

Ordinance No. 1134-2023

**By Council Members Hairston and Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Community Development to consent to the assumption of Contract No. 57146 by Famicos Foundation, for the construction of the Lakeview Place Development located in the Forest Hills neighborhood; and authorizing the Director to enter into an amendment to that contract to change certain terms.

WHEREAS, under Ordinance No. 1017-99, passed June 14, 1999, and Ordinance No. 748-2000, passed June 12, 2000, this Council authorized the Director of Community Development to enter into Contract No. 57146, with the Northeastern Neighborhood Development Corporation (“NNDC”) to construct, or cause to be constructed, the Lakeview Place Development located in the Forest Hills neighborhood, which consists of 25 dwelling units, of which 16 are townhomes and 9 are scattered-site single family homes (the “Project”); and

WHEREAS, in December 2013, Famicos Foundation acquired the general partnership interest in Lakeview Place Development, L.P. which was initially sponsored by NNDC; and

WHEREAS, Famicos Foundation has agreed to assume the NNDC loan under Contract No. 57146 and to undertake the repayment obligations of NNDC as amended by this ordinance; and

WHEREAS, additional modifications to the contract are desired to make modifications to the loan; 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 Director of Community Development is authorized to enter into an amendment to Contract No. 57146 with Famicos Foundation, to (i) consent to the assumption of the loan by Famicos Foundation, (ii) release nine (9) of the single-family homes from the Mortgage, (iii) release all of the units from the Restrictive Covenant as the term has expired, (iv) authorize the loan to be forgiven on the earlier of the Maturity Date or at re-syndication, as long as the 16 townhouse units continue to be affordable to households whose income does not exceed 60% of the Area Median Income until that time, and (v) such other modifications as determined by the Directors of Community Development and Law.

Section 2. That the assumption and amendment agreement shall be prepared by the Director of Law.

Section 3. 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.

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**REPORT
after second Reading**

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READ FIRST TIME on OCTOBER 2, 2023 **REPORTS**
and referred to DIRECTORS of Community Development, Finance, Law;
COMMITTEES on Development Planning and Sustainability,
Finance Diversity Equity and Inclusion

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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