

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, line 9, after "agreements;" insert "establishing the Site Readiness and Neighborhood Investment Subfund;".
2. In the first whereas clause, line 2, after "sites" insert ", including the remediation and redevelopment of City-owned sites,"; and in line 4, after "provide" strike "professional" and insert ", or cause to provide,".
3. In Section 1, line 1, after "That" insert ", notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976,"; and at the end, strike the period after "Control" and insert "and shall not exceed two percent (2%) annually of the total amount certified to this ordinance. Any amount exceeding those percentages shall require additional legislative approval.".
4. In Section 2, strike item (1), in its entirety and insert:
"(1) The creation of a board composed of representatives from the City and other entities investing funds into the Project to select remediation and site assembly projects along with other duties related to the Project. The board shall be comprised of three (3) appointments by the Mayor, three (3) appointments by the Council President, and three (3) appointments made by the Mayor and the Council President jointly to vote on behalf of and represent the City's interests in the Project and any such members who are City employees or officials shall serve as *ex officio* members of such board; and that the contract creating the board shall restrict the board to not more than nine (9) voting members; and zzzthe board shall also include three (3) non-voting members; and that the board's decisions regarding site assembly and remediation projects are conclusive and shall not be overruled by any other entity, as long as such decisions are consistent with the terms of this ordinance and the contract or contracts contemplated by this Section. If such decisions are determined by the Mayor or Council to be inconsistent with the terms of this ordinance or said contract or contracts, further legislative authorization will be necessary to resolve; and".
5. In Section 3, line 4, after "to provide", strike "any other".
6. In Section 3, at the end of the second paragraph insert "Except for any contract between the City and the County Land Bank, any contract entered into under this section over Fifty Thousand Dollars (\$50,000) shall require additional legislative authority.".
7. Insert new Section 3a to read as follows:

"Section 3a. That the member of Council in whose ward a site marketed for redevelopment is located shall be involved in the decision making process to determine disposition and end use of a site and have final approval over such decision."

8. In Section 5, at the end, insert the following: "Funds generated from site development activities shall be returned either to the Subfund or to the Site Readiness for Good Jobs Fund at percentages to be fixed by the Site Fund Advisory Board on an annual basis; provided, however, that the percentage shall not exceed fifty percent (50%) of the returns into the Subfund for the first ten (10) years."

9. In Section 6, line 3, strike "authorized by this ordinance" and insert "for the Project"; and at the end insert "No certification or transfer of funds over Fifty Thousand Dollars (\$50,000) is authorized without prior legislative approval."

10. Strike Section 7 in its entirety and insert new Section 7 to read as follows: "Section 7. That the Director of Finance is authorized to establish, manage, and implement a fund to provide grants for neighborhood improvements and economic development projects. Any contracts to be certified from the Subfund established herein shall require prior legislative authorization."

11. In Section 8, line 2, strike ", execute" and insert "and execute"; strike line 3 in its entirety and insert "certificates necessary to implement the Project."

12. In Section 9, line 4, strike "executive" and insert "execute".

13. In Section 10 at the end, add the following: "All contracts entered into pursuant to this ordinance shall contain 1) a non-compete clause restricting the ability, while employed by consultant or the City, and for twelve (12) months after such employment has terminated, to engage directly or indirectly with any of entity purchasing sites under this ordinance for employee's own benefit or employment with such entity; and 2) a clause limiting the financial interest that an employee of the City or consultant may have in contracts entered into pursuant to this ordinance. Both clauses shall be applicable to all employees and consultants of the contractors and the City."

14. Insert new Sections 11a. and 11b. to read as follows:
"Section 11a. That the Director of Economic Development shall report to Council on the first anniversary of the execution date of any contract authorized under Section 1, and every year thereafter, the progress and accomplishments made under any such agreement. If Council believes, after any such report, that the contract or contracts entered into pursuant to Section 1 are no longer an effective way to implement the Project, Council may repeal the authorization for said contracts and said contracts shall be terminated.

Section 11b. That unless otherwise terminated pursuant to Section 11(a), the contract or contracts authorized under Section 1 shall terminate no later than five (5)

years after the effective dates of said contracts unless additional legislative authorization to extend the contract or contracts is obtained from Council.”.

15. In Section 12, line 3, strike “Sections 6 and 7, respectively” and insert “Section 6”; in line 4, strike “be paid from shall”; in beginning in line 5, strike “and from any other funds approved by the Director of Finance,”; and beginning in line 6, strike “That the costs of the agreements authorized by Section 7 of this ordinance shall be paid from Fund No. 10 SF 978.”.

Date: _____ (Signed): _____

Kevin Roberts
Assistant Director of Law

Ord. No. 487-2023