



City of Cleveland Memorandum
Justin M. Bibb, Mayor

April 3, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, April 3, 2024 at 3:00 p.m. with Mayor Justin Bibb presiding.

MEMBERS PRESENT: Mayor Bibb, Acting Director Comer, Directors Keane, Francis
Acting Director Laird, Director Margolius, Interim Director
Drummond, Directors Hernandez, Cole, McNair, McNamara,
Martin O'Toole

ABSENT: Director Abonamah

OTHERS PRESENT: Tyson Mitchell, Director
Office of Equal Opportunity

Emily Holt, Administrator
Aging Department

Macoy Pizzute, Fiscal Manager
Building & Housing

Tomasz Kacki, Paralegal
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted.
There being no further business, the meeting was adjourned at 3:02 p.m.

A handwritten signature in black ink, appearing to read "Jeffrey B. Marks".

Jeffrey B. Marks
Secretary – Board of Control

BOARD OF CONTROL

Received

3/21/24

Approved

4/01/24

Adopted

4/3/24

Secretary

T. J. Hernandez

RESOLUTION No. 167-24

BY: Director Hernandez

WHEREAS, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, under the Program, the City has acquired Permanent Parcel Nos. 120-08-037, 120-08-038, 120-08-068, 120-08-070, 120-08-071, 120-08-072, 120-08-073 and 120-08-074 located on East 111th Street and East 112th Street; and

WHEREAS, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

WHEREAS, Ward Empire Construction LLC has proposed to the City to purchase and develop the parcels for new single family construction; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Ward Empire Construction LLC, for the sale and development of Permanent Parcel Nos. 120-08-037, 120-08-038, 120-08-068, 120-08-070, 120-08-071, 120-08-072, 120-08-073 and 120-08-074 located on East 111th Street and East 112th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be \$25,130.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Comer, Directors Keane, Francis Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah

DEO
W/HVED

BOARD OF CONTROL

RESOLUTION No. 168-24

Received 3/21/24

Approved 4/05/24

Adopted 4/3/24

BY: Director O'Toole

Jeffrey Keane
Secretary

WHEREAS, under the authority of Section 3116.04, Codified Ordinances of Cleveland, Ohio, 1976 ("C.O.") and Board of Control Resolution No. 175-23, adopted April 19, 2023, the City, through the Director of Building and Housing ("Director"), entered into City Contract No. PS2023*0114 with Cuyahoga Soil and Water Conservation District ("Cuyahoga SWCD") for technical assistance services related to NPDES-covered construction activities including initial plan review, subsequent plan review, site inspection and the preparation of all financial and programmatic reports necessary to regulate the use of environmental controls on construction activity in the City of Cleveland, before and during active construction, minimum control measures (MCM) 4, under the Ohio Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permits No. OHQ000004 and OHC000006, for one year with one option to renew for an additional consecutive one-year term, for \$110,000 for each of the initial and optional renewal years; and

WHEREAS, costs associated with the Cuyahoga SWCD 2024-2025 Active Construction Memorandum of Understanding would require an additional \$12,500.00 for the optional renewal year, if exercised, resulting in compensation of \$122,500.00 for that year; now, therefore,

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that Resolution No. 175-23, adopted by this Board April 19, 2023, authorizing the Director to enter into contract with the Cuyahoga SWCD to regulate the use of environmental controls on construction activity in the City of Cleveland before and during active construction, minimum control measures MCM 4, is amended by increasing the stated compensation for the optional renewal year, if exercised, to not to exceed \$122,500.

BE IT FURTHER RESOLVED that the Director is authorized to enter into a first amendment to Contract No. PS2023*0114 with Cuyahoga SWCD to increase the compensation payable for the optional renewal term, if exercised, to \$122,500.00.

- Yeas: Mayor Bibb, Acting Director Comer, Directors Keane, Francis Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole
- Nays: None
- Absent: Director Abonamah

OCU
HVED

BOARD OF CONTROL

RESOLUTION No. 169-24

Received

3/21/24

Approved

4/02/24

Adopted

4/3/24

BY: Director O'Toole

Jeffrey S. Alcock
Secretary

WHEREAS, under the authority of Section 3116.04, Codified Ordinances of Cleveland, Ohio, 1976 ("C.O.") and Board of Control Resolution No. 176-23, adopted April 19, 2023, the City, through the Director of Building and Housing ("Director"), entered into City Contract No. PS2023*0115 with Cuyahoga Soil and Water Conservation District ("Cuyahoga SWCD") for technical assistance services related to NPDES-covered post construction activities including plan review, subsequent plan review, site inspection and the preparation of all financial and programmatic reports necessary to regulate the use of environmental controls on post construction activity in the City of Cleveland, during post construction, minimum control measures (MCM) 5, under the Ohio Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permits No. OHQ000004 and No. OHC 000006, for one year with one option to renew for an additional consecutive one-year term, for \$21,250 for each of the initial and optional renewal years; and

WHEREAS, costs associated with the Cuyahoga SWCD 2024-2025 Active Construction Memorandum of Understanding would require an additional \$5,250 for the optional renewal year, if exercised, resulting in compensation of \$26,500 for that year: now, therefore,

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that Resolution No. 176-23, adopted by this Board April 19, 2023, authorizing the Director to enter into contract with the Cuyahoga SWCD to regulate the use of environmental controls on construction activity in the City of Cleveland post construction, minimum control measures MCM 5, is amended by increasing the stated compensation for the optional renewal year, if exercised, to not to exceed \$26,500.

BE IT FURTHER RESOLVED that the Director is authorized to enter into a first amendment to Contract No. PS2023*0115 with Cuyahoga SWCD to increase the compensation payable for the optional renewal term, if exercised, to \$26,500.

Yeas: Mayor Bibb, Acting Director Comer, Directors Keane, Francis Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Director Abonamah