



## COUNCIL UPDATE

April 29, 2020

### MEETINGS & REMINDERS

Please note the following meetings are being held as webinars and calls. Information for residents to participate may be found on the [clevelandheights.com](http://clevelandheights.com) calendar. Any updates or cancellations will also be on that calendar.

Thursday, April 30	-	6:30 p.m.	-	Citizens Advisory Committee – Public Hearing
Monday, May 4	-	7:00 p.m.	-	Committee of the Whole
	-	7:30 p.m.	-	Council Meeting
Tuesday, May 5	-	2:00 p.m.	-	Architectural Board of Review
Monday, May 11	-	6:30 p.m.	-	Committee of the Whole

### LEGISLATION

- **CDBG Entitlement Application and 5-Year, First Reading.** A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2020 and the Five-Year Plan for the years 2020-2024
- **Amended 2019 CDBG., First Reading.** A Resolution authorizing the City Manager to submit the Amended Community Development Block Grant entitlement application and plan for the year beginning January 1, 2019
- **CDBG Citizens Participation Plan.** A Resolution affirming the City of Cleveland Heights' 'Citizens Participation Plan for Community Development Block Grant ("CDBG") Activities'
- **HOME Program Funding.** A Resolution authorizing the City Manager to enter into an amendment to an agreement with Cuyahoga County to extend the term for funding through the HOME Program for the City's homeowner rehabilitation loan programs

through April 30, 2021

- **HOME Funds Administration.** A Resolution authorizing the City Manager to enter into an agreement with the Home Repair Resource Center, a non-profit corporation, for the use of HOME Funds to administer its down payment assistance loan program; providing compensation therefor
- **3158 Berkshire.** An Ordinance adopting procedures for the transfer of certain City-owned real property, received through the City of Cleveland Heights Land Reutilization Program, to FutureHeights, Inc.; declaring the property no longer needed for a public purpose
- **Bike Month.** A Resolution proclaiming May 2020 to be Bike Month in the City of Cleveland Heights
- **National Preservation Month.** A Resolution proclaiming May 2020 to be National Preservation Month

### **CORONAVIRUS – READINESS & RESPONSE UPDATE**

As of this writing, Ohio has 17,303 confirmed cases of COVID-19, 3,421 hospitalizations, and 937 deaths. Cuyahoga County (exclusive of the City of Cleveland) has 1,199 confirmed cases and 83 confirmed deaths. There are 432 probable cases in the County. State officials continue to relay caution about the numbers due to the low levels of testing and delays in reporting.

- **Stay at Home Order** – The Stay at Home Order is still in effect and has been modified by the recent reopening announcement. City facilities will remain closed to the public through May 31 and work arrangements continue as previously reported. The decision to reopen facilities to the public will be based on our ability to protect the health and safety of employees and the public as well as minimize and control the spread of the virus. The evaluation factors include but are not limited to:
  - 2 weeks of a consistent downward trend in infection rates as recommended by the CDC
  - Ability to maintain minimum 6ft distancing
  - Ability to carry out sanitizing/cleaning of high touch and common surfaces
- **Face Coverings/PPE** – Beginning May 1, all staff will be required to wear a face covering when working onsite. Field staff, including first responders, have been provided personal protective equipment including face masks. The new mandate will apply to office staff working on site.

- **Readiness & Response Team** – The Readiness & Response Team continues to meet regularly. This week we focused on mid and long-term planning efforts as we prepare to adapt to life with COVID-19 pending a future effective vaccine. The Team is being divided into subgroups to begin working on specific areas:
  - Physical Environment
  - Work Arrangements
  - Alternative Service Delivery
  - Community & Business Response Including Equity & Inclusion
  - Economic Impact & Recovery
  - Communication & Education
  
- **Economic Development Response to the COVID-19 Crisis:**  
 Staff is monitoring that impact on our commercial districts and business community created by COVID-19. Many businesses, especially food and beverage businesses, continue to offer to-go options and delivery during the crisis. Other retail businesses have been adding/expanding their online ordering capabilities or offering delivery/pickup options for their customers.

The reopening process (<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/responsible-restart-ohio/>) that the Governor announced beginning May 1 will bring additional challenges for our business community as they determine how to comply with the new guidelines and best serve their customers and employees.

- Staff is holding regular conference calls with the SIDs and other business districts to provide updates and get feedback from the business community.
  
- We have compiled a list of businesses that are open, which is updated daily, that is shared via social media, website, etc. Eighty-plus businesses continue to operate within the current guidelines/restrictions in place. The most recent list is available here:  
<https://www.clevelandheights.com/DocumentCenter/View/6500/Cleveland-Heights-Open-Business-List-42820?bidId=>.
  
- With different segments of our local economy restarting over the coming weeks, staff is reaching out to the business community to get updates on their plans for reopening in order to communicate that to residents and visitors.
  
- Staff is in regular contact with local, regional, and federal entities concerning support for businesses and communicating the most up-to-date information and resources via emails to our business list. Staff is responding to calls and emails

from individual businesses with assistance in connecting to resources and information related to COVID-19 programs. At this time, small business financial relief options include the following:

- SBA Disaster Loans and SBA Disaster Loan Advances (Grants) – applications are open for both programs at <https://covid19relief.sba.gov/#/>
- Paycheck Protection Program – incentivizes employers to keep employees on payroll with forgivable loans; applications are now being accepted through local banks and other financial institutions. Businesses are being encouraged to contact their bank to discuss the application process. Additional information on this program is available at [www.sba.gov/funding-programs/loans/paycheck-protection-program](http://www.sba.gov/funding-programs/loans/paycheck-protection-program).

## **UPDATES**

### **Community Services**

- There are currently 20 applicants for the Council position. Two from the original 22 have decided to withdraw. The video interviews will be completed this week and will be posted next to the applications on the website. They will be posted on Friday, May 1st. Each applicant had varying degrees of experience with using video for their interview. This project could not have been completed without the assistance of Jim Lambdin and Steve Barker.
- Communication has continued to be a top priority during this time of the quarantine. Numerous updates have been posted on the website and staff has coordinated calls and inquiries from the press. The staff has also posted updates about our businesses- restaurants that are providing carryout and retail that are encouraging online sales.

### **Planning**

- Architectural Board of Review held its first remote meeting, approving 12 cases. Integrity (Dan Siegel) and Dimit Architects' two boarding houses and carriage house across Euclid Heights Boulevard from Top of the Hill was continued. Two residents raised concerns that the design was lacking in character compared it its context. In addition to the boarding house project, other cases included two residential solar panel systems, five garages, two garage expansions, and two home additions.

- Remote meetings and services: Next month, ABR, Planning Commission, and Board of Zoning Appeals will be held remotely. Six fence permits, one chicken coop, and four zoning complaints were also handled last week and so far this week. An average day includes responding to between 20 and 50 emailed questions most requiring research. While visitors no longer stop by the office, they have become proficient at emailing inquiries which allows staff to continue helping them in an orderly fashion, providing them a written response.
- New homes: A modern, Prairie-Style-influenced home at 2224 Devonshire Drive will be under construction soon including clearing the property of its historic home. At 3335 Mayfield Road, trees were cleared in the middle of the wooded lot for another new home. A contemporary house designed by ex-ABR member Martin Johannessen on Edgehill Road, eight lots west of Mornington Lane, is nearing completion.



## Housing

- Point of Sale and complaint inspections continue to be conducted through the Covid-19 pandemic with some modifications so that we may continue performing our duty to the citizenry to protect the health and safety of its citizens and maintain property values. We are performing interior inspections and reinspections on vacant properties and will review any photos, receipts, or private inspection reports to help achieve compliance on violation notices. The transition has come with questions and fears but overall there has been positive feedback from both residents and realtors.

- Demolitions have been completed by the City at 3650 Atherstone Rd. (fire damaged nuisance), 3277 Desota Ave. (nuisance), 983 Pembroke Rd. (nuisance), 870 Woodview Rd. (land aggregation) and 3520 Silsby Rd. (nuisance) through the Cuyahoga County Demolition Bond.
- The vacant, abandoned tax foreclosed property at 3158 Berkshire Rd. has transferred to the City of Cleveland Heights Land Reutilization Program after over 10 years of foreclosure filings and litigation. The property has been identified as a renovation candidate for Future Heights Inc. and inclusion in their FutureHomes Program. Legislation requesting the property transfer will be presented to Council in the following days. This property will likely be the third renovation project between Future Heights and contractor Frank Kuhar of Revived Housing. The other renovation projects in this agreement include 2036 Hampstead Rd. which sold for \$165,500 on 2/12/20 and 13366 Cedar Rd. which will be listed for sale in the next few weeks.
- The Housing Department and County Land Bank are currently reviewing an additional list of State Forfeiture properties in Cleveland Heights to determine their inclusion in renovation programs with Future Heights, Home Repair Resource Center, and Start Right Community Development Corporation.

## **Police**

- On Sunday, April 26, 2020, Officers responded to a call of a single gunshot in the hallway of the apartment building at 14150 Superior Road. Officers arrived on the scene and established a perimeter around the building. While on scene investigating, a call was received from University Hospital that a male had come into the emergency room with a gunshot wound. It was determined that the victim, a 20-year Cleveland man, has sustained a superficial injury to his upper back and shoulder. The victim was treated and released from the hospital the same evening. Detectives have identified a possible suspect in this incident and are investigating.
- On Friday, April 24, 2020, Officer Josh Payne and his K9 partner Otto successfully completed their six-week training at shallow Creek in Pennsylvania. Otto is the first K9 for Cleveland Heights to be training in explosives detection. He is also trained in tracking. Officer Payne and Otto will be assigned to the Patrol Unit and will be patrolling the streets of Cleveland Heights beginning Wednesday, April 29, 2020. With the addition of Otto, Cleveland Heights now has one K9 assigned to each of the four patrol shifts.

- Over the last two weeks, the Police Department has continued to receive donations of Personal Protective Equipment (PPE) from residents and area businesses:
  - Cleveland Heights resident Ms. Chesebrough made and donated cloth masks for officers.
  - Heights Canine on Warrensville Center Road in South Euclid donated sanitizing/disinfecting wipes, masks, and gloves for patrol officers.
  - Alene Candles in Columbus donated full-face shields to Cleveland Heights as well as other Police Departments in northeast Ohio
  - Lowe's in Bedford Heights donated N95 masks to keep officers safe while on patrol.
  
- As you know, the non-profit company Battelle in Columbus, Ohio was approved by the FDA to begin sterilizing masks for reuse during the COVID-19 pandemic. As a result, they have also agreed to sterilize masks for first responders. One day each week the Police Department will drop off our used N95 masks at a designated drop-off site and from there they will be transported to Battelle for sterilization. Once the masks are sterilized, they will be returned for pick up. The process will take approximately one week. This is a great benefit for the Police Department as it extends the life of the N95 masks.
  
- On April 14, 2020, Dr. Amy Acton of the Ohio Department of Health signed an order for all local health departments to provide the names and addresses of those individuals living within their jurisdiction who test positive for COVID-19, to the jurisdiction's dispatch agencies. This information is being released only to those persons or entities who are acting in an official capacity as first responders. The information is updated daily. With this information being available to first responders, police officers, firefighters, and paramedics will now know when responding to a call if someone living at a residence has tested positive for COVID-19 and they can don the appropriate protective gear to protect themselves.
  
- Currently, no officers are under quarantine and all of them have returned to work without further issues.

Public Works

**Sanitary Sewer Evaluation Survey**

	<b>Requirements</b>	<b>Due</b>
Phase 1 SSES	CCTV - 393,658 LF	Complete
Phase 2 SSES	CCTV – 224,792 LF	30-Jun-21
Phase 1 SSES	1,980 Manhole Inspections	Complete
Phase 2 SSES	1,125 Manhole Inspections	30-Jun-21
CMOM	132,000 LF/yr Pipe Cleaned	31-Dec-20
Model	Calibrated Model	Complete

**Completed Through April 24, 2020**

	<b><u>Completed Thru Mat April 24, 2020 (LF)</u></b>	<b><u>Overall Remaining (LF)</u></b>	<b><u>Overall Remaining (%)</u></b>
<b>CCTV Phase 1</b>	395,097	0	0%
<b>CCTV Phase 2</b>	27,965	196,827	88%
<b>MHs Phase 1</b>	1978	0	0%
<b>MHs Phase 2</b>	1,115	10	1%
<b>Cleaning Total</b>	507,445	-	-
<b>Cleaning (2018) only</b>	173,355	-	-
<b>Cleaning (2019) only</b>	304,188	-	-

**Cleaning (2020) only**                      29,902                      102,098                      77%

Work Completed by Entity

	<b><u>City</u></b>	<b><u>Contractor</u></b>	<b><u>County</u></b>
<b>CCTV (Phase 1)</b>	19% (75,464 LF)	54% (215,287 LF)	27% (104,346 LF)
<b>CCTV (Phase 2)</b>	6% (13,051 LF)	0% (0 LF)	7% (14,914 LF)
	8%	3%	11%

<b>Cleaning (2020) only</b>	(10,988 LF)	(4,000 LF)	(14,914 LF)
<b>Cleaning Total</b>	32% (163,883 LF)	43% (216,983 LF)	25% (126,579 LF)

**Model Update**

<b>Tasks</b>	<b>% Complete</b>
1. Flow and rainfall Analysis	100%
2. Model Expansion in GIS	100%
3. Model Expansion in Infoworks ICM	100%
4. Delamere - Model Setup	100%
5. Delamere - DWF and WWF calibration	100%
6. Delamere - Capacity evaluation	100%
7. Delamere - Alternative development	100%
8. DWF and WWF Calibration for all flow meters	100%

\*DWF = dry weather flow, WWF = wet weather flow

- **Other**

The City's OEPA NPDES (National Pollutant Discharge Elimination System) MS4 (Municipal Separate Storm Sewer System) permit was completed and renewed by April 1, 2020.

The Capacity Assessment Report due March 2, 2020, was submitted to the USEPA. No feedback has been received to date.

The Partial Consent Decree Phase 1 Sewer System Evaluation Study has been submitted to the USEPA. This report was due on February 3, 2020. No feedback has been received to date.

- **Mayfield Signalization** - Terrace has completed all the remaining punch list items.
- **#20-01 – 2020 Street Resurfacing & ADA Curb Ramp Replacement Program** - Bids were opened on April 3<sup>rd</sup> and there were five bids received ranging from \$693,750.21 to \$905,646.49. We have concluded our review and found that Chagrin Valley Paving of Chagrin Falls' bid of \$693,750.21 is the lowest and best responsible bid.

- **#20-02 – 2020 Surface Treating Program** - Work will start in the next month or so, weather permitting.
- **Safe Routes to Schools – FY2020 – ODOT PID 103700** - The project has been filed with ODOT' Central Office and is on schedule to be sold by ODOT in May.
- **Solar Panel Update** - We are waiting for Enerlogics to provide us with the signed contracts.
- **#20-03 – Selwyn Waterline Replacement & Road Resurfacing** - We are in the process of scheduling a pre-construction meeting with Fabrizi Trucking & Paving, Inc.
- **#20-05 – Fire Vehicle Source Capture Exhaust Systems (Bid on Behalf of the Fire - Department)** - Work is expected to begin sometime in late May to early June.
- **Shannon Road Waterline Replacement and Road Resurfacing** - This project is currently under design but has been put on a temporary hold.
- **MCIP – Delamere Project** - Wade Trim, Inc. has completed 60% of the design work and it is currently under review by the City.
- **Ash Tree Removal Project and Forestry Update** - 176 Trees have been removed under this project.
  - Trees Trimmed YTD = 31
  - Stumps Ground YTD = 251
  - Trees Planted YTD = 175
- **2020 Arbor Day** - A tree was planted and a plaque was replaced in observance of Arbor Day on April 24<sup>th</sup> on Liberty Row, North Park Blvd. Proper Social Distancing was practiced at this event.



- **Traffic Signals** - Most of the intersections throughout the city have been temporarily switched over to automatically cycle through the pedestrian “walk” phase without the need for pedestrians to push the buttons.
- **2020 Spring Loose Leaf Collection Program** - Spring collection of loose leaves has concluded. Effective May 1, 2020, yard waste bags will return to being collected along with trash pickup.



# CLEVELAND HEIGHTS

## Committee of the Whole

**May 4, 2020**

**7:00 p.m.**

**Agenda**

1. Legislation  
*Goal: Review legislation*
2. Council Vacancy Interviews – Scheduling  
*Goal: Council will determine interview schedule for Council vacancy*



# CLEVELAND HEIGHTS

## AGENDA (tentative) – CLEVELAND HEIGHTS CITY COUNCIL MEETING

**Monday, May 4, 2020**  
**Regular Meeting**  
**7:30 p.m.**

**Online Only**

- 1) Meeting called to order by Mayor
- 2) Roll Call of Council Members
- 3) Excuse absent members
- 4) Approval of the minutes of the regular Council meeting held Monday, April 20, 2020
- 5) Report of the City Manager
- 6) Report of the Clerk of Council
- 7) Committee Reports
  - a.) COMMUNITY RELATIONS AND RECREATION COMMITTEE
  - b.) FINANCE COMMITTEE
  - c.) MUNICIPAL SERVICES COMMITTEE
  - d.) PLANNING AND DEVELOPMENT COMMITTEE

**RESOLUTION NO. 40-2020 (PD), First Reading.** A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2020 and the Five Year Plan for the years 2020-2024

Introduced by Council Member \_\_\_\_\_

Vote	_____	_____	_____
	For	Against	No. Reading

**RESOLUTION NO. 41-2020 (PD), First Reading.** A Resolution authorizing the City Manager to submit the Amended Community Development Block Grant entitlement application and plan for the year beginning January 1, 2019

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For                      Against                      No. Reading

e.) **PUBLIC SAFETY AND HEALTH COMMITTEE**

f.) **ADMINISTRATIVE SERVICES COMMITTEE**

8) **Consent Agenda**

Motion to suspend rules by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For                      Against                      No. Reading

**RESOLUTION NO. 42-2020 (PD).** A Resolution authorizing the City Manager to enter into an amendment to an agreement with Cuyahoga County to extend the term for funding through the HOME Program for the City’s homeowner rehabilitation loan programs through April 30, 2021

**RESOLUTION NO. 43-2020 (PD).** A Resolution affirming the City of Cleveland Heights’ ‘Citizens Participation Plan for Community Development Block Grant (“CDBG”) Activities’

**ORDINANCE NO. 44-2020 (PD).** An Ordinance adopting procedures for the transfer of certain City-owned real property, received through the City of Cleveland Heights Land Reutilization Program, to FutureHeights, Inc.; declaring the property no longer needed for a public purpose

**RESOLUTION NO. 45-2020 (CRR).** A Resolution proclaiming May 2020 to be *Bike Month* in the City of Cleveland Heights

**RESOLUTION NO. 46-2020 (PD).** A Resolution proclaiming May 2020 to be National Preservation Month

**RESOLUTION NO. 47-2020 (PD).** A Resolution authorizing the City Manager to enter into an agreement with the Home Repair Resource Center, a non-profit corporation, for the use of HOME Funds to administer its down payment assistance loan program; providing compensation therefor

Motion to adopt by Council Member \_\_\_\_\_

Vote      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
            For              Against                      No. Reading

**9) Mayor's Report**

**10) Adjournment**

**NEXT MEETING OF COUNCIL: MONDAY, MAY 18, 2020**

# MEMO

To: Tanisha Briley, City Manager

From: Brian Iorio, CDBG Coordinator

C.C.: Cleveland Heights City Council; Richard Wong; William Hanna

RE: CDBG 5-Year (2020-2024) Consolidated Plan and 2020 Annual Action Plan

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As you are aware, the City of Cleveland Heights is required to submit to HUD a Consolidated Plan every 5 years that guides the City's intended actions in the following 5-year period. This is in addition to the Annual Action Plan that lays out the projects and programs that the City and its partners intend to carry out in the coming year. As a part of this submittal, the City is required to hold a 30-day public comment period and hold a public hearing. The public hearing was held by the CAC on April 21, 2020. We are asking Council to review the plan and pass a resolution allowing the City Manager or her designee to submit the plan. The City of Cleveland Heights is a part of the Cuyahoga Housing Consortium made up of the Urban County, and the cities of Euclid, Lakewood and Parma. It is important that Cleveland Heights is prepared to submit this plan in a timely fashion as all Consortium members submit their plans together.

The Five-Year Consolidated Plan (FY 2020-2024) for the City of Cleveland Heights describes the needs of low- and moderate-income residents, persons with special needs, and homeless individuals and families. The Strategic Plan section outlines the goals, strategies, partners, and anticipated financial resources that will be available to implement projects using HUD Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds.

The Annual Action Plan, sets forth the specific projects that will be implemented during FY 2020. This document was formulated in the Fall of 2019 following a series of Public Hearings and recommendations by the Citizens Advisory Committee. Attachment A summarizes the intended uses of 2020 funds. These allocations have been announced and the City of Cleveland Heights is to receive \$1,625,442, which is \$25,442 more than what was estimated. These additional funds will be included in the 2020 Strategic Impact Opportunity (SIO) in accordance with the contingency plan established through the CAC process and the Committee of the Whole's briefing last fall.

HUD funding is intended to assist individuals and families that earn less than 80% of the Median Family Income (MFI) in a metropolitan area. HUD defines these categories based

upon household income, adjusted for family size. The maximum income for a family of four in 2019 is: \$25,750 (0-30% of MFI), \$36,850 (31-50% of MFI), and \$58,950 (51-80% of MFI).

Of course, I am always available for any questions or concerns. For anyone less familiar with CDBG funding, including newer Council members and Directors, I would be happy to present my introduction to CDBG presentation that I gave to City Council in 2019 and that I give to new CAC members.

Proposed: 05/04/2020

RESOLUTION NO. 40-2020 (PD), *First Reading*

By Council Member

A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2020 and the Five Year Plan for the years 2020-2024; and declaring an emergency.

WHEREAS, the City has participated, and does now participate, in the Community Development Block Grant program; and

WHEREAS, the receipt of such funds has been extremely helpful to this City in accomplishing its goals; and

WHEREAS, the City has conducted hearings and has participated in extensive discussions with the Citizens Advisory Committee and citizens relative to the activities to be accomplished in the forty-first year of such program; and

WHEREAS, the City is also required to submit to the United States Department of Housing and Urban Development (“HUD”) a Five Year Plan for the Years 2020-2024, the purpose of which is to describe the needs of low- and moderate-income residents, outline strategies to meet the needs, and discuss resources available to implement the strategies; and

WHEREAS, such a Five Year Plan has been prepared and has been reviewed by the CAC.

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 file with the Department of Housing and Urban Development of the United States Government and any required review agencies, for the program year beginning on January 1, 2020, and continuing for a one (1) year period thereafter, the Community Development Block Grant entitlement submittal, a copy of which is on file with the Clerk of Council and copies of which will have been reviewed by members of Council. A copy of the forty-sixth year proposed budget, attached hereto as Exhibit “A,” is presently on file with the Clerk of Council, describing the activities and the proposed amount of expenditures to be approved by this Council for each such activity during the year 2020.

SECTION 2. The City Manager is further authorized and directed to sign any and all forms, applications and other documents necessary to obtain funding for these described programs and to submit such applications to the proper reviewing agencies within the time permitted by law.

RESOLUTION NO. 40-2020 (PD)

SECTION 3. The City Manager be, and she is hereby, further authorized to file with HUD and any required reviewing agencies the Five Year Plan for the Years 2020-2024, a copy of which was available for review beginning on April 4, 2020 on the City's website.

SECTION 4. 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 5. 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 to permit immediate filing of the described applications with all appropriate governmental agencies in order to ensure funding prior to the commencement of the program year. 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.

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JASON STEIN, Mayor  
President of the Council

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SUSANNA NIERMAN O'NEIL  
Acting Clerk of Council

PASSED:

**EXHIBIT A  
COMMUNITY DEVELOPMENT BLOCK GRANT  
FY 2020 ALLOCATION**

**GOAL I: Improve, Maintain, and Expand Affordable Housing:** provide programs for renters and owners, including down-payment assistance, home improvement, weatherization/energy efficiency, accessibility improvements, and correction of building code violations. Eligible areas will receive building code enforcement services. As a result of a local/state/national emergency or natural disaster, the City may improve neighborhood stability by assisting renters and/or owners who are at-risk of foreclosure, eviction, and/or utility termination to remain in their housing.

**PROGRAMS & PROJECTS**

<i>Housing Preservation Office (HPO)</i>	
<i>HPO Operating/Staff</i>	\$336,000
<i>Paint Program</i>	\$ 80,000
<i>Violation Repair Program for Seniors</i>	\$ 20,000
<i>Strategic Home Repair</i>	\$ 50,000
<i>LMI Code Enforcement</i>	\$ 42,000
<i>Home Repair Resource Center (HRRC)</i>	
<i>HRRC Program Delivery</i>	\$126,204
<i>Assist Incentive Grant</i>	\$ 10,000
<i>Deferred Loan Match Program</i>	\$ 10,000
<i>Senior Home Stability Grant</i>	\$ 8,000
<i>Lead Remediation</i>	\$ 500
<i>Assist 0% Program</i>	\$ 500
<i>FutureHeights - Future Homes Program</i>	\$ 45,000
<b>TOTAL</b>	<b>\$728,204</b>

**GOAL II: Revitalize Residential Neighborhoods:** improve the physical condition, health, and safety of neighborhoods with projects such as improvements to rights-of-way, water and/or sewer lines, and/or public facilities. The City may also fund activities to remediate blighted conditions.

**PROGRAMS & PROJECTS**

<i>ADA Curb Ramp Construction Project</i>	\$195,000
<i>Severance Tower LAC - Community Garden</i>	\$ 12,000
<i>Compton Road Greenway</i>	\$ 30,000
<b>TOTAL</b>	<b>\$237,000</b>

**GOAL III: Provide Needed Public Services:** focus on the elderly, frail elderly, persons with physical disabilities, persons with developmental disabilities, and low- and moderate-income families with children as a priority for housing assistance. The City will assist public service activities that include - but are not limited to - education, work, transportation, healthcare, housing, fair housing, healthy food access, and domestic violence.

**PROGRAMS & PROJECTS**

RESOLUTION NO. 40-2020 (PD)

<i>HRRC Housing Counselor</i>	\$ 25,000
<i>Office on Aging - Social Workers</i>	\$ 25,000
<i>Heights Emergency Food Center</i>	\$ 27,450
<i>Family Connections - Family School Connection</i>	\$ 25,000
<i>Family Connections - Parent Cafe</i>	\$ 5,000
<i>Open Doors Academy - Academic &amp; Enrichment Prog. for Middle School</i>	\$ 15,000
<i>Open Doors Academy - Pathways to Independence at Heights High</i>	\$ 15,000
<i>Start Right CDC Food Program</i>	\$ 10,000
<i>HPO - Neighborhood Relations Program</i>	\$ 40,000
<i>Gesher Benefits Resource Center</i>	\$ 10,000
<i>Lake Erie Ink - Ink Spot Program</i>	\$ 12,000
<b>TOTAL</b>	<b>\$209,450</b>

**GOAL IV: Increase Economic Opportunities:** provide public infrastructure improvements to aid economic development; assist for-profit commercial enterprises with access to working capital, building rehabilitation and new construction activities designed to create or retain jobs; eliminate substandard or blighted building and neighborhood conditions.

**PROGRAMS & PROJECTS**

<i>FutureHeights - Cedar Lee Mini-Park Placemaking Project</i>	\$ 15,000
<i>FutureHeights - Noble Road Corridor Early Action Project</i>	\$ 10,000
<i>Economic Development Department</i>	
<i>ED Administration</i>	\$144,000
<i>Storefront Renovation</i>	\$ 60,000
<b>TOTAL</b>	<b>\$229,000</b>

**CDBG Administration, Planning & Fair Housing**

**PROGRAMS & PROJECTS**

<i>CD Administration</i>	\$147,000
<i>Fair Housing Activities</i>	\$ 37,300
<i>Geographic Information Systems</i>	\$ 37,100
<i>FutureHeights - Community Capacity Building</i>	\$ 37,141
<i>2020 Strategic Impact Opportunity</i>	\$ 75,442
<b>TOTAL</b>	<b>\$333,983</b>

**TOTAL CDBG PROGRAMS & PROJECTS** **\$1,737,637\***

\*The City anticipates a 2020 CDBG allocation of \$1,625,4420 and will reallocate \$112,195 of prior year funding.

# MEMO

To: Tanisha Briley, City Manager

From: Brian Iorio, CDBG Coordinator

C.C.: Cleveland Heights City Council; Richard Wong; William Hanna

RE: CDBG-CV Amendment to the 2019 Annual Action Plan, (CARES Act Funding)

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On March 27, 2020, in response to the ongoing COVID-19 Pandemic, Congress passed the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act). The Act did many things, one of which made \$5B available for supplemental CDBG funding, \$2B of which was awarded to entitlements directly. As a result, the City of Cleveland Heights was awarded \$956,215 for “activities to prevent, prepare for, and respond to coronavirus.”

The Act also enabled HUD to grant several waivers, several of which HUD have been made public. We expect more guidance to be released as time goes on. The waivers that were granted to Cleveland Heights include: reducing the 30-day public comment period for substantial amendments to a 5-day public comment period; allowing for virtual public hearings and public meetings; allowing for digital public notice; and removing the need to hold a public hearing for substantial amendments related to CDBG-CV funding. The CAC has amended their Citizen Participation Plan accordingly.

HUD has recommended that, instead of incorporating the CDBG-CV funding into our 2020 Annual Action Plan, we amend our 2019 Annual Action Plan in order to receive the funding quicker. The attached legislation is asking Council to do that. Once Council approves the substantial amendment, the amended plan will be submitted to our HUD Field Office for review and approval. Once it is approved by HUD, funds will be deposited into our “line of credit.” Activities are able to be undertaken prior to approval, as

long as they fulfill a national objective, and some of the activities I identify below have already begun.

The last few weeks have been extremely busy trying to understand what this funding is intended for, what is allowed to be undertaken, what the community needs are, and what other entitlements are doing with their funding. In formulating these recommendations, the Planning Department has consulted with: other City Departments; our subrecipient partners; the Cuyahoga County Housing Consortium and its members; the Ohio Conference of Community Development; the National Community Development Association; the National Association for County Community and Economic Development; the Cleveland Housing Network; the Greater Cleveland Reinvestment Coalition; VAPAC and many others.

We have determined that due to the rapidly changing public health, economic and funding environments, allowing flexibility in our programming is extremely important. To that end, rather than allocating funds to specific programs and partners, it is best that we allocate funds to general categories that will allow funds to move more freely between programs. This is what many Cities that we have surveyed are doing and what many Cities do for their regular annual plans. While we are asking Council to approve general categories, we fully intend on informing Council of the specific uses of these funds.

Figure 1. shows the allocations that we are asking Council to approve. This information is reflected in Attachment A of the corresponding legislation.

As you can see, the majority of our funding, \$550,000, is intended for Emergency Assistance for our residents. Included in the emergency assistance category is: services for senior citizens (deliveries, food assistance, meal delivery, benefits counseling, etc.); food pantry support; rent/mortgage/utilities assistance; and housing and benefits counseling to ensure our residents have access to programs that the City does not control.

The next largest general category is Small Business Support. We are asking Council to approve \$290,000 for this category. These funds are not intended to provide temporary relief to small businesses but to help new and existing businesses adapt to the new

economic environment. Examples of potential projects would be assisting a new cleaning business (microenterprise) or assisting an existing business with setting up e-commerce and delivery capabilities (adaptation grant).

We are asking Council to allocate \$91,215 to CDBG admin. This fund will help ensure that we keep up with the increased need for compliance as we qualify program participants and expend funds, particularly relatively small amounts at a time. We also plan to use the admin funds for communicating our programs to our residents. Another intended use for these funds is providing training to staff (both City staff and partner agency staff) on how to best serve our residents and businesses and help them gain access to existing and forthcoming pandemic response programs.

Lastly, we are asking Council to allocate \$25,000 to support our CDBG subrecipients that are not already affected by our previous categories adapt to the new service delivery environment. An example of this would be to help a non-profit provide its services virtually through the internet and help deliver to their clients materials necessary to continue the CDBG-supported programming.

As always, I am available to discuss this proposed amendment to our 2019 Annual Action Plan. If you have any questions or concerns, please feel free to call or email me.

Figure 1. Proposed Allocation

General Program for Approval	Budget for Approval	Intended Uses	Total Costs	Est. Beneficiaries	Beneficiary Type
<b>CDBG Administration</b>	<b>\$91,215.00</b>	<b>Admin</b>	\$91,215.00		mailings, literature, staff, training for ED counseling
<b>Emergency Assistance</b>	<b>\$550,000.00</b>	<b>Office on Aging</b>	\$70,000.00	7,200	Delivery/Meals/Social Work Clients
		<b>Food Assistance</b>	\$50,000.00	10,000	deliveries made
		<b>Rent/Mortgage/Utilities Assistance</b>	\$400,000.00	160	LMI Households assisted
		<b>Counseling Services (Housing, Financial and Benefits)</b>	\$30,000.00	125	min. number of residents assisted
<b>Commercial District Revitalization</b>	<b>\$290,000.00</b>	<b>Microenterprise Development</b>	\$90,000.00	18	loans made to Delivery/Cleaning/etc. businesses
		<b>Small Business Adaptation Grants</b>	\$200,000.00	20	Businesses Assisted
<b>Subrecipient Support</b>	<b>\$25,000.00</b>	<b>Subrecipient Pandemic Adaptation Support</b>	\$25,000.00		funds to assist subrecipients with adapting their programs
<b>Budget Total</b>	<b>\$956,215.00</b>		<b>\$956,215.00</b>		



Proposed: 05/04/2020

RESOLUTION NO. 41-2020 (PD),  
*First Reading*

By Council Member

A Resolution authorizing the City Manager to submit the Amended Community Development Block Grant entitlement application and plan for the year beginning January 1, 2019; and declaring an emergency.

WHEREAS, the City has participated, and does now participate, in the Community Development Block Grant program; and

WHEREAS, the receipt of such funds has been extremely helpful to this City in accomplishing its goals; and

WHEREAS, the City has been awarded CDBG funds originating from the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act); and

WHEREAS, the City has notified the Citizens Advisory Committee of the intended use of the additional CDBG funds and has been granted waivers from HUD that allow for an expedited citizen participation process, and has updated its Citizen Participation Plan accordingly.

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 file with the Department of Housing and Urban Development of the United States Government and any required review agencies, for the program year beginning on January 1, 2019, and continuing for a one (1) year period thereafter, the Community Development Block Grant entitlement submittal, a copy of which is on file with the Clerk of Council and copies of which will have been reviewed by members of Council. A copy of the forty-fifth year amended budget, attached hereto as Exhibit A, is presently on file with the Clerk of Council and describes the programs and the proposed amount of expenditures to be approved by this Council for each such program during grant period.

SECTION 2. The City Manager is further authorized and directed to sign any and all forms, applications, or other documents necessary to obtain funding for these described programs and to submit such documents to the proper reviewing agencies within the time permitted by law.

SECTION 3. The City Manager be, and she is hereby, further authorized to file with HUD and any required reviewing agencies the Amended Annual Action Plan for 2019, a copy of which was made available for review beginning on April 24, 2020, on the City's website.

RESOLUTION NO. 41-2020 (PD)

SECTION 4. 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 5. 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 to permit immediate filing of the described applications with all appropriate governmental agencies in order to ensure funding prior to the commencement of the program year. 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.

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JASON STEIN, Mayor  
President of the Council

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SUSANNA NIERMAN O'NEILL  
Acting Clerk of Council

PASSED:

**EXHIBIT A**  
**AMENDED COMMUNITY DEVELOPMENT BLOCK GRANT**  
**FY 2019 ALLOCATION**

**Goal I: Ensure the availability and sustainability of decent housing and a suitable living environment for all Cleveland Heights residents.**

OBJECTIVE A: Preserve and maintain the housing stock and create housing opportunities, especially for low- and moderate-income persons.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$1,018,185</i>
Housing Preservation Office	
Administration/Program Delivery	\$ 315,000
Code Enforcement	\$ 50,000
Exterior Paint Program	\$ 80,000
Violation Repair Program for Seniors	\$ 20,000
Short Term Deferred Loan*	\$ 2,500
Strategic Home Repair (SIO)	\$ 50,000
 Home Repair Resource Center	
Administration/Program Delivery	\$ 117,327
Assist Incentive Grant	\$ 10,000
Deferred Loan Match	\$ 10,000
Senior Home Stability Grant	\$ 8,000
Assist 0% Benefit	\$ 500
Housing Counselor	\$ 25,000
Home in the Heights (SIO)	\$ 45,000
 CDBG Administration and Finance	 \$ 156,143
 GIS (Geographic Information System) Program	 \$ 37,500
 <i>CDBG-CV</i>	
<i>CDBG Administration (CDBG-CV)</i>	<i>\$ 91,215</i>

OBJECTIVE B: Encourage the integration of population groups within the community and promote an increase in the diversity and vitality of neighborhoods.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 78,000</i>
Fair Housing Activities	\$ 45,000
FutureHeights	\$ 33,000

OBJECTIVE C: Maximize the independence of targeted population groups by providing services which expand choices.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 43,800</i>
Office on Aging	\$ 25,000
Central Bible Baptist Church-Senior Resource Center	\$ 8,000
Severance Tower LAC	\$ 10,800

RESOLUTION NO. 41-2020 (PD)

OBJECTIVE D: Maintain safe, functional and healthy neighborhoods by providing services which improve the physical environment, especially in LMI areas.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 270,000</i>
Neighborhood Relations Program	\$ 50,000
Nuisance Abatement*	\$ 20,000
Street Improvements	\$ 180,000
Cain Park Village Trailway Planning Study	\$ 20,000

OBJECTIVE E: Provide support services to youth, identifiable LMI persons and special population groups in the community.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 698,525</i>
Heights Emergency Food Center	\$ 25,510
Family Connections	\$ 20,000
Family Connections Parent Café (SIO)	\$ 5,000
Heights Youth Club	\$ 35,000
Open Doors Academy-Middle School Program	\$ 15,000
Open Doors Academy-High School Program	\$ 10,000
Start Right Food Program	\$ 10,000
Gesher	\$ 8,000
Lake Erie Ink	\$ 12,015
Bhutanese Community of Greater Cleveland	\$ 8,000

<i>CDBG-CV</i>	
Emergency Assistance	<i>\$550,000</i>
Subrecipient Support	<i>\$ 25,000</i>

**GOAL II: Expand opportunities for persons of low and moderate income.**

OBJECTIVE A: Alleviate physical and economic distress and create viable commercial areas through the prevention of the deterioration of commercial areas.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 20,000</i>
Cedar Taylor Development Assn.	\$ 10,000
FutureHeights-Cedar Lee Mini-Park Placemaking Project	\$ 10,000

OBJECTIVE B: Stimulate private investment to create and retain employment opportunities, especially for low- and moderate-income persons.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$641,200</i>
Economic Development Administration/Program Delivery	\$130,200
Storefront Consultants	\$ 11,000
Storefront Renovation Loan*	\$110,000
Storefront Renovation Rebate	\$100,000
Commercial Revolving Loan*	(\$20,000)
Microloan Program	\$ 20,000

<i>CDBG-CV</i>	
Small Business Assistance	<i>\$290,000</i>

RESOLUTION NO. 41-2020 (PD)

**STRATEGIC IMPACT OPPORTUNITY**

The City will be seeking requests for funding in 2019 that will address any of the Goals and Objectives set forth in the City's Consolidated Plan. The programs and projects are required to target the neighborhoods adjoining the Noble Road Corridor or the neighborhoods bordered by Mayfield Rd./Ivydale Rd./Euclid Heights Blvd. to the North, South Taylor Rd. to the East, Cedar Road to the South, and Lee Road to the West.

<i>PROGRAMS &amp; PROJECTS</i>	\$ 50,000
2019 Strategic Impact Opportunity	\$ 50,000
<b>TOTAL <i>AMENDED</i> CDBG PROGRAMS &amp; PROJECTS</b>	<b>\$2,819,710</b>

*\*These activities include program income.*



# Memorandum

To: Tanisha Briley- City Manager  
From: Allan Butler- Housing Programs Director  
Date: April 29, 2020  
Re: HOME Contract and HRRC Contract Legislation

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The two pieces of attached legislation permit the City of Cleveland Heights to sign an amendment to extend our current HOME contract's period of performance for an additional 12 months and creates a new contract with Home Repair Resource Center for the purpose of administering our HOME Down Payment Assistance Program.

Cleveland Heights uses the HOME funds for two programs: the Single Family Rehabilitation program and Down Payment Assistance. HOME provides funding for low- and moderate-income (LMI) households for housing needs. The funds come from the Department of Housing and Urban Development and flow to us through the Cuyahoga County Housing Consortium. Cuyahoga County is designated the lead agency for this Consortium whose members include Cuyahoga County and the CDBG Entitlement Communities of Euclid, Lakewood, Parma and Cleveland Heights. As the lead agency, Cuyahoga County manages the HUD reporting and allocates our funds to us through a contract.

The Single Family Rehabilitation program offers assistance through the Deferred Loan Program and the No Interest Loan Program. The Deferred Loan Program assists LMI seniors and disabled households with loans for whole-house rehabilitation and loan payments are deferred until the homeowner no longer resides in the house. The No Interest Loan Program is the same whole-house rehabilitation loan program for LMI households who are not disabled or seniors the Deferred Loan Program except that monthly payments are made on the loan. These loan programs are administered by the City's Housing Preservation Office.

The second program HOME funds is our Down Payment Assistance program. This program assists qualified LMI households to purchase a home in Cleveland Heights by providing up to \$10,000 of down payment assistance. The home owner is required to contribute a minimum of 3.5% of the sales price and complete pre-purchase and home maintenance counseling services prior to receiving the funds. The City contracts with Home Repair Resource Center to administer this program, as HRRC is our local HUD Housing Counseling Agency. Our current contract with HRRC for Down Payment Assistance will expire on April 28, 2020. The attached legislation is requesting a new contract for up to \$44,000 to continue our Down Payment Assistance program.

**SECOND AMENDMENT**  
**TO**  
**GENERAL AGREEMENT – GOVERNMENTAL PROVIDER**  
**(CITY OF CLEVELAND HEIGHTS HOME ALLOCATION)**

THIS SECOND AMENDMENT TO THE GOVERNMENTAL PROVIDER GENERAL AGREEMENT FOR THE CITY OF CLEVELAND HEIGHTS (the “Second Amendment”) is made and entered into as of May 1, 2020 (the “Effective Date”) by and between the County of Cuyahoga County, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof (the “County”) and the City of Cleveland Heights, Ohio, a political subdivision, with principal offices located at 40 Severance Circle, Cleveland Heights, Ohio 44118 (the “Provider”). The County and the City of Cleveland Heights are collectively referred to as the “Parties.”

**RECITALS**

WHEREAS, the County has entered into various agreements with the United States of America providing for financial assistance to said County under the Cranston-Gonzalez Affordable Housing Act (the “Act”); and

WHEREAS, pursuant to the Act, the County is undertaking by and through its Department of Development certain activities; and

WHEREAS, such activities to be performed include HOME Qualified Activities and Administration by participating jurisdictions; and

WHEREAS, pursuant to BC2017-438 adopted by the Board of Control on June 12, 2017, the Parties entered into the General Agreement Governmental Provider dated December 1, 2016, (the “Agreement”) to administer the Program for the period December 1, 2016 to November 30, 2018; as amended pursuant to BC2018-806 adopted by the Board of Control on November 19, 2018 to extend the program period to December 1, 2016 to April 30, 2020.

WHEREAS, the Parties are desirous of entering into this Second Amendment to the Agreement to extend the term of the Agreement.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties from the other, and intending to be legally bound, the Parties agree to amend the Agreement as follows:

Item II of the Agreement titled "Time of Performance" is hereby amended as follows.

This Agreement shall become effective as of the Effective Date and shall remain in full force and effect until April 30, 2021, unless extended by written agreement of the Parties.

All terms used in this Second Amendment shall be defined and construed in the manner set forth in the original Agreement . Except as otherwise provided in, or as otherwise necessary or appropriate to give effect to the terms of this Second Amendment, all the provisions, terms, and conditions contained in the Agreement, and not inconsistent with this Second Amendment shall remain unchanged and in full force and effect. In the event of any conflict between the original Agreement and this Second Amendment, the terms, the conditions and provisions of this Second Amendment shall control.

This Second Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Capitalized terms not otherwise defined in this Second Amendment shall have the meaning ascribed to them in the Agreement.

The City of Cleveland Heights, its officers, employees, subcontractors, sub-grantees, agents or assigns, agree that this transaction may be conducted by electronic means and agree that all documents requiring the County's signatures and the City of Cleveland Heights signatures, including this Second Amendment, may be executed by electronic means, and that the electronic signature affixed by either Party to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The City of Cleveland Heights also agrees on behalf of the aforementioned entities and persons, to be bounded by the provisions of Chapter 304 and 1306 of the ORC as they pertain to electronic transactions, and to comply with the electronic signature policy of the County.

[SIGNATURE PAGE FOLLOW]

IN WITNESS WHEREOF, this Second Amendment has been duly signed and delivered by the undersigned as of the day and year Second above written.

**CITY OF CLEVELAND HEIGHTS**

**COUNTY OF CUYAHOGA, OHIO**

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_  
Mayor or City Manager

Its: \_\_\_\_\_  
Armond Budish, County Executive

The legal form and correctness  
of this Contract is hereby approved:  
Law Department  
County of Cuyahoga, Ohio

Gregory G. Huth, Director of Law

By: \_\_\_\_\_  
Assistant Director of Law

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Proposed: 05/04/2020

RESOLUTION NO. 42-2020 (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an amendment to an agreement with Cuyahoga County to extend the term for funding through the HOME Program for the City's homeowner rehabilitation loan programs through April 30, 2021; and declaring an emergency.

WHEREAS, this Council has previously authorized the City Manager to enter into an agreement with Cuyahoga County for funding through the HOME Program for the City's homeowner rehabilitation loan programs; and

WHEREAS, said agreement is set to expire on April 28, 2020, and HOME funds are still available; and

WHEREAS, this Council has determined that it would be in the City's best interests to extend the term of the contract from April 28, 2020 to April 30, 2021.

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 execute an amendment to an existing agreement with Cuyahoga County for funding through the HOME Program for the City's homeowner rehabilitation loan programs to extend the contract period through April 30, 2021. The amended agreement and all related documents shall be approved as to form by and subject to the final approval of 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 extend the term of the above-referenced agreement to continue providing down payment assistance loans for qualifying Cleveland Heights residents. 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.

RESOLUTION NO. 42-2020 (PD)

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JASON S. STEIN, Mayor  
President of Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

# MEMO

To: Tanisha Briley, City Manager  
From: Brian Iorio, CDBG Coordinator  
C.C.: Cleveland Heights City Council; Richard Wong; William Hanna

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RE: 43-2020; Citizen Participation Plan Amendment

At the April 21, 2020 CAC Public Hearing, the CAC voted unanimously to recommend to Council the acceptance of the attached amended Citizen Participation Plan. There are two major changes to the Citizen Participation Plan:

- Virtual public meetings, public notice format and time (pages 2 & 4): These changes are necessitated by the CDBG-CV funding and the associated waivers that were granted to allow virtual public hearings and shortened public comment periods from 30-days to 5-days. HUD requires that we accommodate these waivers into our Citizen Participation Plans. The lead time for starting a public comment period by placing a public notice in the Sun Press is a minimum of 5 days. This negates the benefit of the expedited review process that HUD has granted. Digital notice on the City's website accommodates the expedited review process. Additionally, a 10-day public notice for meetings also negates the expedited review process. This has been reduced to a 4-day notice for CAC meetings and public hearings. This change would only apply to emergency meetings or changes in meeting times and location since the CAC schedule is released in December of the preceding year.
- Change in Local Definitions (page 5): this change was discussed earlier in the year to allow greater flexibility for our smaller grantees. It allows changes in the budget of an activity of 10% or \$10,000, whichever is greater, without needing a substantial amendment to the plan. This change only benefits activities whose funding is lower than

\$100,000. Budget changes that this would apply to would still need approval by Council.

## **Citizens Participation Plan for CDBG Activities**

The City of Cleveland Heights decided upon receipt of its first block grant funding to develop a citizen participation mechanism that would do more than provide the community with limited opportunities to participate in the Community Development Block Grant (CDBG) program. The City ensured active citizen participation in the program throughout the year by forming a Citizens Advisory Committee (CAC) for the purpose of providing the community with information on the CDBG program.

This citizen participation plan is established by the City of Cleveland Heights in accordance with the Housing and Community Development Act of 1974, as amended, and 24 CFR 91.105.

The purpose of the citizen participation plan is to provide for and encourage citizen participation, with particular emphasis on participation by persons of low- and moderate-income. The plan provides for participation of residents in low- and moderate-income neighborhoods as the areas for which proposals are to be made for use of federal funds.

### **I. CITY COUNCIL**

Cleveland Heights City Council is responsible for the final allocation of CDBG funds. CAC presents their recommendations for funding to the Council. All CAC members are invited to the meeting for their input regarding the decision-making process.

All meetings of City Council are open to the public and the public is invited to address Council prior to any action taken by Council. Meetings of City Council are published in accordance with the Charter of the City of Cleveland Heights.

### **II. CITIZENS ADVISORY COMMITTEE**

#### **A. Composition**

The City of Cleveland Heights' Citizens Advisory Committee (CAC) is composed of persons representing each neighborhood, as well as members-at-large. The CAC consists of 22 community citizens: 10 who represent and reside within the 10 neighborhood districts and 12 who represent the community at-large. The membership may consist of fewer than 22 members. Committee members are volunteers and are appointed by City Council for a term of not less than one year, and may serve successive terms. CAC is governed in accordance with the "Bylaws of the Citizens Advisory Committee."

CAC is charged with the responsibility of reviewing and researching Community Development needs and the Consolidated Plan of the City of Cleveland Heights. In this context, CAC analyzes the requests for funds in relation to the needs of the community and amount of funds available. CAC then makes recommendations to the Administration and City Council as to which programs should be funded and at what levels in any given year.

## B. Role of CAC

Through the CAC process, the City implements a portion of its responsibility to furnish citizens with information concerning:

1. The amount of funds expected to be available;
2. The range of activities that may be undertaken with these funds;
3. The estimated amount of funds proposed to be used to benefit LMI persons;
4. The proposed activities likely to result in displacement;
5. The level of assistance available to persons if they were to be displaced.

The role of the Citizens Advisory Committee can be described in the following manner:

1. To act as an advisory committee to City Council;
2. To review and evaluate requests for CDBG funding to determine the impact of the proposed projects on the neighborhoods and city;
3. To become familiar with CDBG requirements so that CAC members can make enlightened decisions about how entitlement funds are spent;
4. To participate in monitoring the implementation of the CDBG program;
5. To assist in the evaluation of the CDBG yearly application; and
6. To fulfill HUD's requirement of citizen participation.

## C. Meetings

The CAC generally meets the third Tuesday of each month at 7:30 p.m. as noted below. Meetings are held at Cleveland Heights City Hall and are open to the public. **At times, it may be necessary for the CAC to hold virtual meetings remotely. Reasonable notice of the time and place for CAC meetings and all CAC Public Hearings shall be given is sent to the local newspaper and library a minimum of ten four days before each meeting. Reasonable notice may include publication in a local newspaper, posting at the main library, posting on the City website or social media. They are also listed on the calendar on the City of Cleveland Heights website and government television station.**

### 1. Regular Meetings

The CAC follows a yearly schedule with each month addressing a different component of the CDBG program. The following calendar is an example of CAC's yearly schedule:

January	<b>Public Meeting</b> Organizational meeting and review of previous program year
February	<b>Public Meeting</b>

	Nominating committee
March	<b>Public Meeting</b> Election of officers
April	<b>Public Meeting</b> Minority Business Enterprise report review
May	<b>Public Hearing</b> Review Goals & Objectives, determine needs for following year
June	<b>Public Meeting</b> Review of applications and timetables for following year
July	No meeting
August	<b>Two Public Hearings</b> Grant applicants presentations
September	<b>Two Public Meetings</b> Grant application deliberations and recommendations
October	<b>Public Hearing</b> Annual Plan Draft, Minority Business Enterprise report review
November	<b>Public Meeting</b> Final annual plan review
December	No meeting

At each meeting, any member of the public wishing to speak will be recognized and given five minutes to address the Committee. Extended time may be granted for public comments at the discretion of the chairperson or a majority of the members.

Minutes of the Citizens Advisory Committee are open to the public for inspection at the Cleveland Heights Department of Planning and Development at City Hall. Any person may receive the agenda or minutes of the CAC at the Department of Planning and Development.

## **2. Public Hearings**

A total of four Public Hearings are held each year, as noted above. The first is held in May to discuss Community Development needs. The two Public Hearings held in August are an opportunity for subrecipients to report to CAC on how they spent their CDBG funds and for agencies that wish to be considered for funding in the following year to present their proposals. The final Public Hearing, held in October, is to hear citizen comments on the funding proposals received. Special advertisements are run in the local newspaper for all public hearings. They are also listed on the calendar on the City of Cleveland Heights website and government television station.

Public meetings and hearings are held in the Cleveland Heights City Hall, a handicapped accessible building, **or via virtual meeting applications when needed**. Notices of public hearings include information on how to contact the city if special assistance is required to attend.

### **III. PROGRAM PROPOSALS**

All applications for CDBG funds are presented to the CAC on a standardized application form prepared by the Department of Planning and Development. The Department of Planning and Development will provide technical assistance to any group wishing to make application to the Citizens Advisory Committee. Such technical assistance will be limited to assisting with the completion of the required application and will be available during regular working hours.

### **IV. CITIZEN COMMENTS: CONSOLIDATED AND ANNUAL PLANS GRANTEE PERFORMANCE REPORT**

The formation of the CAC, the newspaper advertisements and the public hearings are all designed to inform and involve the wider community in the CDBG program and ensure that the funded activities meet the national objectives, as well as community needs. The Consolidated Plan, Annual Plan and Consolidated Annual Performance Evaluation Report are public documents. They are available for review and public comment for the time period designated in the regulations at City Hall in the Department of Planning and Development. Ads are placed in the local newspaper, *The Sun Press*, and a notice is placed on the City's website informing the public of their availability. Copies of the documents are also available at the Cleveland Heights-University Heights Public Library and on the City's website.

### **V. GRIEVANCE PROCEDURE**

Submission of citizens' views, including a complaint or grievance, regarding the use of CDBG funds can be made directly to city staff at any time, verbally or in writing. Proposals for CDBG funds cannot be submitted unless there has been at least a 15-day period after publication for these comments. The City of Cleveland Heights will make every effort to respond to each written citizen comment within 15 working days, and will ensure citizens that their comments will become a part of the submission package.

## **VI. SUBSTANTIAL CHANGES**

The current Community Development Grant regulations require the City to adopt and make public definitions for a "significant change" in the Consolidated Plan. These local definitions are reviewed and adopted by CAC each January. They are then published in the local newspaper, *The Sun Press*.

The current definitions, as adopted by the Citizens Advisory Committee, are as follows:

1. A significant change will be considered to have occurred in the Consolidated Plan if:
  - a. A new activity is proposed.
  - b. An activity is eliminated.
  - c. An activity is increased or decreased by more than 10% of its budget or \$10,000, whichever is greater, for that year.
  - d. An activity change occurs which will require displacement of persons, especially LMI persons.

## **VII. NEEDS OF NON-ENGLISH SPEAKING RESIDENTS**

The City of Cleveland Heights will provide a translator at any public hearing or regular meeting of the Citizens Advisory Committee if the City anticipates that five (5) or more non-English speaking residents understanding the same language will attend a meeting of the CAC or if a written request by an organization representing non-English speaking residents is received five (5) working days prior to the meeting.

## **VIII. CITY OF CLEVELAND HEIGHTS RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION PLAN**

The City of Cleveland Heights will replace all occupied and vacant occupiable low/mod income housing demolished or converted to a use other than low/mod income housing in connection with a project assisted with Federal housing and community development funds.

All replacement housing will be provided within three years of the commencement of the demolition or conversion. Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion, the City will make public by publication in a newspaper of general circulation, and submit to HUD, the following information in writing:

1. A description of the proposed assisted project:

2. The address, number of bedrooms, and location on a map of lower income housing that will be demolished or converted to a use other than as lower income housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of bedrooms and location on a map of the replacement housing;
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain low/mod income for at least ten (10) years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement housing units with smaller dwelling units (e.g., a two-bedroom unit with two one-bedroom units), or any proposed replacement of efficiency or single room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

To the extent that the specific location of the replacement housing and other data items 4 through 7 are not available at the time of the general submission, the City will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available.

The Department of Planning and Development is responsible for tracking the replacement of low/mod income housing and ensuring that it is provided within the required period.

The Department of Planning and Development is responsible for ensuring that the requirements of the Uniform Relocation Act and that the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended are followed. Consistent with this, the Department of Planning and Development will ensure that the appropriate party(ies) provide relocation payments and other relocation assistance to any low/mod income person displaced by the demolition of any housing or the conversion of lower income housing to another use.

Consistent with the goals and objectives of activities assisted under the Act, the City will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- I. Rehabilitation of multi-family developments to allow tenants to remain in the building/complex during and after the rehabilitation, working on empty units first.

- II. Require rental property owners to arrange and pay for facilities to house persons who must be relocated temporarily during rehabilitation
- III. Give priority to projects that do not cause direct or indirect displacement of lower income persons.

RESOLUTION NO. 43-2020 (PD)

By Council Member

A Resolution affirming the City of Cleveland Heights' 'Citizens Participation Plan for Community Development Block Grant ("CDBG") Activities;' and declaring an emergency.

WHEREAS, since the inception of the City's participation in the Federal Community Development Block Grant Program, the City has maintained and followed a Citizens Participation Plan for CDBG Activities, a copy of which is attached here to as Exhibit "A;" and

WHEREAS, CDBG-CV funding and its associated waivers necessitates the amending of the Citizen Participation Plan; and

WHEREAS, it would be in the City's best interest to reaffirm the Citizens Participation Plan for CDBG Activities at this time.

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

SECTION 1. This Council hereby reaffirms the Citizens Participant Plan for Community Development Block Grant Activities, attached hereto and incorporated herein as Exhibit A.

SECTION 2. Notice of 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 Hts., such emergency being the need to ensure compliance with HUD guidelines at the earliest possible time. Wherefore, provided it receives the affirmative vote of five or more members elected or appointed to this Council, this Resolution shall be reaffirmed 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.

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JASON STEIN, Mayor  
President of the Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:



# Memorandum

To: Tanisha Briley- City Manager  
From: Allan Butler- Housing Programs Director  
Date: April 29, 2020  
Re: Housing Update

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The attached legislation authorizes the title transfer of the real property at 3158 Berkshire Rd. from the City of Cleveland Heights Land Reutilization Program (CHLRP) to FutureHeights Inc. for the purpose of renovation through their FutureHomes Program. The City of Cleveland Heights, per Resolution No. 97-2018 has entered into a development services agreement with FutureHeights to perform services as a community development corporation for the City.

The vacant/abandoned property at 3158 Berkshire Rd. was obtained by CHLRP on 2/5/2020 via sheriff's deed due to no bidders at the two consecutive sheriff's sales from tax foreclosure case CV-19-920161. The property has been vacant since 2011 and has been in foreclosure continually since a mortgage foreclosure was filed by Gama Property Investments LLC on 10/21/2009. The stalled mortgage foreclosure required a motion to intervene by the Cuyahoga County Treasurer and subsequently motion to dismiss for lack of prosecution. The County Treasurer then filed a Board of Revisions tax foreclosure case BR17-014014 which was eventually ordered to transfer to the Judicial Docket CV-19-920161.

Proposed: 05/04/2020

ORDINANCE NO. 44-2020 (PD)

By Council Member

An Ordinance adopting procedures for the transfer of certain City-owned real property, received through the City of Cleveland Heights Land Reutilization Program, to FutureHeights, Inc.; declaring the property no longer needed for a public purpose; and declaring an emergency.

WHEREAS, pursuant to Ordinance No. 33-2009, this Council adopted and implemented the procedures set forth in Chapter 5722 of the Ohio Revised Code for a Land Reutilization Program, known as the Cleveland Heights Land Reutilization Program; and

WHEREAS, the City of Cleveland Heights (“City”) currently owns certain real property located at 3158 Berkshire Road, Permanent Parcel No. 684-23-079 (“Property”); and

WHEREAS, the City obtained the Property through its Land Reutilization Program; and

WHEREAS, the City has determined that it has no need for the Property and therefore the Property does not serve a public purpose; and

WHEREAS, FutureHeights, Inc. (“FutureHeights”) is a non-profit corporation, which promotes a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement; and

WHEREAS, pursuant to Resolution No. 97-2018, the City and FutureHeights entered into a development services agreement with FutureHeights to perform services as a community development corporation for the City; and

WHEREAS, pursuant to the City’s agreement with FutureHeights, transferring of the Property to FutureHeights would be in the best interest of; and

WHEREAS, Section 110.04 of the Cleveland Heights Codified Ordinances authorizes Council to adopt by ordinance, procedures for the conveyance of real property not needed for public purpose.

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

SECTION 1. This Council hereby determines that the City-owned real property located at 3158 Berkshire Road, Permanent Parcel No. 684-23-079 (“Property”), is not needed for a public purpose.

SECTION 2. Pursuant to the authority of City Council set forth in Section 110.04 of the

ORDINANCE NO. 44-2020 (PD)

Codified Ordinances of the City of Cleveland Heights, this Council hereby authorizes the City Manager to transfer the Property to FutureHeights, Inc. upon receipt of necessary approvals, forms, terms, and conditions deemed appropriate by the City Manager.

SECTION 3. Documents implementing the above transaction shall be approved as to form by and subject to the final approval of the Director of Law.

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 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 transfer the property to begin rehabilitation work at the earliest time permitted by law. Wherefore, provided it receives the affirmative vote of five 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.

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JASON S. STEIN, Mayor  
President of Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

Proposed: 05/04/2020

RESOLUTION NO. 45-2020 (CRR)

By Council Member

A Resolution proclaiming May 2020 to be *Bike Month* in the City of Cleveland Heights; and declaring an emergency.

WHEREAS, bicycling is a sociable, healthy, green, and economical mode of travel; and

WHEREAS, since 2010, the United States Department of Transportation has adopted a policy stating that “walking and bicycling are considered as equals with other transportation modes” and “not an afterthought in roadway design”; and

WHEREAS, the State of Ohio recognizes bicycles as valid vehicles for use on all Cleveland Heights roads; and

WHEREAS, Cleveland Heights streets and buildings are ideally arranged in a compact, well-connected pattern making it easy to walk and bike to businesses, schools, and recreational and cultural facilities; and

WHEREAS, Cleveland Heights continues to assess its transportation network and connections to other cities, finding grants for projects that improve the safety and comfort of bicyclists, such as the Cedar Glen Trail that connects Cedar Fairmount to University Circle, to the Lake to Lakes Trail, and to the bike lane buffers on North Park Boulevard; and

WHEREAS, Cleveland Heights was recognized as again in bronze-level, Bicycle Friendly Community by the League of American Bicyclists in 2013 and 2017 for four-year periods; and

WHEREAS, educating cyclists on the proper and safe operation of bicycles and motorists on how to properly share roads with bicyclists (including our school children) is important to ensure the safety and well-being of all; and

WHEREAS, given the COVID-19 pandemic and its impact on everyday life, the League of American Bicyclists has postponed its promotion of *Bike to Work Week* until September 21-27, 2020 and *Bike to Work Day* until September 22, 2020; and

WHEREAS, the annual *Ride of Silence* will take place in Greater Cleveland on Wednesday, May 20, 2020 as a virtual group ride in which participants are encouraged to engage in solo rides or rides with their household members, at the scheduled time, to honor those killed or injured while riding on public streets; and

RESOLUTION NO. 45-2020 (CRR)

WHEREAS, Cleveland Heights Police have found having bicycle units is an outstanding and effective way to police parks, business districts and neighborhoods and to form positive relations with residents, especially children.

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

SECTION 1. This Council does hereby proclaim May 2020 to be *Bike Month* in the City of Cleveland Heights. This Council encourages all residents to review the laws and regulations governing bicycle safety and to use a bicycle for transportation to work and school, especially for trips within the City of Cleveland Heights.

SECTION 2. Notice of 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 join with the other communities in this celebration and the need to proclaim *Bike Month* and related events on a timely basis. 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.

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JASON S. STEIN, Mayor  
President of Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

Proposed: 05/04/2020

RESOLUTION NO. 46-2020 (PD)

By Council Member

A Resolution proclaiming May 2020 to be *National Preservation Month*; and declaring an emergency.

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, in past years City staff has been involved in a wide variety of projects that help the City preserve and promote its historic resources including helping residents research their homes' histories; entering original building permit data into a database; providing on-site rehabilitation advice on topics such as paint color selection, paint removal, and window repair; sponsoring lectures to educate people about architecture, preservation, and Cleveland Heights history; assisting residents in researching and listing neighborhoods to the National Register of Historic Places and installing signs recognizing this designation; and funding improvements through the City's Storefront Renovation Program; and

WHEREAS, Cleveland Heights has shown a continued dedication to promoting the City's history, architecture, and historic preservation through partnerships with the Cleveland Restoration Society to administer the Heritage Home Loan Program, a program that allows owners of older homes access to low-interest loans and the technical assistance necessary to sensitively rehabilitate their older homes; and

WHEREAS, on March 4, 2019, City Council adopted comprehensive amendments to the City's Landmark Commission ordinance to protect and enhance the historic and aesthetic qualities of the City for the enjoyment of the City's residents and visitors alike, and to further preservation goals by enabling the Landmark Commission to safeguard locally designated properties, protect properties as they go through the Landmark designation process, designate local historic districts where more than 50% of property owners consent, and protect designated properties from inappropriate alterations or demolition; and

RESOLUTION NO. 46-2020 (PD)

WHEREAS, in March, 2019, the City of Cleveland Heights was designated a Certified Local Government by the United States Department of the Interior; and

WHEREAS, Cleveland Heights operates the Cleveland Heights Historical Center at Superior Schoolhouse, which draws visitors including students for tours and research; and

WHEREAS, *National Preservation Month 2020* is cosponsored by the City of Cleveland Heights and the National Trust for Historic Preservation; and

WHEREAS, the City of Cleveland Heights has been hosting events to celebrate *National Preservation Month* since 2002; and

WHEREAS, the City of Cleveland Heights has 14 historic districts listed on the National Register of Historic Places and anticipates that in June the Stadium Square Historic District will be designated as the 15th historic district within the City.

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

SECTION 1. This Council does hereby proclaim May 2020 to be *National Preservation Month* and calls upon the residents of the City of Cleveland Heights to join their fellow citizens across the United States in recognizing and participating in this special observance.

SECTION 2. Notice of 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 join with the other communities in this celebration and the need to proclaim *National Preservation Month* on a timely basis. 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. 46-2020 (PD)

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JASON S. STEIN, Mayor  
President of Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

Proposed: May 4, 2020

RESOLUTION NO. 47-2020 (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Home Repair Resource Center, a non-profit corporation, for the use of HOME Funds to administer its down payment assistance loan program; providing compensation therefor; and declaring an emergency.

WHEREAS, the City previously entered into an agreement with the Home Repair Resource Center (“HRRC”) to administer down payment assistance loan program wherein Cleveland Heights residents who met certain criteria would receive up to a ten thousand dollar (\$10,000) loan consisting of HOME funds issued by U.S. Department of Housing and Urban Development (“HUD”) via Cuyahoga County; and

WHEREAS, this Council has determined that it would be in the City’s best interest to continue the down payment assistance program for its citizens with HRRC’s administration and under the City’s oversight.

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 administer the City’s Down Payment Assistance Program with City oversight. The program shall provide up to Forty-Four Thousand Dollars (\$44,000) of HOME funds issued by U.S. Department of Housing and Urban Development (“HUD”) via Cuyahoga County.

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 term of the agreement shall commence effective May 4, 2020 and terminate on December 31, 2020. All documents shall be approved as to form by and subject to the final approval of the Director of Law.

RESOLUTION NO. 47-2020 (PD)

SECTION 3. 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.

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 City's Down Payment Assistance Program 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 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.

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JASON S. STEIN, Mayor  
President of Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

RESOLUTION NO. 47-2020 (PD)

**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 located at 2520 Noble Road, Cleveland Heights, Ohio. 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.

HRRC will provide down payment assistance loans to Cleveland Heights homebuyers whose annual income does not exceed 80% of the Area Median Income adjusted for family size, as issued from year to year by the U.S. Department of Housing and Urban Development (“HUD”). Loans may be issued up to \$10,000 for single family units. (A single family unit means a one- to four-family residence.) The loan is a deferred zero (0%) interest second mortgage. The loan will be repaid immediately at the time of resale, transfer, or if the property becomes absentee-owned. All program income (re-paid loans) will be returned to the City of Cleveland Heights HOME program.

In addition to direct loans to eligible homebuyers, HRRC will invoice the City for housing counseling services and personnel costs associated with the administration of the down payment assistance program. Reimbursement for Housing Counseling Services shall be \$500 per completed loan up to a maximum of \$3,000. Reimbursement for down payment assistance program administration shall be up to \$500 per completed loan up to a maximum of \$3,000. The total funds issued to HRRC shall not exceed \$44,000. The program shall commence on May 4, 2020 and continue until all funds are depleted or until December 31, 2020, whichever occurs first.

All HOME regulations shall be followed. HRRC shall report to the City of Cleveland Heights Planning and Development Department in the manner requested by its Director.



## CLEVELAND HEIGHTS

**Monday, April 20, 2020 Minutes**

**COMMITTEE OF THE WHOLE**

7:00 – 7:55 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Russell, Seren, Stein, Ungar

Staff present: Briley, Hanna, Kickel, Lambdin, Niermann O'Neil

**CITY COUNCIL**

8:00 – 9:12 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Excused: None

Staff present: Briley, Hanna, Niermann O'Neil

**Report of the City Manager**

Tanisha Briley gave an overview of her report to Council which may be read in full at [https://www.clevelandheights.com/DocumentCenter/View/6542/cc\\_packet\\_04062020](https://www.clevelandheights.com/DocumentCenter/View/6542/cc_packet_04062020).

**Report of the Clerk of Council**

No report.

**ADMINISTRATIVE SERVICES COMMITTEE**

No report.

**ENERLOGICS SOLAR PRESENTATION**

Scott Ameduri gave a presentation of the Power Purchase Agreement for City Hall, the Community Center, and the Service Garage. According to the estimated schedule, the systems should be complete in November and power delivery to the City would begin no later than December. The cumulative 30-year savings will be \$875,524. The presentation may be viewed in full at <https://www.youtube.com/watch?v=vb0w9Ue6krU>.

Council Member Seren asked about state regulations for on-site consumption. Scott Ameduri said they constructed a site in Brooklyn, Ohio with the energy from that being distributed to 17 different Cuyahoga County sites. That was done with Cleveland Public Power which has a different regulatory regime than FirstEnergy. FirstEnergy requires net energy on a per-account basis. Council Member Seren asked if the City could develop a power organization that would allow for virtual net metering; and how that would work with any standing contracts. If the state laws change, can we make an adjustment? Scott Ameduri stated there is a multi-decade process currently in Boulder, Colorado. Additional panels could be added to the Service Garage if the load changes or state law changes.

Council Member Hart asked if the leaking garage roof would impact this project. Tanisha Briley stated the leak was from the skylight which is regularly repaired and has been repaired since that leak. Joe Kickel stated there is a portion of the roof that will get replaced and critical repairs have been done.

Council Member Dunbar asked about the 30-year time frame with the advancement of technology. Scott Ameduri responded these have a 25-year manufacturer warranty, so the panels have an extensive life. He stated there are advancements every year, but for the past 5 years, they have been modest.

Council Member Ungar made a statement of support and thanked the County. He asked what similar projects have been done. Scott Ameduri stated they have worked directly with Cuyahoga County before and have two projects this coming year: the Medical Examiner and Animal Shelter. They will also be doing the Harvard Garage once they replace the roof. Lakewood is doing four locations. Council Member Ungar asked if installation would penetrate the roof. Scott Ameduri explained they do not penetrate, but instead used concrete blocks. Council Member Ungar inquired about the warranties. Scott Ameduri stated we pay nothing if energy is not generated.

Council Member Hart asked if it would hold up to a microburst. Scott Ameduri responded yes and it would hold up to a hurricane.

Council Member Russell asked if they had already inspected the service garage roof. Scott Ameduri responded the team had done a walk-through level of inspection and there were no red flags.

Council Members Hart and Russell thanked Scott Ameduri and Joe Kickel.

## **ADMINISTRATIVE SERVICES COMMITTEE**

No report

## **COMMUNITY RELATIONS AND RECREATIONS COMMITTEE**

Council Member Russell stated she tried to get seniors' phone numbers from the sanitation department for wellness checks, but they do not collect phone numbers. She asked if we could begin collecting phone numbers, so if trash is not out for a few weeks, someone can follow up.

Council Member Russell has been in communication with Joe McRae regarding what will happen with summer recreation and programs.

Mayor Stein stated he thought it was reasonable to request numbers for seniors' refuse pickup. Tanisha Briley stated that the refuse collectors run the same routes and if they notice anything different at a senior's house, they notify Police for a wellness check as part of our current process. We have the addresses, but not everyone on that list is interested in being contacted that way. Council Member Russell suggested that when a senior resident calls to request pickup, we collect their phone numbers. Tanisha Briley responded that we can do that.

## **FINANCE COMMITTEE**

Council Member Hart stated she thought that was a great idea. Council Member Hart stated she found out about the layoffs that came last week by reading in on Cleveland.com when someone called her and she wanted Council to receive more information so they can be prepared when people are calling them.

Council Member Hart stated she didn't think the pre-paid medical expenses were the best use and she wants to understand better Tanisha's thinking on that.

Tanisha Briley stated an Email was sent on April 2 detailing the lay-off that stated they were notifying staff on April 6 via mail, so Council should have had that information several days before the impacted employees found out.

## **MUNICIPAL SERVICES COMMITTEE**

Council Member Dunbar stated that the Shaker Lakes plant sale sold out quickly and a lot of residents are taking the time during shut-down to focus on gardens and discussed the importance of native plants.

## **PLANNING AND DEVELOPMENT COMMITTEE**

Council Member Ungar agreed with Council Member Hart about notifying Council in enough advance that they could convene with Finance if they choose. Moving forward, it should go through the Mayor and Vice Mayor, then the Finance Committee. He agreed with Council Member Russell about collecting numbers and having refuse collectors report if anything is awry.

Council Member Ungar stated he is working with FutureHeights on a program that would support and check on seniors in the community. There will be a sign-up if people want to have someone check in regularly. More information will be posted on clevelandheights.com and the FutureHeights website.

Council Member Ungar stated Council Member Dunbar and Susanna Niermann O'Neil had been heading up the Safe Routes to Schools initiative which topped out over one million dollars.

Council Member Russell thanked Council Member Ungar for initiating the conversation with FutureHeights and thanked Tanisha Briley for posting the information on our website. She dittoed Melody about the layoff Email and asked that it be a headline within the report. Vice Mayor Seren clarified that it was April 3 when the Email went out.

**ORDINANCE NO. 33-2020 (PD), Second Reading.** An Ordinance authorizing the City Manager to take all actions necessary for participation in the services offered through the Cuyahoga County Aggregated Solar Project and administered pursuant to the Cuyahoga County Cooperative Purchasing Program

Introduced by Council Member Ungar, Seconded by Vice Mayor Seren

Vice Mayor Seren thanked the County and City staff for all of their work. Council Members Hart made a statement of support for the project and the environmental impact. Council Member Russell agreed. Mayor Stein stated the City had considered this for several years and thanked the County and staff.

Roll Call: Ayes: Hart, Russell, Seren, Stein, Ungar, Dunbar  
Nays: None

**Legislation Passed**

**RESOLUTION NO. 34-2020 (PD), Second Reading.** A Resolution authorizing the City Manager to enter into an agreement with Panzica Construction for consultant services as Owner's Representative for the Top of the Hill Redevelopment Project

Introduced by Council Member Ungar, Seconded by Vice Mayor Seren

Council Member Russell stated the reasons she thinks we'll be very happy with Panzica. Council Member Hart stated people have good things to say about them.

Roll Call: Ayes: Seren, Stein, Ungar, Dunbar, Hart, Russell  
Nays: None

**Legislation Passed**

Council Member asked to yield to Council Member Hart regarding Resolution No, 36-2020, and to recuse himself because he and his wife are passive investors in unrelated matters with Mr. Ferris who is involved in this development. Law Director Bill Hanna read the related rules for recusal.

Vice Mayor Seren moved to recuse Council Member Ungar from voting on Resolution No. 36-2020 which was seconded by Council Member Russell.

Roll Call: Ayes: Dunbar, Hart, Russell, Seren, Stein  
Nays: None

**Motion Passed**

**RESOLUTION NO. 36-2020 (PD).** A Resolution amending Resolution No. 74-2019 to authorize an amendment to the Memorandum of Understanding with Cedar Lee Connection, LLC, concerning the Cedar-Lee-Meadowbrook development

Introduced by Council Member Hart, Seconded by Council Member Russell

Council Member Hart stated they had a robust conversation about this and after the 90-day extension, progress should be made or we should begin looking around for a new developer.

Council Member Dunbar stated progress is usually made after this is signed, so we can debate it when we get there.

Roll Call: Ayes: Seren, Stein, Dunbar, Hart, Russell  
Nays: None

**Legislation Passed**

Council Member Russell stated we are doing development for Cedar Lee, but she didn't see anything for Taylor or Noble, and requested a list of empty lots for that area so we could pursue development in that area. Council Member Hart agreed. Tanisha Briley stated that Economic Development recently gave a presentation of the development currently going on and what is planned. There has been a lot of work done with the Opportunity Zone planned for that area as far as trying to attract development including advertising and connecting with partners. The conversation may shift with the economic impact of COVID-19. Council Member Russell stated she received that report and requested maps for those specific areas. She stated she will continue to talk about it because the area needs development and she is concerned about it.

Council Member Dunbar recognized Joe Kickel for championing Safe Routes to Schools on the staff side. She stated there is also funding for Safe Routes to Parks.

## **PUBLIC SAFETY AND HEALTH COMMITTEE**

No report

### **Consent Agenda**

Motion to suspend rules by Council Member Ungar, Seconded by Council Member Hart

Roll Call:     Ayes: Seren, Stein, Ungar, Dunbar, Hart, Russell  
                  Nays: None

#### **Motion Passed**

Bill Hanna explained the number and title needed to be read for the consent agenda. Council Member Seren asked about suspending the reading along with suspending the rules. Bill Hanna stated that was true for multiple reading and although he was not aware of anyone doing it that way, he was open to that discussion. Council Member Seren reference the County Board of Control consent agenda where they are not all referenced in the record. Council Member Dunbar stated she believes reading it all in makes it more transparent what Council is approving.

**RESOLUTION NO. 37-2020 (AS)**. A Resolution authorizing the Ohio Department of Transportation (“ODOT”) to proceed with the project of improving sidewalks and pedestrian crossing facilities within Cleveland Heights

**RESOLUTION NO. 38-2020 (F)**. A Resolution updating the signatories designated for the account with Nirvana Public Funding, LLC

**RESOLUTION NO. 39-2020 (F)**. A Resolution updating the list of City employees authorized to be signatories on certain City accounts

Motion to adopt by Council Member Ungar, Seconded by Council Member Russell

Roll Call:     Ayes: Ungar, Dunbar, Hart, Russell, Seren, Stein  
                  Nays: None

#### **Motion Passed**

### **Mayor’s Report**

Mayor Stein extended his best wishes and encouraged people to follow guidelines to stay safe.

**NEXT MEETING OF COUNCIL: MONDAY, MAY 4, 2020**

Respectfully submitted,

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Jason S. Stein, Mayor

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Susanna Niermann O'Neil, Acting Clerk of Council  
/jkc

DRAFT