

Ordinance No. 483-2023 AS AMENDED

By Council Members Jones, Bishop, Gray,
Hairston and Griffin (by departmental
request)

AN EMERGENCY ORDINANCE
Authorizing the Directors of Community
Development and Economic Development, as
appropriate, to enter into one or more
agreements for professional services necessary to
prepare several vacant sites for development and
authorizing other agreements; authorizing the
directors to apply for and accept any gifts, grants
or services from any public or private entity;
authorizing the Mayor and the Commissioner of
Purchases and Supplies to acquire, accept, and
record all real property and permanent and
temporary easements to implement this
ordinance; and authorizing other contracts.

WHEREAS, as part of an overall strategy to reinvest in Southeast Side neighborhoods, the City desires to prepare approximately three to six vacant properties (“Project Sites”) for development projects that will create jobs and/or affordable housing, and to provide, or cause to provide, grants or loans for the development of these sites (“Program”); and

WHEREAS, the City’s Southeast Side neighborhoods of Union-Miles, Mount Pleasant, and Lee-Harvard have experienced historic, concentrated disinvestment through redlining and structural racism, and the City is committed to reversing the cycle of disinvestment because residents deserve to live in a safe, equitable, vibrant neighborhood of choice; and

WHEREAS, the City intends to take an equitable approach to all development and investments which includes proactively collaborating with community partners, introducing wealth creation opportunities, considering investments that support residents throughout their life-cycle, and investing in ways that mitigate displacement; and

WHEREAS, revitalization efforts that are targeted toward specific neighborhoods and blocks will improve social and economic conditions citywide; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Directors of Community Development and Economic Development, as appropriate, are authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to evaluate and assess the Project Sites,

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including but not limited to, conducting Phase I and Phase II environmental site assessments, environmental remediation oversight; to appraise and market the Project Sites; and to perform any other professional services necessary to implement the purposes of this ordinance.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development or Economic Development, as appropriate, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the director for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Community Development or Economic Development, as appropriate, and certified by the Director of Finance.

Section 2. That in accordance with the provisions of the Charter and Codified Ordinances, the Director of Community Development, Economic Development or Building and Housing, as appropriate, are authorized to enter into one or more agreements for the environmental remediation, demolition of structures and removal and disposal of related debris, including site improvements, and other services necessary for the Project Sites.

Section 3. That the Directors of Community Development, Economic Development, Public Works and Capital Projects, as appropriate, are authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services necessary for the demolition of streets and structures and the removal and disposal of related debris and materials, tree clearing, utility removal, and other services necessary for the Project Sites, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the appropriate department. Bids shall be taken in a manner that permits an award to be made for all

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items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 4. That the Directors of Community Development, Economic Development, Building and Housing, Public Works, and Capital Projects, as appropriate, are authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 5. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Mayor and/or the Commissioner of Purchases and Supplies, as appropriate, are authorized to acquire, accept, and record all real property necessary to implement this ordinance, including but not limited to gift, fee simple acquisitions, temporary and permanent easements, and work agreements. The consideration to be paid for the property shall not exceed fair market value as determined by the Board of Control.

Section 6. That the Directors of Community Development, Economic Development, Building and Housing, Public Works, and Capital Projects, as appropriate, is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, review appraisers, and all other costs necessary for the acquisition of the property or easement interests.

Section 7. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Directors of Community Development, Economic Development, Building and Housing, Public Works, and/or Capital Projects may sign all documents that are necessary to obtain such purchases or services, and may enter into one or more contracts with the vendors or consultants selected through that cooperative process.

Section 8. That the Directors of Community Development and Economic Development, as appropriate, are authorized to enter into any loan and grant

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agreements with individuals and public and private entities for the development of the Project Sites.

Section 9. That the City is authorized to accept promissory notes, naming the City as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of any loans made under this ordinance and to utilize the repayments and other program income in a revolving fund for additional contracts under this Program.

Section 10. That the Directors of Community Development and Economic Development are authorized to apply for and accept any gifts, grants, or services to implement this ordinance from any public or private entity; and that the directors are authorized to file all papers and ~~executive~~ execute all documents necessary to receive any gift, grant funds or services; and that the funds are appropriated for the purposes described in this ordinance.

Section 11. That the Directors of Community Development and Economic Development, as appropriate, are authorized to enter into one or more contracts with various agencies, entities, or individuals to implement this ordinance.

Section 12. That the cost of this ordinance shall not exceed \$5,000,000 and shall be paid from 10 SF 400, from the fund or funds to which are credited any gifts or grants accepted under this ordinance, and from any other funds approved by the Director of Finance. (RQS 8006, RL 2023-55)

Section 13. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

RB:nl
4-17-2023
FOR: Directors Hernandez and Jackson

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REPORT
after second Reading

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READ FIRST TIME on APRIL 17, 2023
and referred to DIRECTORS of Community Development,
Economic Development, City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability,
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE

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FINANCE, DIVERSITY, EQUITY
and INCLUSION

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