

Ordinance No. 1184-2023

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

AN EMERGENCY ORDINANCE

To amend the title and Sections 1, 2, 4, and 7 of Ordinance No. 490-2023, passed May 31, 2023, relating to professional services to establish, implement, and manage a revolving loan fund for a home repair and rehabilitation program for Cleveland's southeast Side neighborhoods; and to supplement the ordinance by adding a new whereas clause and Section 1a, 1b, and 1c.

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 title and Sections 1, 2, 4, and 7 of Ordinance No. 490-2023, passed May 31, 2023, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Community Development and the Director of Aging to enter into one or more ~~agreement for professional services agreements with entities acting as the City's agent~~ to establish, implement, and manage a revolving loan ~~fund~~ funds for a home repair and rehabilitation program for Cleveland's Southeast Side neighborhoods; to authorize home repair loans and grants to homeowners; and to enter into other agreements; and authorizing the Director or Directors to apply for and accept any gifts, grants or services from any public or private entity.

Section 1. That the Director of Community Development or the Director of Aging, as appropriate, is authorized to ~~employ by contract or contracts~~ enter into contracts with one or more financial institutions and private nonprofit organizations to act as the City's agent 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 establish, implement, and manage~~ establishing, implementing, and managing a program that will provide flexible lines of credit, loans, grants, credit counseling, and technical assistance to eligible participants of the Project, creating housing for individuals and families, and to pay reasonable administrative costs.

~~The selection of the financial institutions and private nonprofit organizations for the services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified entities available for employment as may be determined after a full and complete canvass by the Director of Community Development 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 the Director of Aging, as appropriate, and certified by the Director of Finance.~~

Section 2. That all agreements with agents authorized by this ordinance shall contain a procedure by which the financial institution or private nonprofit organization, as appropriate, will stop making loans at the end of a given period, and shall contain a specific date for the return of any unused funds at the end of that period to the City.

Section 4. That the Director of Community Development and the Director of Aging ~~are is~~ authorized to apply for and accept any gifts, grants, or services to implement this ordinance from any public or private entity; and that the Director or Director ~~are is~~ authorized to file all papers and executive all documents necessary to receive any gift, grant funds or services; and that the funds are appropriated for the purposes described in this ordinance.

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Section 7. That the Director of Community Development and the Director of Aging ~~are is~~ authorized to apply for and accept any gifts, grants, or services to implement this ordinance from any public or private entity; and that the Director or Director ~~are is~~ authorized to file all papers and executive 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 2. That the existing title and Sections 1, 2, 4, and 7 of Ordinance No. 490-2023, passed May 31, 2023, are repealed.

Section 3. That Ordinance No. 490-2023, passed May 31, 2023, is supplemented by adding a new whereas clause after the existing fourth one and also new Sections 1a, 1b, and 1c to read as follows:

WHEREAS, this Council finds that the Project has been approved by the Housing Advisory Board on October 11, 2023, in compliance with the Ohio Constitution and statutory requirements and will enhance the availability of adequate housing in the City and will improve the economic and general well-being of the people of the City and it is in the public interest and a proper public purpose for the City to provide and/or assist in providing housing for individuals and families; and

Section 1a. That the Director of Community Development and the Director of Aging, as appropriate, are authorized to provide loans and grants to homeowners under the City's Home Repair and Rehabilitation programs.

Section 1b. That the Director of Community Development and the Director of Aging, as appropriate, are authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under the Home Repair and Rehabilitation programs.

Section 1c. That the Director of Community Development and the Director of Aging, as appropriate, are authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 10 SF 400. The revenues generated as a result of charging fees are appropriated for additional program and operating expenses for eligible activities.

Section 4. 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.

GEP:nl
10-16-2023
FOR: Director Hernandez

