8, 2018



**CITY OF CLEVELAND HEIGHTS  
ARCHITECTURAL BOARD OF REVIEW  
MINUTES OF THE MEETING  
MAY 15, 2018**

MEMBERS PRESENT:

Melissa Fliegel, Chair  
Jonathan Kurtz  
Michael Wellman

STAFF PRESENT:

Richard Wong, Planning Director

**CALL TO ORDER**

Mr. Wong called the meeting to order at 7:00 PM at which time two members were present.

**APPROVAL OF THE MAY 1, 2018 MINUTES**

Members had no comments or questions so the minutes were approved as submitted and were signed by Ms. Fliegel.

Mr. Kurtz arrived.

**PUBLIC HEARING  
MAY 15, 2018**

**ABR 2018-303: Habib Musawwir, 1382 Vandemar Street,** requests to build a two-car, detached garage.

- Habib Musawwir and Godfather Garages' Steve Mazzone, 3601 Clark Avenue, 44109, said the siding would be cream colored and the roof shingle would be Tamko Rustic Cedar to match the house.

***ACTION: Ms. Fliegel moved to approve the garage as shown on the plans by Godfather Garages, received April 24, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-304: Wells Fargo USA Holdings Inc., 3011 Essex Road,** requests to replace three front attic windows, changing size of middle one, and remove 2nd floor bath window.

- Andrei Leahu and Anastasia Soboleva, 3011 Essex Road, said the 6" wood shake shingle of the dormer would be replaced by 6" shake-styled vinyl siding. The three attic windows in front would be replaced by three windows in which the middle window was the same height as the other two. The second floor bath window would be removed.

- Mr. Wellman asked about the siding that would replace the second floor bath window.
- Mr. Leahu said real wood shake would be used to blend in with the existing shake.

***ACTION: Mr. Wellman moved to approve the alterations as shown on the plans by Andrei Leahu, received April 26, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.***

**ABR 2018-305: Justin Horton, 2364 Delamere Drive,** requests to replace two pairs of casement windows in the attic using double-hung type.

- Harlequin Design's Frank Rendina, 3133 Broadview Road, 44147, said double-hung sash would replace the casement windows. The new windows will have grilles since the second floor double-hung windows have grilles.

***ACTION: Mr. Wellman moved to approve the windows as shown on the plans by Harlequin Design, received April 30, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

**ABR 2018-306: Abdo and Jeannette Daher, 2217 Noble Road,** request preliminary review of storefront renovation.

- Frank Piccirillo, the City's Storefront Renovation Program design consultant, and Joe and Abdo Daher, 6738 Wildwood Trail, 44145, provided updated drawings. Mr. Piccirillo said the signs in the rendering were not yet designed, aside from the existing Metro PCS sign which will stay. Eddie's convenience store's sign will be a 4' by 4' projecting, internally illuminated sign. The other signs will have a wall-mounted 2.5'x8' box containing the sign's lights. Each sign face will feature pushed-through copy on a metal sheet that is larger than the box. A stone-look precast concrete bulkhead, black fabric awning and clear anodized aluminum storefront window system will be installed at each storefront.
- Ms. Fliegel suggested studying the sign box size since it needed to be smaller than the sign face.

***ACTION: Ms. Fliegel moved to approve the renovation as shown on the plans by Frank Piccirillo, received May 15, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-307: Johneice Smith, 1028 Oxford Road,** requests to install vinyl siding using 5" lap style over 8" cedar shake surface.

- Siding and Roofing Solutions' Mike Rossi, P.O. Box 43285, 44143, said double-5" vinyl lap siding was proposed because 8" vinyl shake-look siding was cost-prohibitive. Many homes in the neighborhood had similar vinyl siding. All trim will be clad in white aluminum matching existing trim dimensions.

***ACTION: Ms. Fliegel moved to approve double 5" vinyl siding as described in the literature from Siding and Roofing Solutions, received April 30, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

**ABR 2018-308: Emily Leslie, 3005 East Derbyshire Road,** requests to replace two kitchen windows with one.

- Hoffman Construction's Barry Hoffman, 23775 Commerce Park, 44122, said the pair of windows will be replaced by one window of the same style. This will allow for more cabinet space in the kitchen.

***ACTION: Ms. Fliegel moved to approve the window as shown on the plans by Hoffman Construction, received April 30, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-309: Lullaby Infant Club Childcare Center, 2841 Noble Road,** requests to install business identification signs.

- Fast Signs' Paul Gallagher, 5369 Mayfield Road, 44124, said two identical Maxmetal signs were proposed, one on Noble and the other on Ardmore.
- Mr. Wong said the Noble Road sign originally was larger than the Ardmore sign and would have needed a sign variance. To address the code issue, the Ardmore sign was replicated on the Noble Road side. The areas to the left and right of the sign on the transom will be a color matching the blue from the sign. Those sky blue areas will not be counted as part of the sign since no commercial message would be in the two side pieces.

***ACTION: Ms. Fliegel moved to approve the sign as shown on the plans by Fast Signs, received May 1, 2018, with the condition that the panels on each side of the Noble Road sign match the sky blue color of the sign. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-310 (continued from May 1, 2018 meeting): Armin Guggenheim and tenant, Studio 87, 3944 Mayfield Road,** request to install business identification sign.

- Studio 87's Chantel Cornell, 3944 Mayfield Road, 44118, said the proposed sign would fit in the rectangular frame like the other building signs.

***ACTION: Ms. Fliegel moved to approve the sign as shown on the plans by Fast Signs, received April 16, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-311: Reflection of Me: Hair and Nail Salon, 2122 Lee Road,** requests to install business identification sign.

- Fast Signs' Paul Gallagher, 5369 Mayfield Road, 44124, said the Maxmetal sign would fill the same area as the previous sign.

***ACTION: Mr. Wellman moved to approve the sign as shown on the plans by Fast Signs, received May 1, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

**ABR 2018-312: Judy Boggio, 2979 Hampshire Road,** requests to build detached, two-car garage.

- Judy Boggio and Shannonwood Homes' Duane Schreiner, 1635 Wood Road, said a cream colored vinyl siding and green roof shingle would match the home. Samples of the materials were shown.

***ACTION: Ms. Fliegel moved to approve the garage as shown on the plans by Shannonwood Homes, received May 1, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-313: Winifred Harris, 3386 Spangler Road,** requests to build detached, two-car garage.

- Shannonwood Homes' Duane Schreiner, 1635 Wood Road, showed samples of a cream colored vinyl siding and charcoal roof shingle that he said would match the home.

***ACTION: Mr. Wellman moved to approve the garage as shown on the plans by Shannonwood Homes, received May 1, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

**ABR 2018-314: Linda Freeman, 3103 Edgehill Road,** requests to build rear deck.

- Linda Freeman and Grace Brothers' Graham Grace, 3085 Scarborough Road, 44118, described the proposed back steps and deck.

***ACTION: Mr. Kurtz moved to approve the deck as shown on the plans by Studio One, received May 1, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-315: Bill and Terri Fry, 2732 East Overlook Road,** request to replace 1<sup>st</sup> floor sunroom windows and siding.

- TPA Builders' John Payne, 4310 St. Clair Avenue, 44103, said double-hung windows would replace the existing awning windows. Wood panels will be installed below the windows.

***ACTION: Mr. Wellman moved to approve windows and other alterations as shown on the plans by TPA Builders, received May 1, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

**ABR 2018-316: John and Rebecca Roberts, 2932 Corydon Road,** request to replace windows without matching old windows.

- Renewal by Andersen's Tim Musbach, 5480 Cloverleaf Parkway, Suite 1, 44125, said the new windows will match the old windows.
- Mr. Wong said the submission stated that two double-hung windows were becoming casement windows, but if that was a mistake and the new windows match the old, no ABR review would have been required.

***ACTION: No action was required.***

**ABR 2018-317: Frank J. Kuhar, 3442 Desota Avenue,** requests to extend dormer, replace 1<sup>st</sup> and 2<sup>nd</sup> floor kitchen windows without matching old windows' sill height, and build rear wood stair from first floor.

- Revived Housing Developers' Frank Kuhar, 2613 Wellington Road, 44118, said the existing dormer would be widened for more height in a stair and for a kitchenette. First and second floor windows would be replaced with ones having a higher sill to allow for kitchen base cabinets.

***ACTION: Mr. Wellman moved to approve the windows, dormer extension and other alterations as shown on the plans by Revived Housing Developers, received May 1, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.***

**ABR 2018-318: Judith Forbes, 2528 Derbyshire Road,** requests to install three windows and bay window without matching existing old windows.

- Gunton Corporation's Robert Reed and Jeffrey Holman, 26100 Richmond Road, 44146, said the new windows were on the side and back behind a screened-in porch. A bay window would be on the back, having grid patterns similar to the old windows.

***ACTION: Ms. Fliegel moved to approve the windows as shown on the plans by Gunton Corporation, received May 1, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.***

**ABR 2018-319: Deera Unlimited LLC, 3519 Shannon Road,** requests to build detached, two-car garage.

- Platinum Construction's Tim Akhadov, 5081 Warrensville Center Road, said the garage would use dimensional shingles. He presented samples of the siding and shingles.

***ACTION: Mr. Wellman moved to approve the garage as shown on the plans by Platinum Construction, received May 1, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.***

**ABR 2018-320: Navy Federal Credit Union, 3128 Whitethorn Road,** requests build detached, two-car garage.

- The applicant was not present, so the case was continued to the next meeting.

**ABR 2018-321: Virginia Anderson, 3580 Glen Allen Drive,** requests to replace two windows with sliding door.

- Renewal by Andersen's Tim Musbach, 5480 Cloverleaf Parkway, Suite 1, 44125, said a pair of back windows will be replaced by a sliding door unit. On the front, windows will not have the grids that the old ones had. The owner wanted an unobstructed view.

***ACTION: Ms. Fliegel moved to approve the windows and patio doors as shown on the plans from Renewal by Andersen, received May 1, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

**ABR 2018-322: Greg and Anna Greenspan, 3147 Washington Boulevard,** request to remove a kitchen window.

- Greg and Anna Greenspan said they wanted to remove the kitchen window to allow for more cabinet space.
- Ms. Fliegel asked that the siding be toothed-in so that the patch would not be visible.

***ACTION: Ms. Fliegel moved to approve the window removal as shown on the plans by the Greenspans, received May 1, 2018. Seconded by Mr. Kurtz, the motion was unanimously approved.***

### **Old Business**

- Mr. Wong said that Boss Dog, 2179 Lee Road, approved by ABR on 7-24-2017, has requested approval of various changes to the approved plans. The architect and owner would like to make a presentation.
- Arkinetics' Bruce Taylor, 3723 Pearl Road, 44109, said a corner of the patio's brick wall was slightly shifter to square off the table seating area. A black wire and square tubing fence will fill the spaces between the brick columns instead of ornamental metal fencing. The metal posts will extend up and support lighting. Keg lights and fermenter lights will be on the brick piers.
- Boss Dog owner Josh Sweet said a 1943 military ambulance was being fitted with taps and will be parked in the patio.
- Ms. Fliegel said she liked the changes.

***ACTION: Mr. Wellman moved to approve the changes as shown on the plans by Arkinetics, received May 15, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.***

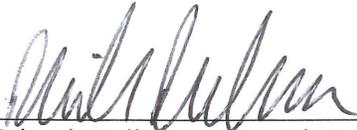
### **New Business**

No new business was raised.

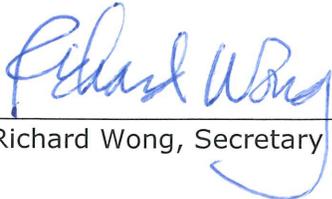
### **Adjournment**

The meeting was adjourned at 8:29 PM.

Respectfully Submitted,

  
\_\_\_\_\_  
Michael Wellman, Vice Chair

6/5/18  
date

  
\_\_\_\_\_  
Richard Wong, Secretary

June 5, 2018  
date

Proposed: 6/4/2018

RESOLUTION NO. 59-2018 (F), *Second Reading*

By Council Member Stephens

A Resolution authorizing the City Manager to enter into an agreement with Family Connections of Northeast Ohio a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Family School Connections Program; providing compensation therefor; and declaring an emergency.

WHEREAS, Family Connections of Northeast Ohio is a non-profit corporation with the mission to strengthen families and promote the healthy development of children by providing parent education, parent support and activities for families with children from birth to age ten; and

WHEREAS, Family Connections of Northeast Ohio has established a Family School Connections Program to provide support to parents and youth; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such programming; and

WHEREAS, there are monies available for such purpose from Year 44 Community Development Block Grant Funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with Family Connections of Northeast Ohio, a non-profit corporation, for assistance with its Family School Connections Program. The agreement shall provide for funding in the amount of up to Twenty Thousand Dollars (\$20,000) from Year 44 Community Development Block Grant funds. The services to be performed by Family Connections of Northeast Ohio are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2018, and terminating June 30, 2019, and shall be reviewed as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the services of the Family Connections of Northeast Ohio to continue without interruption. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this

RESOLUTION NO. 59-2018 (F)

Council this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

RESOLUTION NO. 59-2018 (F)

**EXHIBIT A**  
**STATEMENT OF WORK**

**FAMILY CONNECTIONS**

Family Connections has established the Family School Connections Program to assist parents of preschool and elementary students. The program is designed to enhance parents' involvement in their children's education by providing school and neighborhood-based activities that focus on academic skills as well as social and recreational interests. Family support, parent education, and access to community resources are incorporated into the literacy program.

The program will serve 200 families. CDBG funds will contribute towards personnel expenses. The program will be offered at all Cleveland Heights Elementary Schools.

Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Cleveland Tenants Organization (“CTO”), a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its telephone information services; providing compensation therefor; and declaring an emergency.

WHEREAS, the Cleveland Tenants Organization, a non-profit corporation, provides advice and assistance to tenants and landlords in the greater Cleveland area regarding housing matters; and

WHEREAS, the City has previously entered into agreements with the Cleveland Tenants Organization for partial funding of its telephone information services which provide information about the Ohio Landlord-Tenant laws and Fair Housing laws to low and moderate income residents of the City; and

WHEREAS, the Legal Aid Society of Cleveland has assumed the landlord-tenant telephone information services and is expected to be named a sub-contractor to the Cleveland Tenants Organization while CTO reorganizes their operations; and

WHEREAS, it would be in the City’s best interest to continue to provide partial funding for said program; and

WHEREAS, there are monies available for such purpose from Year 44 Community Development Block Grant funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with the Cleveland Tenants Organization, a non-profit corporation, for assistance with telephone information services for tenants and landlords. The agreement shall provide for funding in the amount of up to Seven Thousand Dollars (\$7,000) from Year 44 Community Development Block Grant funds. The services to be performed by the Cleveland Tenants Organization are set forth in the Work Program attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one year period commencing July 1, 2018, and terminating June 30, 2019, and shall be subject to the approval as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents prepared by the Director of Law, once in one newspaper of

RESOLUTION NO. (F)

general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the Cleveland Tenants Organization to continue to provide these necessary services without interruption. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

RESOLUTION NO. (F)

**EXHIBIT A**  
**STATEMENT OF WORK**

**CLEVELAND TENANTS ORGANIZATION**

Cleveland Tenants Organization, or a designated sub –contractor will continue to provide landlord-tenant counseling through their telephone information service. Cleveland Heights’ tenants and landlords with questions about their rights, responsibilities or remedies under local, state and Federal landlord tenant laws will be assisted. CDBG funds will assist with personnel costs.

Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Heights Community Congress, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with its programs to educate on Diversity in our Community; providing compensation therefor; and declaring an emergency.

WHEREAS, the City has previously entered into agreements with the Heights Community Congress ("HCC") under which the City has provided partial funding for HCC's educational and investigative programs to educate on Diversity in our Community; and

WHEREAS, the City and its residents benefit from HCC's programs that promote a high-quality, integrated community and it would be in their best interest to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 44 Community Development Block Grant Funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with the Heights Community Congress, a non-profit corporation, for a grant of up to Six Thousand Dollars (\$6,000) from 44th year Community Development Block Grant funds for assistance in HCC's educational programs on Diversity in our Community. The services to be performed by the Heights Community Congress are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. This agreement shall be for a one-year period commencing July 1, 2018 and terminating June 30, 2019, and shall be in a form approved by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. (F)

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to continue the services of the Heights Community Congress without interruption. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

RESOLUTION NO. (F)

**EXHIBIT A**  
**STATEMENT OF WORK**

**HEIGHTS COMMUNITY CONGRESS**

Heights Community Congress (“HCC”) operates fair housing programs that promote an integrated community. Its purpose is two-fold: encouraging an open, balanced housing market throughout Cleveland Heights and the eastern suburbs resulting in integrated communities and neighborhoods; and instilling a sense of community and spirit of involvement among residents of all races, cultures, ethnic heritages and socio-economic levels. HCC will provide diversity programming including adult discussion groups on diversity related topics and sponsoring activities that highlight the racial and cultural diversity of Cleveland Heights. CDBG funds will assist with personnel expenses.

Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Home Repair Resource Center (“HRRC”), a non-profit corporation, for the use of Community Development Block Grant Funds for assistance with HRRC’s home-repair and home-improvement programs; providing compensation therefor; and declaring an emergency.

WHEREAS, the City has previously entered into agreements with the Home Repair Resource Center (“HRRC”) under which the City has assisted with the funding for various HRRC home-repair and home-improvement programs; and

WHEREAS, in the past the City has also provided funding to assist with the operating expenses of such programs; and

WHEREAS, it would be in the City’s best interest to continue to provide funding to HRRC to aid in its efforts to prevent deterioration and blight in the City’s housing stock, encourage and enable residents to make necessary repairs, and support the City’s code enforcement efforts; and

WHEREAS, there are monies available for such purpose from Year 44 Community Development Block Grant Funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with the Home Repair Resource Center (“HRRC”) to provide funding from Year 44 Community Development Block Grant funds for HRRC’s programs and operating expenses up to the amounts as listed here: One Hundred Eighteen Thousand One Hundred Twenty-Six Dollars (\$118,126) for HRRC Operating Expenses; Ten Thousand (\$10,000) for Assist Incentive Grants; Twenty Thousand Dollars (\$20,000) for Deferred Loan Match; Five Thousand Dollars (\$5,000) for the Senior Home Stability Grant; and Nineteen Thousand Five Hundred Seventy-Seven Dollars (\$19,577) for Housing Counseling; for a total grant of up to One Hundred Seventy-Two Thousand Seven Hundred Three Dollars (\$172,703).

SECTION 2. The services to be performed by HRRC shall be as set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one-year period, commencing July 1, 2018, and terminating June 30, 2019. All documents shall be in a form approved by the Director of Law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the

RESOLUTION NO. (F)

title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the services of HRRC to continue without interruption. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

**EXHIBIT A**  
**STATEMENT OF WORK**

**HOME REPAIR RESOURCE CENTER**

Home Repair Resource Center (“HRRC”), formerly known as FHC Housing Corporation, is a non-profit organization chartered in 1971. Its mission is to strengthen and promote the housing stock of Cleveland Heights through education, financial assistance, counseling, and community involvement, in order to support the economic, social, and racial diversity of the community. HRRC’s programs recognize the special needs of low- and moderate-income homeowners and provide incentives to encourage and facilitate their participation. Programs are designed to maintain the condition and value of housing in Cleveland Heights.

HRRC has several components that receive CDBG funding. The first is HRRC’s operating expenses. This includes personnel and administrative costs associated with programs that benefit low- and moderate-income persons. Home Repair Resource Center will provide comprehensive budget and credit counseling services to residents of Cleveland Heights through the Housing Counseling Program. Services will be provided through classroom and individual counseling.

Rollover and new CDBG funds support several of HRRC’s programs. The Assist Benefit program includes the Assist 0%, Deferred Loan Match and Assist Incentive programs. The Assist 0% benefit helps recipients borrow funds for repairs. It reduces the principal financed so that the total repaid to the bank is equivalent to a no-interest loan. The Assist Incentive grant provides a grant of up to \$1000 to complete a major improvement (roof and gutters, major plumbing, major wiring, new heating systems). The grant is increased to \$1500 for seniors who are replacing a roof or furnace. The Deferred Loan Match program enables recipients to defer payment of half the cost (to a maximum of \$3000) of replacing major systems of a home (roof, heating, plumbing or electrical). The Senior Home Stability Grant program provides grants of up to \$1000 to assist homeowners with the repairs to their home which will allow them to age in place. The Lead Based Paint Reduction program provides assistance with the increased repair costs due to lead-based paint regulations. All programs assist low- and moderate-income owner occupied households as defined by the Department of Housing and Urban Development.

Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Heights Youth Club, Inc., a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Project Learn: The Educational Enhancement Program; providing compensation therefor; and declaring an emergency.

WHEREAS, the Heights Youth Club, Inc. is a non-profit corporation with the mission to provide a positive and safe environment for youth to learn and develop skills related to education, interpersonal growth and community involvement; and

WHEREAS, the Heights Youth Club, Inc. is seeking new partnerships in order to continue its Project Learn: The Educational Enhancement Program; and

WHEREAS, providing funding to assist such program will be of benefit to the City and its residents; and

WHEREAS, there are monies available for such purposes from the Year 44 Community Development Block Grant Funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with the Heights Youth Club, Inc., a non-profit corporation, for assistance with its Project Learn: The Educational Enhancement Program. The agreement shall provide for funding in the amount of up to Thirty Five Thousand Dollars (\$35,000) from Year 44 Community Development Block Grant funds. The services to be performed by the Heights Youth Club, Inc. are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2018, and terminating June 30, 2019, and shall be reviewed as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the services of the Heights Youth Club, Inc., to continue without interruption. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council this

RESOLUTION NO. (F)

Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

RESOLUTION NO. (F)

**EXHIBIT A**  
**STATEMENT OF WORK**

**HEIGHTS YOUTH CLUB**

Heights Youth Club will offer Project Learn: The Educational Enhancement Program. Project Learn enforces and enhances the skills and the knowledge that youth learn at school. Project Learn creates opportunities for high-yield learning including leisure reading, writing activities, discussions with knowledgeable adults, helping others, homework help, tutoring and games that develop young people's cognitive skills.

Project Learn will serve 650 youths with a minimum of 51% being from low-and moderate-income households. Community Development Block Grant funds will reduce or eliminate the cost of participation of its clients.

Proposed: 6/28/2018

RESOLUTION NO. (F)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Open Doors Academy, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization's year-round enrichment program for youth living at risk; providing compensation therefor; and declaring an emergency.

WHEREAS, the Open Doors Academy is a non-profit corporation with the mission to support and enhance academic, social and emotional growth of middle school-aged children; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 44 Community Development Block Grant Funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with the Open Doors Academy, a non-profit corporation, to provide for funding in the amount of up to Eleven Thousand Nine Hundred Sixty-Six Dollars (\$11,966) from Year 44 Community Development Block Grant funds. The services to be performed by the Open Doors Academy are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2018, and terminating June 30, 2019, and shall be reviewed as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the necessary services of the Open Doors Academy to continue uninterrupted. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. (F)

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

RESOLUTION NO. (F)

**EXHIBIT A**  
**STATEMENT OF WORK**

**OPEN DOORS ACADEMY**

Open Doors Academy exists to protect, inspire, nurture, and challenge adolescents to reach their full potential through the provision of meaningful out-of-school enrichment programming in safe and structured environment.

Open Doors Academy will serve 80 youths in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programming will be offered at the School District's Wiley Campus. Community Development Block Grant funds will assist with personnel costs.

Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Lake Erie Ink, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization's Ink Spot After School Program; providing compensation therefor; and declaring an emergency.

WHEREAS, the Lake Erie Ink is a non-profit corporation with the mission to provide expression opportunities and academic support to youth in the community; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 44 Community Development Block Grant Funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with Lake Erie Ink, a non-profit corporation, to provide for funding in the amount of up to Twelve Thousand One Hundred Twenty-Eight Dollars (\$12,128) from Year 44 Community Development Block Grant funds. The services to be performed by Lake Erie Ink are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2018, and terminating June 30, 2019, and shall be reviewed as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the necessary services of Lake Erie Ink to continue uninterrupted. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. (F)

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

RESOLUTION NO. (F)

**EXHIBIT A**  
**STATEMENT OF WORK**

**LAKE ERIE INK**

Lake Erie Ink provides creative expression opportunities and academic support to youth in the community. Their Ink Spot After-School Program provides literacy enrichment, creative expression opportunities and academic support to youth, ages 8-12.

CDBG funds will assist Lake Erie Ink to serve 45 youth in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programing will be offered at Noble Elementary School and at their Coventry Peace Campus location, Cleveland Heights, OH. Community Development Block Grant funds will assist with personnel costs.

Proposed: 6/18/2018

RESOLUTION NO. (SMS)

By Council Member

A Resolution authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement programs to be used for the Dugway East Culvert Emergency Rehabilitation project; and declaring an emergency.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City is planning to make emergency capital improvements to the Dugway East Culvert; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs; and

WHEREAS, in order to secure Ohio Public Works Commission funds, it is necessary to make application immediately.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to make application to the Ohio Public Works Commission for financial assistance for the Dugway East Culvert Emergency Rehabilitation project.

SECTION 2. The City Manager is further authorized to enter into any agreements necessary and appropriate for obtaining such financial assistance, upon forms approved by the Director of Law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to make said application prior to the deadline. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. (SMS)

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution approving a petition for the adoption of a public services and improvements plan for the Cedar Lee Special Improvement District.

WHEREAS, Ohio Revised Code Chapter 1710, "Special Improvement Districts," provides for the voluntary creation of nonprofit corporations by groups of property owners to fund mutually beneficial improvements through self-assessment; and

WHEREAS, by Resolution No. 125-2003, this Council approved the petition for the formation of the Cedar Lee Special Improvement District ("Cedar Lee SID"); and

WHEREAS, by subsequent resolutions, this Council previously approved and levied assessments to fund the costs of said plan and subsequent public services and improvements plans for the Cedar Lee SID; and

WHEREAS, the most recently approved public services and improvements plan is due to expire this year; and

WHEREAS, the Board of Directors of the Cedar Lee SID have approved a proposed public services and improvements plan for the next five years; and

WHEREAS this Council returned said plan to the Board of Directors without comments or recommendations for changes by Resolution No. 9-2018; and

WHEREAS, said plan has been approved by the owners of property constituting over sixty percent (60%) of the front footage of the property included in the district and has been submitted to this Council for its approval; and

WHEREAS, approval of the public services and improvements plan would be in the best interest of the Cedar Lee SID and the residents of this community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby approves the petition for adoption of the submitted public services and improvements Plan for the Cedar Lee SID, the originals of which petition are on file with the Clerk of Council, and a copy of which Plan is attached to this Resolution as Exhibit A and incorporated herein by reference.

RESOLUTION NO. (F)

SECTION 2. This Council hereby finds that the petition for the adoption of said Plan for the Cedar Lee SID was executed by the owners of over sixty percent (60%) of the front footage of all real property located in the district, as required by Ohio Revised Code Section 1710.06 and finds that the adoption of the submitted public services and improvements Plan will be in the best interest of the Cedar Fairmount SID and the residents of this community.

SECTION 3 Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

# **Plan of Services To be provided by Cedar Lee Special Improvement District**

## **Forward**

Chapter 1710 of the Ohio Revised Code, effective September 1994, provides that owners of sixty percent (60%) of the front footage of an area can petition to create a Special Improvement District (SID). The SID is a non-profit corporation, governed by trustees elected by the property owners (one of which is the City Executive and his/her designee and one appointed by City Council) of an area /district, to provide specially desired services such as marketing, beautification/maintenance, economic development and physical improvement planning services. These services are set forth in "The Plan of Services" and are in addition to services normally provided by the City.

Property owners representing at least sixty percent of the front footage of the Cedar Lee Special Improvement District (which is herein defined) are petitioning the Council of the City of Cleveland Heights for the continuance of the Cedar Lee Special Improvement District (the "District") and for approval of the Plan of Services for Cedar Lee Special Improvement District.

The Plan of Services seeks as its overall goal to maintain and to enhance the economic viability of the Cedar Lee District. To that end, it provides for marketing, beautification/maintenance, economic development, safety/security initiatives and physical improvement planning services.

## **The Services**

The services to be provided by the Cedar Lee Special Improvement District, as part of the plan are listed below as types of activities to be undertaken. These are given as representative samplings. The intent is not to limit the services to those specifically described or bind services to this initial conceptual schedule. This plan authorizes all activities as permitted under Ohio Revised Code Section 1710.06 (A).

The Cedar Lee Special Improvement District will provide the professional management to deliver the services in the district. The managed services will be overseen by the thirteen member Board of Directors of the SID consisting of 11 members elected by the property owners, one appointee by City Council and the City Manager.

## **Marketing Objectives**

*Marketing efforts will target NE Ohio*

*Promote the district as a destination for retail, services, dining, nightlife, art & theater*

*Maintain a district web site and utilize Facebook & Twitter to engage consumer audiences*

*Produce promotional materials such as brochures and e- newsletters*

*Present marketing & promotional events that highlight the district and its amenities*

*Keep merchants abreast of area-wide marketing and promotional opportunities*

## **Beautification and Maintenance**

*Coordinate the delivery of maintenance services by independent contractors*

*Oversee seasonal plantings, watering and care*

*Seasonal snow removal service*

*Sidewalk sweeping and litter removal; multiple weekly schedule*

## **Supplemental Security**

*Work in partnership with City of Cleveland Hts. Police department to address crime prevention and safety awareness*

*Provide crime advisories to the merchants*

## **Physical Improvements**

*Redefined green space, pedestrian amenities & wayfinding signage*

## **Cost**

**The costs of the Plan of Services shall include those permitted pursuant to the Ohio Revised Code, Section 1710.07 The annual cost of the Plan of Services is budgeted at \$155,888.00 for each of the five years of the plan and will be generated by property owners' assessments.**

## **Area to be Served:**

- *Lee Road, on the west side from Superior Road to and including Parcel No. 686-13-049*
- *Lee Road, on the east side from Dellwood Road to Cedar Road*

- *Lee Road, on the east side from Washington to Superior Road*
- *Silsby Road, on the north side Parcel No. 687-08-012*
- *Silsby Road, on the south side from Lee Rd. to and including Parcel No. 687-08-080*
- *Cedar Road, on the north side Parcel Nos. 684-22-019 and 684-22-020*
- *Cedar Road, on the south side from Edgewood to Kildare*

**A map showing the area is attached as the last page of this Plan of Services and incorporated herein.**

#### **Method of Assessment**

*The assessments to be used by Cedar Lee Special Improvement District shall be by Market Value as determined by the Cuyahoga County Fiscal Officer.*

*The assessment will be collected in semi-annual*

#### **Term of the Plan**

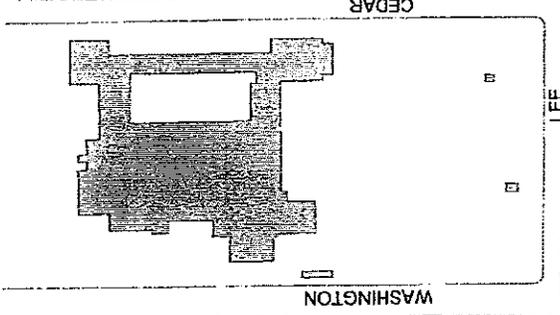
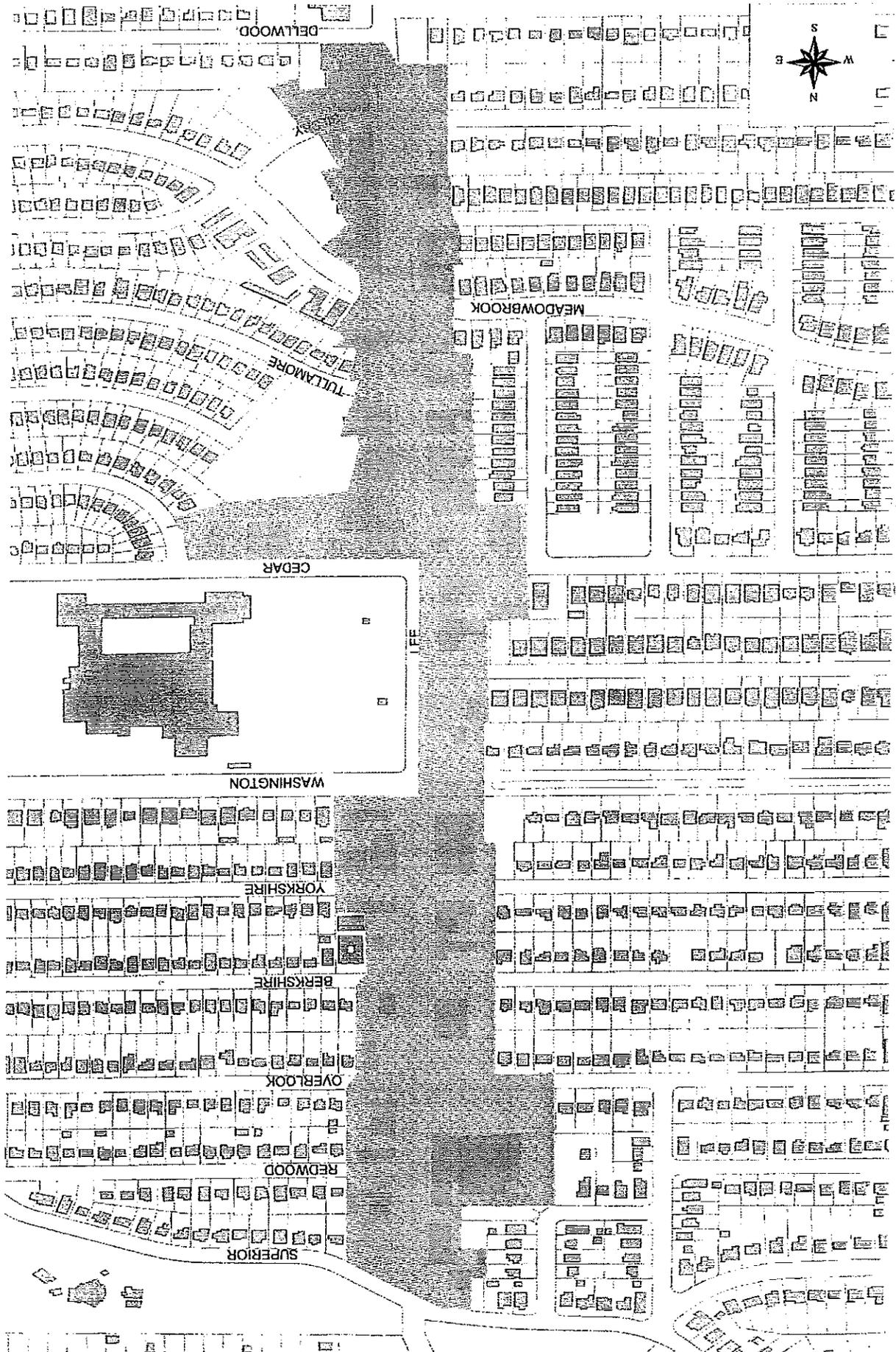
The term of the Plan of Services shall be for **five (5) years** from **October 2018 through September of 2023**. Services will be provided during the same term. The commencement date may be adjusted by the Board of Directors by up to six (6) months later as necessary to give flexibility in meeting all requirements as provided in Chapter 1710 of the Ohio Revised Code and/or as necessary to provide for funds collection and cash flow to commence operations.

#### **Period of Assessment**

The term of assessment levied by the district shall be for five years from October 2018 – September of 2023. It may also be adjusted by the Board of Directors as stated above under Term of Plan.

#### **Annual and 990 Report**

*The Treasurer of the Board of Directors shall submit by the first day of March each year to the City of Cleveland Heights, Finance Director and /or City Manager, a report of the Cedar Lee Special Improvement District's activities and financial condition for the previous year. An annual report will also be submitted to the City of Cleveland Hts. and will be submitted to the Ohio Auditor of State office for public view.*



Cedar Lee Special Improvement District

## CLSID 2018 - 2023 Renewal Budget

### Income

Assessments	\$ 145,888	
Residual Prior Year	10,000	
Total Income		\$ 155,888

### Expenses

Accounting	\$ 4,000	
Administrative - General	3,600	
Bank Charges	48	
BOD Liability Insurance	2,000	
Donations	1,500	
Legal	1,500	
Meetings	500	
Memberships	180	
Postage and Supplies	360	
Tax Filing Fees	300	
Training	500	
Total Administration		\$ 14,488

### Maintenance

Administrative-Maintenance	\$ 11,210	
Landscape Maintenance	11,000	
Snow Removal	11,000	
Street Cleaning	19,800	
Watering	12,500	
Supplies	400	
Total Maintenance		\$ 65,910

### Marketing

Administrative - Marketing	\$ 24,390	
Advertising	5,000	
Web page	1,000	
Newsletter	300	
Brochures	2,000	
Total Marketing		\$ 32,690

### Promotional Events

Fall Promos	\$ 2,600	
Summer Promos	5,000	
Winter Promos	1,200	
Total Promos		\$ 8,800



Proposed: 6/18/2018

RESOLUTION NO. (F)

By Council Member

A Resolution declaring the necessity of implementing a public services plan for the Cedar Fairmount Special Improvement District, Inc.; and declaring an emergency.

WHEREAS, this Council has received a petition for adoption of a five-year public services plan which was executed by the owners of over sixty percent (60%) of the property in the Cedar Fairmount Special Improvement District, Inc., as determined by front footage; and

WHEREAS, by Resolution No. 46-2018, this Council approved said public services plan; and

WHEREAS, estimated first-year assessments for the affected properties, as well as the total costs of the plan, are now on file with the Clerk of Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby declares it necessary to implement a five-year public services plan for the Cedar Fairmount Special Improvement District, Inc., with such plan being attached hereto as Exhibit A and incorporated herein.

SECTION 2. One hundred percent (100%) of the cost of the public services plan shall be paid for by special assessments.

SECTION 3. The parcels of property to be assessed for the public services plan are as follows:

685-16-057	685-24-075
685-18-021	685-26-001
685-18-022	685-26-002
685-18-023	685-26-003
685-18-024	685-26-004
	685-26-005

SECTION 4. The method of levying the special assessment shall be by a percentage of the tax value of the property assessed, with such assessments being recalculated on an annual basis over the five-year period to accommodate fluctuating property values due to improvements and new construction.

RESOLUTION NO. (F)

SECTION 5. The costs of the public services plan and the estimated first-year assessments for affected properties are presently on file with the Clerk of Council and available for inspection.

SECTION 6. The Clerk of Council be, and she is hereby, authorized and directed to serve notice of the passage of this Resolution upon the owners of each of the properties included in the Special Improvement District in the manner provided by law, and to make appropriate record of proof of service.

SECTION 7. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 8. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet county taxing deadlines. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

Proposed: 6/18/2018

ORDINANCE NO. (F)

By Council Member

An Ordinance providing for the issuance and sale of \$722,000 of notes, in anticipation of the issuance of bonds, for the purpose of (i) reconstructing, resurfacing and otherwise improving City streets; (ii) rebuilding Monticello Boulevard and Taylor Road, including engineering and planning costs with respect thereto; and (iii) acquiring motorized equipment and appurtenances thereto; and declaring an emergency.

WHEREAS, pursuant to Ordinance Nos. 71-2010 and 72-2010, each passed on June 21, 2010, and Ordinance No. 84-2010, passed on July 6, 2010, there were issued \$1,635,000 of notes in anticipation of bonds for the purposes stated in clauses (i) and (ii) of Section 1 and other purposes, as part of a consolidated issue of \$1,850,000 Various Purpose General Obligation Bond Anticipation Notes, Series 2010, which notes were retired at maturity, together with other funds available to the City, with \$1,353,000 of notes issued in anticipation of bonds pursuant to Ordinance No. 88-2011, passed on July 18, 2011, as part of a consolidated issue of \$1,703,000 Various Purpose General Obligation Bond Anticipation Notes, Series 2011 (the 2011 Notes); and

WHEREAS, pursuant to Ordinance No. 89-2011, passed on July 18, 2011, there were issued \$350,000 of notes in anticipation of bonds for the purpose stated in clause (iii) of Section 1, as part of the consolidated issue of the 2011 Notes; and

WHEREAS, the 2011 Notes were retired at maturity, together with other funds available to the City, with the proceeds of \$1,351,000 of notes (the 2012 Refunding Notes) issued in anticipation of bonds pursuant to Ordinance No. 90-2012, passed on July 2, 2012, as part of a consolidated issue of \$2,126,000 Various Purpose Notes, Series 2012; and

WHEREAS, pursuant to Ordinance Nos. 88-2012 and 89-2012, each passed on July 2, 2012, there were issued \$775,000 of notes (the 2012 New Money Notes, and, together with the 2012 Refunding Notes, the 2012 Notes) in anticipation of bonds for the purpose stated in clause (iii) of Section 1 and other purposes, as part of the consolidated issue of the 2012 Notes; and

WHEREAS, the 2012 Notes were retired at maturity, together with other funds available to the City, with the proceeds of \$1,488,000 of notes (the 2013 Refunding Notes) issued in anticipation of bonds pursuant to Ordinance No. 120-2013, passed on July 15, 2013, as part of a consolidated issue of \$2,378,000 Various Purpose Notes, Series 2013; and

WHEREAS, pursuant to Ordinance Nos. 117-2013, 118-2013 and 119-2013, each passed on July 15, 2013, there were issued \$890,000 of notes (the 2013 New Money Notes, and, together with the 2013 Refunding Notes, the 2013 Notes) in anticipation of bonds for the purpose stated in clause (iii) of Section 1 and other purposes, as part of the consolidated issue of \$2,378,000 Various Purpose Notes, Series 2013, which 2013 Notes were retired at maturity, together with other funds

ORDINANCE NO (F)

available to the City, with the proceeds of \$2,151,000 Various Purpose Notes, Series 2014 (the 2014 Notes), issued in anticipation of bonds pursuant to Ordinance No. 89-2014, passed on July 7, 2014, which 2014 Notes were retired at maturity, together with other funds available to the City, with the proceeds of \$1,925,000 Various Purpose Notes, Series 2015 (the 2015 Notes), issued in anticipation of bonds pursuant to Ordinance No. 88-2015, passed on July 6, 2015, which 2015 Notes were retired at maturity, together with other funds available to the City, with the proceeds of \$1,700,000 Various Purpose Notes, Series 2016 (the 2016 Notes), issued in anticipation of bonds pursuant to Ordinance No. 57-2016, passed on July 5, 2016, which 2016 Notes were retired at maturity, together with other funds available to the City, with the proceeds of \$1,285,000 Various Purpose Notes, Series 2017 (the Outstanding Notes), issued in anticipation of bonds pursuant to Ordinance No. 87-2017, passed on July 3, 2017, which Outstanding Notes mature on July 24, 2018; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvements described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in clause (i) of Section 1 is 11 years, in clause (ii) of Section 1 is 16 years, in clause (iii) of Section 1 (\$113,000 of the Notes) is three years and in clause (iii) of Section 1 (\$337,000 of the Notes) is four years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in clauses (i) and (ii) of Section 1 is August 4, 2030, in anticipation of \$113,000 of the Bonds described in clause (iii) of Section 1 is August 1, 2022, and in anticipation of \$337,000 of the Bonds described in clause (iii) of Section 1 is July 31, 2023;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount of Anticipated Bonds; Purpose. It is necessary to issue bonds of the City in the aggregate principal amount of \$722,000 (the Bonds) for the purpose of (i) reconstructing, resurfacing and otherwise improving City streets, together with necessary appurtenances thereto (\$106,000), (ii) rebuilding Monticello Boulevard and Taylor Road, including engineering and planning costs with respect thereto (\$166,000) and (iii) acquiring motorized equipment and appurtenances thereto (\$450,000).

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately July 1, 2019, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in seven annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2019, and the first principal payment of the Bonds is estimated to be December 1, 2020.

SECTION 3. Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in the aggregate principal amount of \$722,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire,

## ORDINANCE NO (F)

together with other funds available to the City, the Outstanding Notes. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not later than one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 5% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

SECTION 4. Payment of Debt Charges; Paying Agent; Prepayment. The debt charges on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America, as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for services of the City's paying agent, at the designated corporate trust office of U.S. Bank National Association, or at the principal corporate trust office or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award, after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent). If agreed to by the Original Purchaser, the Notes shall be prepayable without penalty or premium at the option of the City at any time prior to maturity (the Prepayment Date) as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes together with interest accrued thereon to the Prepayment Date. The City's right of prepayment shall be exercised by mailing a notice of prepayment, stating the Prepayment Date and the name and address of the Paying Agent, by certified or registered mail to the Original Purchaser and to the Paying Agent not less than seven days prior to the Prepayment Date. If money for prepayment is on deposit with the Paying Agent on the Prepayment Date following the giving of that notice, interest on the principal amount prepaid shall cease to accrue on the Prepayment Date. The Director of Finance may request the Original Purchaser to use its best efforts to arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment, surrender and cancellation.

SECTION 5. Execution of Notes; Book Entry System. The Notes shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance.

## ORDINANCE NO (F)

As used in this section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry

ORDINANCE NO (F)

system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes.

(a) To the Original Purchaser. The Notes shall be sold at not less than par plus accrued interest to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The City Manager, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

(b) Application for Rating; Financing Costs. The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are

## ORDINANCE NO (F)

certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other money is lawfully available for the payment of debt charges on the Notes and Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Notes as “qualified tax-exempt obligations” if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

## ORDINANCE NO (F)

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 14. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 15. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

ORDINANCE NO (F)

SECTION 16. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to enable the City to sell the Notes at the earliest possible date, which is necessary to enable the City to timely retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council elected thereto; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

Proposed: 6/18/2018

ORDINANCE NO. (SMS)

By Council Member

An Ordinance enacting Chapter 729, "Smoking-Related Prohibitions," of the Codified Ordinances of Cleveland Heights.

WHEREAS, every year tobacco products lead to the deaths of nearly one-half million Americans and drain more than \$286 billion in directly related healthcare and lost productivity costs; and

WHEREAS, secondhand smoke exposure contributes to approximately 41,000 deaths among nonsmoking adults and 400 deaths in infants each year; and

WHEREAS, if smoking continues at the current rate among youth in the United States, 5.6 million of today's Americans younger than 18 will die early from a smoking-related illness; and

WHEREAS, ninety-five percent (95%) of smokers start before the age of 21; and

WHEREAS, raising the age for tobacco sales to 21 and over in the City of Cleveland Heights would lessen the accessibility of tobacco to minors and would assist the City's interest in furthering the health, safety, and general welfare of the City's residents.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Chapter 729, "Smoking-Related Prohibitions," of the Codified Ordinances of Cleveland Heights shall be, and is hereby, enacted and adopted in its entirety to read as Exhibit A attached hereto and fully incorporated herein. A complete copy of Exhibit A is also on file with the Clerk of Council.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Ordinance shall take effect and be in force at the earliest time possible permitted by law.

ORDINANCE NO. (SMS)

---

CAROL ANN ROE, Mayor  
President of the Council

---

LAURIE SABIN  
Clerk of Council

PASSED:

# Exhibit A

## CHAPTER 729 SMOKING-RELATED PROHIBITIONS

### SECTION 729.01 DEFINITIONS.

For the purpose of this Chapter:

(a) “Business” means a sole proprietorship, partnership, association, joint venture, corporation, or any limited liability form of any of the foregoing, or any other entity formed for profit-making purposes, including but not limited to retail establishments where goods or services are sold, as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, financial, counseling, or other professional or consumer services are provided.

(b) “Cigarette” means any roll for smoking and containing any tobacco product or similar material, and shall include but not be limited to hand-rolled cigarettes, clove cigarettes, and similar materials.

(c) “Electronic cigarette” or “e-cigarette” means any electronic product or device that produces a vapor delivering nicotine or any other substance to the consumer inhaling from the device to simulate smoking. “Electronic cigarette” or “e-cigarette” includes but is not limited to Juuls, electronic cigars, electronic cigarillos, vape pens, hookahs, and electronic pipes.

(d) “Liquid nicotine” means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and/or any other substance and manufactured for use with e-cigarettes.

(e) “Retailer” means any person or business that operates a store, stand, booth, concession, or other place at which sales of cigarettes, tobacco products, e-cigarettes, and/or liquid nicotine are made to purchasers.

(f) “Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant, electronic nicotine delivery system including electronic cigarette, or other smoking equipment in any manner or in any form. “Smoking” does not include the burning or carrying of incense in a religious ceremony.

ORDINANCE NO. (SMS)

(g) “Smoking materials” means any cigar, cigarette, pipe, weed, plant, electronic nicotine delivery system including electronic cigarette, tobacco, tobacco product, Juul, or other smoking equipment in any form.

(h) “Tobacco” or “tobacco product” means any product that is made from tobacco, including but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, or snuff.

**SECTION 729.02 SALE TO PERSONS UNDER 21 PROHIBITED.**

(a) No person, business, retailer, or other establishment shall sell, permit to be sold, or offer for sale to any person under 21 years of age any cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco within the City.

(b) Before selling any cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco to another person, the person selling such smoking materials or liquid nicotine shall verify the person is 21 years of age or older by examining from any person who appears to be under 30 years of age a government-issued photographic identification that establishes the person is at least 21 years of age.

(c) No person, business, retailer, or other establishment shall sell or offer to sell cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco, by or from a vending machine, except in an area within a business, office, or other place not open to the general public or an area to which children are not generally permitted access.

(d) A violator of this Section includes the person who sells, permits to be sold, or offers for sale cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco to a person under 21 years of age as well as his or her employer and any person who controls the person who sells, permits to be sold, or offers for sale any such product to a person under 21 years of age.

(e) The following affirmative defenses shall apply to the prohibition on selling to persons under 21 years of age:

(1) The person attempting to purchase was accompanied by his or her parent, spouse who is 21 years of age or older, or legal guardian; or

(2) The cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco were sold in reasonable reliance upon the identification presented.

(f) It shall not be a violation of this Chapter to distribute, sell, permit to be sold, or offer for sale to any person any product that has been approved as a tobacco cessation aid by the United States Food and Drug Administration.

## ORDINANCE NO. (SMS)

(g) No person under 21 years of age shall knowingly furnish false information concerning his or her name, age or other identifying factor for the purpose of obtaining cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco.

### **SECTION 729.03 POSTING OF SIGNS**

In addition to the prohibitions contained in Section 729.02 of this Chapter, each and every business and/or retailer who sells cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco shall comply with the following requirements:

Effective August 1, 2018, a sign stating “Under 21 Sales of Nicotine Prohibited by Law” and “Pursuant to Chapter 729 of the Cleveland Heights Codified Ordinances” shall be posted. The sign shall contain a graphic showing a cigarette surrounded by a circle with a bar through it, indicating the ban. The sign shall be printed on a white background with red or black font. The font for “Pursuant to Chapter 729 of the Cleveland Heights Codified Ordinances” shall be no smaller than 1/2 inch in height. The font for “Under 21 Sales of Nicotine Prohibited by Law” shall be no smaller than 1/6 of an inch in height. The sign shall be clearly and conspicuously posted at or near the point of sale of any location cigarette, e-cigarette, smoking materials, liquid nicotine or tobacco are sold.

### **SECTION 729.99 PENALTY**

- (a) Whoever violates Section 729.02 of this Chapter is guilty of a minor misdemeanor on first offense and a fourth degree misdemeanor on a second or subsequent offense with penalties as provided by Section 501.79 of the Cleveland Heights Codified Ordinances.
- (b) Whoever violates Section 729.03 of this Chapter is guilty of a minor misdemeanor of the first degree and in addition to any other penalty provided by law shall be fined not less than two hundred fifty dollars (\$250.00). Any such violation shall constitute a separate offense on each separate day.