

Ordinance No. 954-2020

By Council Members: Johnson, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Community Development to enter into an Option to Acquire Agreement with the Ohio Department of Transportation, or its designee, in connection with the purchase of ODOT-owned property located at 9607 Buckeye Road needed for the future development of the Woodhill CMHA property and surrounding neighborhood; authorizing the Commissioner of Purchases and Supplies to purchase the property from ODOT, for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey the property to Cuyahoga Metropolitan Housing Authority, which is not needed for the City's public use.

WHEREAS, the Ohio Department of Transportation ("ODOT") currently owns property located at 9607 Buckeye Road, Permanent Parcel No. 126-08-017; and

WHEREAS, the City of Cleveland desires to partner with Cuyahoga Metropolitan Housing Authority ("CMHA") to apply to the United States Department of Housing and Urban Development for a Choice Neighborhoods Grant ("Choice Neighborhoods Grant") to target the Woodhill CMHA property and surrounding neighborhood with affordable housing; and

WHEREAS, because acquisition of the property located at 9607 Buckeye Road is necessary to secure site control for the Choice Neighborhoods Grant, the Director of Community Development has requested the purchase of property which will ultimately be transferred to CMHA for the redevelopment; 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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to enter into an Option to Acquire Agreement with ODOT for property located at 9607 Buckeye Road, Permanent Parcel No. 126-08-017. The cost of each Option to Acquire Agreement with ODOT shall be \$1.00 and other valuable consideration.

Section 2. That the Director of Community Development is authorized to exercise the Option to Acquire Agreement authorized above.

Section 3. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of

Purchases and Supplies is authorized to purchase 9607 Buckeye Road, Permanent Parcel No. 126-08-017 for future redevelopment.

Section 4. That the consideration to be paid to ODOT for this property shall not exceed \$1.00 and other valuable considerations which is determined to be fair market value.

Section 5. That at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property acquired from ODOT to CMHA, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

Section 6. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 7. That the consideration to be paid by CMHA for this property shall not exceed \$1.00 and other valuable considerations which is determined to be fair market value.

Section 8. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to affect the purposes of this ordinance.

Section 9. That all costs of acquiring, accepting and recording the land shall be paid from the fund approved by the Director of Finance.

Section 10. 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.

Referred to the Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development, Planning and Sustainability; and Finance.