



December 15, 2025
Regular Meeting
7:30 PM

Cleveland Heights City Hall
Council Chambers
40 Severance Cir
Cleveland Heights, Ohio

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

- 1) **Meeting called to order by Council President**
- 2) **Roll Call of Council Members**
- 3) **Excuse absent members**
- 4) **Amendments to the Agenda (if necessary)**
- 5) **Approval of minutes from previous meeting(s)**
- 6) **Cleveland Heights-University Heights Student Report**
- 7) **Communications from the Mayor**
- 8) **City Administrator's Report**
- 9) **Departmental Report(s)**
- 10) **Report of the Clerk of Council**
- 11) **Public Comment - Legislative Agenda Items only**
(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).
- 12) **Public Comment - General**
(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).
- 13) **LEGISLATION**
Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation;

(F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.

a. First Readings – Consideration of Adoption Requested

RESOLUTION NO. 260-2025(PSH): First Reading. A Resolution to suspend enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2026, or at such earlier time as Council may subsequently prescribe, on specified streets; providing for on-street overnight permit parking on specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

RESOLUTION NO. 261-2025(PD): First Reading. A Resolution authorizing the Mayor to execute a contract with ZoneCo to assist in preparing 2026 Zoning Code Updates for the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 262-2025(COTW): First Reading. An Ordinance declaring a vacancy on Cleveland Heights City Council effective January 1, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Larson

RESOLUTION NO. 263-2025(AS): First Reading. A Resolution authorizing the renewal of the City's property, vehicle, law enforcement, general, employment practices, and public official liability coverage for the City and its employees with the Public Entities Pool of Ohio for the calendar year 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 264-2025(CRR): First Reading. An Ordinance authorizing the Mayor to enter into a concession agreement with Marybeth McCann in order to let space at the Cleveland Heights Recreation Center with the goal of providing safe, quality, and consistent exercise classes to members of the public; and declaring the necessity that this legislation

become immediately effective as an emergency measure.

Introduced by Mayor Cuda

RESOLUTION NO. 265-2025(PSH): First Reading. A Resolution ratifying a grant agreement with the Ohio Traffic Safety Office to accept funding awarded through the *Impaired Driving and Selective Traffic Enforcement Programs*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 266-2025(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 011-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 267-2025(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 011-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025 and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

RESOLUTION NO. 268-2025(PD): First Reading. A Resolution authorizing the Mayor to execute agreements with the City of Shaker Heights, Ohio and the Northeast Ohio Regional Sewer District to provide for the construction, cost sharing, and maintenance of amenities included as part of the Horseshoe Park Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

b. Second Readings

RESOLUTION NO. 251-2025(F): Second Reading. A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2025 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 252-2025(PSH): Second Reading. An Ordinance authorizing the renewal of an agreement with the Cuyahoga County General Health District for the provision of public health services to the City and its residents; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

RESOLUTION NO. 253-2025(PSH): Second Reading. A Resolution adopting the City of Cleveland Heights Cybersecurity Program in accordance with Ohio Revised Code Section 9.64(C); and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 254-2025(AS): Second Reading. An Ordinance amending Chapter 142, "Arts Commission," of the Codified Ordinances of Cleveland Heights, Ohio, and to repeal its prior inconsistent provisions.

Introduced by All City Councilmembers and Mayor Cuda

ORDINANCE NO. 255-2025(AS): Second Reading. An Ordinance amending Section 140.02, "Members," of Chapter 140, "Cleveland Heights Climate and Environmental Sustainability Committee," of the Codified Ordinances of Cleveland Heights to expand the resident membership of the Committee from seven (7) to nine (9) members to allow for greater resident participation.

Introduced by Councilmember Cobb

ORDINANCE NO. 256-2025(COTW): Second Reading: An Ordinance authorizing the Mayor to enter into an agreement with the Coventry Village Special Improvement District, Inc. ("Coventry SID") for an advance of Forty Thousand Dollars (\$40,000) at zero percent (0%) interest; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Larson

RESOLUTION NO. 257-2025(COTW): Second Reading. A Resolution providing for a contribution to the 2025 Coventry Winter Festival and Lantern Parade, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Larson

ORDINANCE NO. 258-2025(PD): Second Reading. An Ordinance authorizing the Mayor to execute a property transfer and indemnification

agreement with RP Derbyshire LLC concerning the real property located at 2450 Derbyshire Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

ORDINANCE NO. 259-2025(PD): Second Reading. An Ordinance amending Ordinance 12-2020, passed on February 18, 2020, to extend the term of that certain Tax Increment Financing exemption under Ordinance 12-2020 for an additional thirty years, pursuant to Ohio Revised Code Section 5709.51; and authorizing additional instruments, agreements, certificates, and other documents deemed necessary in connection therewith; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

c. Third Readings

ORDINANCE NO. 226-2025(PD): Third Reading. An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone.

Introduced by Mayor Cuda

ORDINANCE NO. 227-2025(PD): Third Reading. An Ordinance changing the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road.

Introduced by Mayor Cuda

ORDINANCE NO. 241-2025(F): Third Reading. An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2026 through December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

14) Committee Reports

a. Public Safety and Health Committee

15) Old Business

16) New Business

17) Council Member Comments

(Note: Council comments should directly relate to the business of the City of Cleveland Heights, rather than personal reflection or commentary. A maximum 3-minute time limit applies, but the Council President may reduce time limit based on the volume of business on the agenda, the time of evening, or other similar factors.)

18) Council President's Report

19) Adjournment

NEXT MEETING OF COUNCIL: JANUARY 5, 2026 (ORGINIZATIONAL MEETING)

Proposed: 12/15/2025

RESOLUTION NO. 260-2025(PSH), *First Reading*

By Mayor Cuda

A Resolution to suspend enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2026, or at such earlier time as Council may subsequently prescribe, on specified streets; providing for on-street overnight permit parking on specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights prohibits parking of any vehicles on any street in the City of Cleveland Heights between the hours of 3:00 a.m. and 6:00 a.m., with the exception of a physician making an emergency call.

WHEREAS, there is insufficient off-street parking for the residents and guests of certain City streets which are hereafter named, due to a high concentration of older apartment buildings with inadequate garage space; and

WHEREAS, the Mayor has thus declared an emergency to exist on such streets and has recommended that all-night parking be permitted; and

WHEREAS, additional resident parking is also necessary on Kensington Road between Lee Road and Cottage Grove Road and on Hillcrest, Belmar, Glenmont and Eddington Roads between Mayfield Road and Avondale Road in response to which this Council previously initiated a program to implement overnight on-street permit parking on the aforementioned streets; and

WHEREAS, it would be in the best interest of the City and its residents to continue the above described overnight on-street permit parking program and to allow overnight parking on the streets where the Mayor has recommended.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The aforementioned regulations contained in Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights shall remain in full force and effect upon all streets not specifically enumerated below, but the enforcement thereof shall be temporarily suspended for the period ending December 31, 2026, or at such earlier time as Council may subsequently prescribe, on the following-described streets in the City of Cleveland Heights.

1. Mayfield Road from the Westerly line of Eddington

RESOLUTION NO. 260-2025(PSH)

Road west to Coventry Road.

2. Euclid Heights Boulevard from Coventry Road to Edgehill Road.
3. Derbyshire Road from Euclid Heights Boulevard to Norfolk Road.
4. The entire length of the east side of Surrey Road.
5. Bellfield Avenue from Cecil Court Southerly to North Park Boulevard.
6. Middlehurst Road from Mayfield Road to the south side of Hampshire Road.
7. South side of Hampshire Road from Hampshire Lane to Coventry Road.
8. Grandview Avenue from Cecil Place Southerly to West St. James Parkway.
9. Superior Park Drive from North Taylor Road to South Compton Road.
10. Yorkshire Road from Lee Road, extending in an Easterly direction on the south side to a point coinciding with the Westerly property line of a single-family home identified as 3220 Yorkshire Road, and extending in a Westerly direction on the south side of Yorkshire Road to a point coinciding with the Easterly property line of the first single-family home on Yorkshire Road west of Lee Road.
11. Norfolk Road between Cedar Road and Derbyshire Road.
12. East side of Overlook Road from south of the Edgehill Road intersection in front of PPN 685-03-057 to the northern driveway of 2300 Overlook Road, PPN 685-02-002.

SECTION 2. The Mayor is authorized to issue permits to residents and owners of property on Kensington Road between Lee Road and Cottage Grove Road which will allow such permit holders to park either in Municipal Lot No. 16 or overnight on Kensington Road between Lee Road and Cottage Grove Road. Such permits will be available for sale for a period from January 1, 2026, through December 31, 2026, at a cost of One Hundred Fifteen Dollars (\$115.00) per calendar quarter.

SECTION 3. The Mayor is additionally authorized to issue permits to residents

RESOLUTION NO. 260-2025(PSH)

and owners of property on Hampshire Road to park overnight on the area between Hampshire Lane and Overlook Road at Euclid Heights Boulevard. Such permits shall be available for sale from January 1, 2026, through December 31, 2026, at a cost of One Hundred Fifteen Dollars (\$115.00) per calendar quarter.

SECTION 4. The Mayor is further authorized to issue permits to residents and owners of property on Hillcrest, Belmar, Glenmont and Eddington Roads between Mayfield Road and Avondale Road to park overnight on the owner's or resident's street in the area between Mayfield Road and Avondale Road. Such permits shall be available for sale for a period from January 1, 2026, through December 31, 2026, at a cost of One Hundred Fifteen Dollars (\$115.00) per calendar quarter.

SECTION 5. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 6. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 7. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the necessity of having this regulation in effect and of benefit to the residents at the earliest time possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

RESOLUTION NO. 260-2025(PSH)

PASSED:

Presented to Mayor: _____

Approved: _____

TONY CUDA
Mayor



Date: December 15, 2025

To: City Council

From: Eric Zamft, Director of Planning, Neighborhoods & Development

Subject: ZoneCo - 2026 Zoning Code Update Award

Purpose Statement: To authorize the Mayor to execute a contract with ZoneCo for an amount not-to-exceed \$222,170.00 to assist in preparing 2026 Zoning Code Updates for the City of Cleveland Heights. Budget is available in the Department of Planning, Neighborhoods & Development's consultant line (101.5101.2055.0).

Zoning is the regulatory framework to control land use and development. The City's zoning regulations are contained in Part Eleven – Zoning Code, of the Codified Ordinances of the City of Cleveland Heights (the "Zoning Code"). The current Zoning Code presents property owners, business owners, developers and builders, residents, and City staff with a variety of challenges, many of which have grown in prevalence as the Code ages. In addition, the Code does not reflect and does not incentivize filling missing middle housing gaps, including typologies such as "tiny homes".

As a result, the Department of Planning, Neighborhoods & Development has shared in the course of 2024 and 2025 with the Administration and Council the desire and importance of doing an extensive update to the Zoning Code. The City therefore seeks retaining a consultant or consultant team to assist in this update to allow for outside, technical expertise that can complement robust engagement. This has been deemed a priority of the Department, to the extent that budget has been allocated in the 2025 consulting budget.

On or about October 22 2025, a Request for Proposals ("RFP") was issued by the City for a consultant to assist in the preparation of Zoning Code Updates in 2026. The City received six (6) responses that were reviewed, five (5) of which were deemed complete were received and reviewed. A tabulation of the respondents is included in this agenda item. A short-list of two (2) firms were short-listed to interview – both of which were qualified and in the same general cost range – MAKERS architecture and urban design and ZoneCo. Their proposals are included in this agenda item.

After the interviews, reaching out to references, and internal discussions, staff from Planning, Neighborhoods & Development recommends that ZoneCo, teamed with OHM Advisors, City Architecture, and Urban3, would provide the best service to the City. Among the reasons for this recommendation are that: ZoneCo is already working with the City on updating its Sign Regulations, has extensive experience in zoning code updates, is working in neighboring communities such as University Heights and Shaker Heights, has a project lead that is an attorney – having served as the City of Cincinnati’s land use attorney for many years, have assembled a team with local experience and knowledge – specifically OHM and City Architecture, which have employees that are residents of the City, and have included a team member – Urban3 – that is a leader in providing the economic impacts of zoning.

The Director of Planning will be present at the December 15, 2025 Committee of the Whole meeting to detail further this recommendation and answer any questions.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? It would allow the contract to be signed and the project to begin.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? It would allow the contract to be signed and the project to begin.

If funding is required, is it already budgeted for? Yes: X No: _____

If not already budgeted for, where will funding come from?

Proposed: 12/15/2025

RESOLUTION NO. 261-2025(PD), *First Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to execute a contract with ZoneCo to assist in preparing 2026 Zoning Code Updates for the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, zoning is the regulatory framework to control land use and development; and

WHEREAS, the City's zoning regulations are contained in Part Eleven – Zoning Code, of the Codified Ordinances of the City of Cleveland Heights (the “Zoning Code”); and

WHEREAS, the current Zoning Code presents property owners, business owners, developers and builders, residents, and City staff with a variety of challenges, many of which have grown in prevalence as the Code ages; and

WHEREAS, much has changed in the over 100 years since the Zoning Code was originally adopted and the pace at which changes have been made have not kept up with changes in society, the economy, and the City's needs; and

WHEREAS, in addition, the Code does not reflect and does not incentivize filling missing middle housing gaps; and

WHEREAS, as a result, the Department of Planning, Neighborhoods & Development has shared in the course of 2024 and 2025 with the Administration and Council the desire and importance of doing an extensive update to the Zoning Code; and

WHEREAS, the City therefore seeks retaining a consultant or consultant team to assist in this update to allow for outside, technical expertise that can complement robust engagement; and

WHEREAS, on or about October 22, 2025, a Request for Proposals (“RFP”) was issued by the City for a consultant to assist in the preparation of Zoning Code Updates in 2026; and

WHEREAS, the City received six (6) responses, five (5) of which were deemed complete; and

WHEREAS, each of the responses were first reviewed by staff from the Department of Planning, Neighborhoods & Development; and

RESOLUTION NO. 261-2025(PD)

WHEREAS, after evaluating responses, two (2) teams were short-listed to interview with staff from the Department of Planning, Neighborhoods & Development and Law: 1) MAKERS architecture and urban design and 2) ZoneCo; and

WHEREAS, after the interviews, reaching out to references, and internal discussions, staff from Planning, Neighborhoods & Development recommends that ZoneCo, offices located at 1502 Vine Street, 4th Floor, Cincinnati, Ohio 45202, teamed with ZoneCo, teamed with OHM Advisors, City Architecture, and Urban3, would provide the best service to the City; and

WHEREAS, the cost of the services to be provided by ZoneCo, including optional tasks, is not to exceed Two-Hundred and Twenty-Two Thousand and One-Hundred and Seventy Dollars (\$222,170.00); and

WHEREAS, this Council wishes to authorize a contract with ZoneCo, to assist in preparing 2026 Zoning Code Updates for the City of Cleveland Heights.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute a contract with ZoneCo to assist in preparing 2026 Zoning Code Updates for the City of Cleveland Heights for the services detailed therein shall not exceed \$222,170.00. All agreement hereunder shall be approved as to form by the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the project to begin as soon as possible to better align the City's zoning standards with best practices at the earliest possible time. Provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 261-2025(PD)

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

TONY CUDA
Mayor

City of Cleveland Heights, Ohio



2026 Zoning Code Update

Request for Proposals (RFP)

RFP Issued: **October 22, 2025**

Questions Due: **October 30, 2025**

Response Deadline: **November 17, 2025 at 5:00 PM EST**

Questions Directed to: planning@clevelandheights.gov

CITY OF CLEVELAND HEIGHTS
2026 ZONING CODE UPDATE RFP
TABLE OF CONTENTS

I. INTRODUCTION 1

II. SCOPE OF WORK..... 6

III. PROJECT SCHEDULE & BUDGET11

IV. SUBMITTAL REQUIREMENTS12

V. EVALUATION CRITERIA14

VI. PROPOSAL SCHEDULE 15

VI. ADMINISTRATIVE INFORMATION.....16

I. INTRODUCTION

The City of Cleveland Heights is seeking proposals from highly creative and qualified consultants to assist in modernizing and updating its Zoning Code to reflect the sustainability, equity, and historical values of the community. This Request for Proposals (RFP) describes the project, the anticipated Consultant responsibilities and scope of work, the consultant selection process, and the minimum information that must be included in the proposal

BACKGROUND

The City of Cleveland Heights, Ohio (the “City”) is an inner ring suburb of the City of Cleveland. With a current population of 45,312, Cleveland Heights is the 20th largest city in the State of Ohio and the 9th densest. Among the characteristics that make Cleveland Heights a place where “All are Welcome” are its 12 business districts and diverse and historic residential neighborhoods. The vast majority of the City is developed with single-family homes in those residential neighborhoods, with some concentrations of two-family and multi-family/mixed-use buildings in particular parts of the City nearest the business districts. Cleveland Heights has a “missing middle” like many communities throughout the Country.

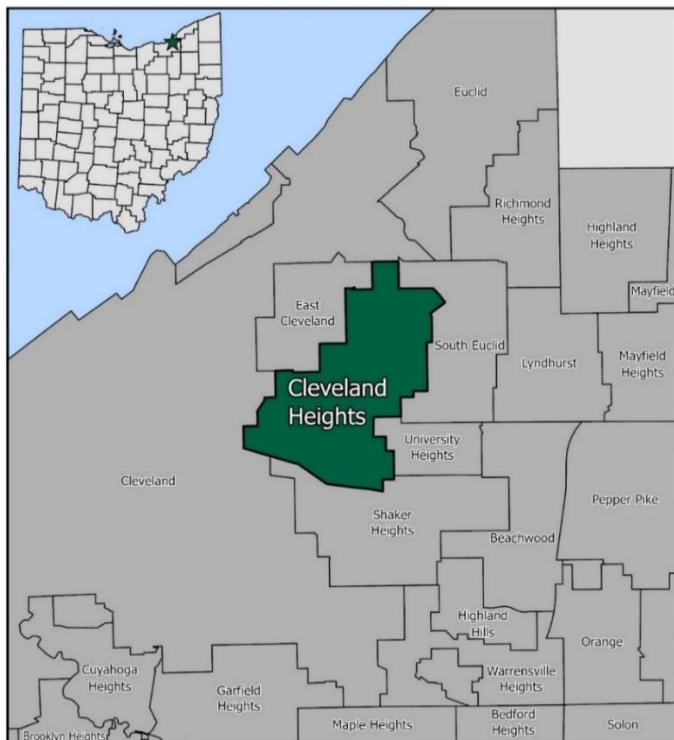


Figure 1, Cleveland Heights location map

The City of Cleveland Heights first adopted a Zoning Code in 1921 – the first zoning code to be adopted in the State of Ohio. Since that time, it has been updated through a patchwork of zoning text amendments and zoning map changes. In 2012, the City embarked on a robust effort to make its zoning code more sustainable, resulting in a relatively comprehensive review of the code at the time. Some, but not all of the recommendations were adopted. In 2017, the City adopted the City of Cleveland Heights Master Plan, which contains a number of zoning recommendations that have not been adopted. Starting in 2021, City staff has worked closely with the Planning Commission to

conduct a yearly Annual Code review. These reviews, along with project-specific initiatives, have resulted in a number of recent changes to the Zoning Code.

The City's most recently adopted version of the Zoning Code can be found here (February 18, 2025): <https://codehub.gridics.com/us/oh/cleveland-heights>

The City's most recently adopted version of the Zoning Map can be found here (April 7, 2025): <https://map.gridics.com/us/oh/cleveland-heights>

RECENT/CURRENT ZONING INITIATIVES/RELEVANT PLANNING INITIATIVES

It is understood that much of the scope of work requested in this RFP builds upon, develops, complements, and further refines previous and on-going plans and efforts within the City. These plans and efforts should inform the project. Below a number of the most relevant are discussed.

Recent Zoning Change

- Ordinance No. 10-2025 (2024 Planning Commission Annual Code review recommendations)
- Ordinance No. 245-2024 (Zoning Map Change for the Park Synagogue site) and Ordinance No. 109-2025 (Park Synagogue Development S-2 Development Plan and Standards)
- Ordinance No. 187-2023 (Changes to the C-2X Multiple-Use Zoning District to include form-based components) and Ordinance No. 188-2023 (Zoning Map Change to apply the C-2X District to portions of South Taylor Road)
- Ordinance No. 127-2023 (Changes to allow for the Shared Spaces Program)
- Ordinance No. 25-2023 (2023 Planning Commission Annual Code review recommendations)
- Ordinance No. 70-2021 (Changes to the enclosed private parking standards)

(Former) Livable Neighborhoods Initiative

In an effort to balance the need for updating the City's zoning standards with the protection of the residential neighborhoods, the Planning Commission began discussing amending the zoning code to accommodate smaller places of worship since fall of 2022. Out of these initial discussions, the prior administration sought to combine a number of zoning objectives under one banner that was named the "Livable Neighborhoods Initiative". The Livable Neighborhoods Initiative looked to examine residential neighborhoods and potentially propose changes to zoning to make those neighborhoods more resilient and livable in the modern age. This is similar to what other communities across the United States are doing, often under the guise of "Missing Middle".

The Livable Neighborhoods Initiative had three (3) main components:

- Places of Worship – Ordinance No. 055-2025 was introduced and had a first reading at the City Council meeting on April 7, 2025. The Planning Commission reviewed and recommended approval of the legislation at its May 14, 2025 meeting. A public hearing was held by Council, with both some support and much opposition to the legislation. Mayor Seren withdrew the legislation on June 16, 2025. The City would like as part of this RFP to have an independent third party perspective on the issue – reviewing the City's current standards, the withdrawn legislation, and the comments received.
- Residential Typologies – Part of this RFP
- Non-Residential Uses in Residential Neighborhoods – Part of this RFP

The City seeks to more comprehensively undertake elements of this initiative via this RFP and include them as part of this larger assessment of our Zoning Code.

Sign Regulations Update / Landscape Requirements

On June 30, 2025, the City retained ZoneCo to evaluate the sign regulations contained within the Zoning Code (Chapter 1163). That project is on-going, with an anticipated completion by mid-2026. The selected consultant for this project is not expected to review the sign regulations or the proposals of that project, but the City expects there to be some coordination between the two (2) projects in order to align regulations as necessary. Separately, the City is utilizing RDL Architects assist in updating the Landscape Requirements found in Chapter 1166.

Accessory Dwelling Units (ADUs)

The City has been researching Accessory Dwelling Units (ADUs) as an approach to allow our neighborhoods to be resilient for the modern age. So far, this research has included a study completed by Cuyahoga County Planning Commission (July 2024) and a design competition funded by AARP (December 2024). The Department has been spending 2025 working with the County Planning Commission on potential zoning changes – changes that would be necessary to allow ADUs in Cleveland Heights. In order to enhance our understanding of what is necessary from a zoning and construction perspective, the City retained Kronberg Urbanists + Architects who are national experts on ADUs. As part of their collaboration with the City, Kronberg Urbanists + Architects provided an educational presentation to staff on ADUs. The Department is gathering informal community input via a survey and will be holding community meetings in the Fall. It is anticipated that the City will introduce the proposed amendments in early 2026. It is not anticipated that as part of the scope of this RFP that the consultant review or comment on those proposed changes. Rather they should be considered and integrated into any zoning code updates that result from the project.

Severance Town Center

MPACT Collective is the master developer for the Severance Town Center site. MPACT has proposed an optional, form-based overlay district – Severance Overlay Zone. The proposed zoning change is anticipated to have a 1st Reading by City Council on November 3, 2025 where it will be referred to the Planning Commission. The Planning Commission is anticipated to hold public meetings on the referral in November and December of 2025. It is anticipated that the proposed zoning could be adopted by the end of 2025.

Housing Needs Assessment

The City is anticipating retaining a consultant to prepare a Housing Needs Assessment on November 3, 2025. That project is anticipated to commence in the fall. A major component of the Housing Needs Assessment will be identifying policy changes – including potentially zoning changes – that create more housing opportunities within the community. The City will coordinate both projects so that not only will the Housing Needs Assessment inform the Zoning Update, but vice versa as well. The retained consultant for the Housing Needs Assessment will not be precluded from submitting a proposal for the Zoning Update.

Infill Housing & Mixed-Use Development

The City has seen a number of new mixed-use developments proposed, approved, and under construction. These include: Top of the Hill, Cedar-Lee-Meadowbrook, Nobility Court, Cain Park Village, and redevelopment of the Park Synagogue property. The City has also been pursuing the solicitation of infill housing developments on its approximately 200 City-owned, vacant lots. In both the recent mixed-use developments and the attempts at infill housing, the existing zoning regulations have been one of the primary barriers.

Other Plans/Studies/Initiatives

There are a number of other local and regional plans and initiatives that serve as example and inspiration for the project:

- [Cleveland Heights Historic Preservation Design Guidelines](#)
- [City of Cleveland Heights Climate Forward Plan](#)
- Cuyahoga County Planning Commission projects
 - [South Euclid MU-TOD Zoning Code Update](#)
 - [North Olmstead Mall Area Mixed-Use Overlay District and Design Guidelines](#)
 - [TOD Zoning Study](#)
 - [Single-Family Zoning Analysis](#)
- [City of South Euclid Residential Infill Overlay District](#)
- [Housing Ohio: Tools for Development](#)
- [City of Cleveland Form-Based Code](#)
- [City of Cincinnati Connected Communities](#)

PROJECT INTENT AND MAJOR COMPONENTS OF UPDATE

The current Zoning Code presents property owners, business owners, developers and builders, residents, and City staff with a variety of challenges, many of which have grown in prevalence as the Code ages. Much has changed in the over 100 years since the Zoning Code was originally adopted and the pace at which changes have been made have not kept up with changes in society, the economy, and the City's needs. In addition, the Code does not reflect and does not incentivize filling missing middle housing gaps. The intent of this project is to update the Zoning Code in a way that is responsive to market and community needs, but specifically speaks to the City's character. The update should shift the focus from primarily the use of land to the physical character of development. While not a complete zoning code re-write, the final product should be a set of amendments that are innovative, intuitive, highly-illustrative, and user-friendly.

Again, the intent of this project is not to completely re-write the zoning code. Rather, it is to update and refine the current code. That being said, the following are major components of the zoning regulations that the City desires to see updated. These should be considered the minimum scope of changes that the project would address. However, the City fully expects there to be other changes recommended by the Consultant, Staff, Council, Planning Commission, or public through the process:

- General review of the Zoning Code and code clean-up; review of consistency against State and Federal laws
- Residential typologies and densities, including, but not limited to zoning related to "tiny homes", "missing middle", infill housing, and promoting "gentle density"
- Permitting non-residential uses in residential districts
- Review of standards related to transitional and supportive housing, including how the City currently evaluates household status; how the current standards fit with Federal Fair Housing laws
- Housing affordability, including the potential for inclusionary zoning standards (e.g., units or payment-in-lieu)
- Review current review and approval process; Identify areas for streamlining the process to be predictable and consistent, including, but not limited to the role of the Zoning Administrator and its flexibility to administer and approve, as well as public notification requirements and associated process
- Review of outstanding 2012 Sustainability Zoning and 2017 Master Plan recommendations
- Review of zoning recommendations from City's Climate Forward Plan; consideration of conservation zoning standards

- Assess existing Zoning Code and any proposed zoning code changes through an equity and inclusion lens, drawing on best practices for more equitable zoning
- Evaluate need for subdivision regulations / create flexibility for sustainable options for infrastructure related to development
- Review fees against best practices
- Improve upon parking and loading standards to reflect best practices
- Review and update provisions related to non-conformities against the realities of financing
- Move the code to a form-based direction; consider form-based regulations, design guidelines, pre-approved plans and/or objective design standards
- Evaluate the Zoning Map for inconsistencies and other improvements
- Examine standards related to auto uses so that they can best fit and serve the community
- Identify ways to simplify and clarify provisions to be user-friendly, such as improving formatting, text, and/or adding graphics or tables; integrate Gridics capabilities
- Compare neighboring municipalities zoning codes, Cuyahoga County Planning Commission zoning initiatives, and industry best practices to assess the City's economic competitiveness and how best to align for regional consistency where advisable

RESPONSIBILITIES

The selected Consultant is anticipated to have the following responsibilities:

1. The overall management and preparation of the zoning code updates;
2. Collaboration and engagement with City staff, the Planning Commission, and City Council;
3. Leading stakeholder and community engagement; and
4. Creation of deliverable products.

The City is anticipated to have the following responsibilities:

- Project management;
- Provision of all existing documents and data, including GIS files;
- Participating and helping to schedule stakeholder and community engagement; and
- Facilitating coordination with elected and appointed officials.

RFP INFORMATION

One (1) electronic version of the proposal shall be received by the City no later than **November 17, 2025 at 5:00 PM**. The required electronic version of the proposal must be emailed to planning@clevelandheights.gov.

If an applicant chooses to submit hard copies in addition to the electronic copy, it should be mailed or hand delivered (to the dropbox outside of City Hall) to:

City of Cleveland Heights
Department of Planning, Neighborhoods & Development
Attn: Eric Zamft, AICP
40 Severance Circle
Cleveland Heights, OH 44118

II. SCOPE OF WORK

The Consultant will develop a final scope of work in conjunction with City staff, but the City contemplates it including the following tasks. The respondent may propose additional/optional tasks to be incorporated as part of the scope of work. Should one (1) or more items be considered by the Consultant as irrelevant or superfluous, please indicate this in the response.

TASK 1: PROJECT INITIATION

The Consultant will meet with City staff to refine the zoning issues to be addressed/discuss the scope of the project, assess the available documents/data to review, confirm the project schedule, and introduce options for stakeholder & community engagement (see Task 4). As part of this project initiation, advancing Places of Worship changes as an early action item/task will be discussed (see Task 5). An ultimate decision on Task 5 as an early action item will be made in conjunction with City Council early on in the project.

Deliverable(s):

- Notes from Kick-Off meeting, including points of contact, final zoning issues to be addressed/scope of work, and schedule.

TASK 2: BACKGROUND REVIEW, DATA COLLECTION, AND ANALYSIS

Subtask 2.1: Review Existing Materials. The Consultant will become familiar with the existing materials related to the City, as noted in **Section I** of this RFP, specifically the City's existing Zoning Code; but also recently completed and ongoing studies that examine and make recommendations for the City's built environment.

Subtask 2.2: Community Character Analysis. The Consultant will become familiar with the physical details of the City and the historic and current patterns of urbanism and architecture in Cleveland Heights. Emphasis should be placed on understanding design transitions, site layout, architectural articulation, and public realm conditions.

Subtask 2.2: Audit of the Current Zoning Code. The Consultant shall review the City's current Zoning Code and provide a findings report identifying inconsistencies, outdated sections, and clarifications needed.

Subtask 2.3: Zoning Map Analysis. The Consultant shall evaluate the existing zoning map to determine any inconsistencies and/or the need to change district boundaries. Part of this analysis will include the Consultant making recommendations related to the need to rezone property or change zoning districts.

Subtask 2.4: Review Planning and Permitting Process and Procedures. The Consultant will assess recent project approvals and design review processes to understand common issues and priorities. Identify areas for streamlining the approval and permitting processes; update forms and fees.

Deliverable(s):

- Existing Code Review Memorandum that will serve as the starting point for the zoning text amendments/zoning map changes, to include:
 - Zoning code audit
 - Zoning Map analysis

- Community Character evaluation
- Review of planning and permitting processes

TASK 3: BEST PRACTICES

Research best code/ordinance practices. Examine nearby communities and their recent zoning efforts and its success, particularly in creating infill housing. Identify alternate approaches or models of codes/ordinances that can meet the City's intent, particularly the City's desire to move towards a form-based approach and using an equity and inclusion lens. Identify provisions found in other codes that the City may want to consider with input from stakeholders and the community (Task 4). Identify ways to simplify and clarify provisions, such as by improving formatting, text, and/or adding graphics or tables. As a sub-task, the Consultant should review the provisions of Renewing Opportunity in the American Dream (ROAD) to Housing Act of 2025 – should it be passed by Congress and signed into law – and identify any opportunities that it may present with regards to zoning, including any potential applications for funding.

TASK 4: STAKEHOLDER AND PUBLIC ENGAGEMENT

A hallmark of Cleveland Heights is the interest and participation of its residents, businesses, and property owners. However, engagement without a framework can lead to projects and initiatives that run off course and languish without completion. Typically, those segments of the population that are already engaged tend to be the ones who participate. This task will incorporate engagement activities that inform, consult, involve, empower, and collaborate with both decision-making leaders, key stakeholders, and the general public. This task will run concurrently and in conjunction with Tasks 2, 3, 5, 6, 7, and 8. Early efforts in the process should include educating the public about zoning and zoning trends, while listening and learning about stakeholder and public concerns. Later efforts may solicit responses to analysis findings and recommendations. Virtual engagement tools must ensure equitable and representative participation, but can be used to substitute and expand upon traditional in-person methods, including but not limited to: virtual public meetings; surveys; online visualizations; and social media tactics to solicit stakeholder feedback.

Subtask 4.1: Meeting with City Council and Planning Commission. As part of Task 1, the Consultant and City staff will discuss stakeholder & community engagement. This subtask will involve a joint meeting with City Council and the Planning Commission to establish the expectations for stakeholder & community engagement. This will ensure that the Consultant, staff, Planning Commission, City Council, and public are “on the same page” in terms of overall engagement.

Subtask 4.2: Stakeholder & Community Engagement Plan (SCEP). Based upon the discussion with Council and the Planning Commission in Subtask 5A, the respondent will develop a Stakeholder & Community Engagement Plan (SCEP). The SCEP will detail specific engagement methods that are uniquely tailored to involve a diverse range of audiences, including consideration of how to reach a diverse range of stakeholders who are representative of the City's geography and demographics. The SCEP will focus on equity and identify a diverse mix of key stakeholders, as well as residents to engage throughout the entire process. The SCEP will outline strategies to engage and include communities that typically are left out of decision-making on zoning, with opportunities for authentic and meaningful public engagement with an emphasis on broad and diverse input. While City staff is prepared to lead a portion of these outreach efforts, it is essential the respondent be available for on-site and/or virtual meetings. The SCEP should identify which tasks are appropriate and/or desirable for City staff to complete. Further, the SCEP should indicate what activities should be conducted using virtual tools vs. those that should be in-person.

Subtask 4.3: Stakeholder and Community Engagement Activities. Stakeholder and Public Engagement Activities may include:

- Convening a Technical Advisory Committee (TAC) of technical experts and stakeholders to meet with and advise the respondent and staff. Attend at least four (4) advisory committee meetings
- Community meetings and events with a focus on smaller meetings and conducting outreach such as tables at community events¹.
- Creation of on-line survey and/or virtual option to become informed or comment. An example could be holding a virtual meeting as a precursor to the public meetings listed above.
- Attending and presenting at meetings of City Council, the Planning & Development Committee of Council, Planning Commission
- Conduct interviews with key stakeholders and staff
- Creation of project website
- Creation of materials, visual presentations, or any other resources or materials necessary to engage the public, including digital formats for social media. The Consultant shall provide technical capabilities for graphically communicating needed information.

The Consultant may also hold additional community meetings, workshops, or focus groups as needed to obtain the information required for the study. Please include within your proposal your approach to stakeholder & community engagement and any additional community meetings, workshops, or focus groups as part of your work.

At the end of the project, the Consultant will summarize the stakeholder & community engagement and offer any suggestions on how to improve it moving forward.

Deliverable(s):

- Stakeholder & Community Engagement Plan (SCEP)
- Engagement materials
- Memorandum on overall stakeholder and community engagement, including summary and analysis of input

TASK 5: PLACES OF WORSHIP REVIEW AND RECOMMENDATIONS

The Consultant will review the withdrawn zoning text amendments related to places of worship and public comments received. The Consultant will discuss with the Planning and Law staff additional research that the staff conducted but was not integrated into the legislation due to its withdrawal this year by the previous administration and any additional research deemed necessary as a result of Consultant's initial review. After the initial review and discussion with staff, a workshop will be held with City Council and the Planning Commission to discuss their concerns about the proposed text amendments and determine if any changes should be pursued as an early action item or on its own. The consultant will then propose any potential changes to the zoning text amendments that may be pursued as an early action item on its own or integrated with the larger zoning updates (see Task 6). If pursued on its own, a clear schedule and timeline of public engagement will be established as part of the Stakeholder & Community Engagement Plan (Task 1).

¹ *This component is integral to the overall project and engagement task. The City encourages creative approaches. A respondent should indicate your team's overall philosophy and specific proposal for the type and frequency for these community meetings and events.*

TASK 6: PREPARATION AND ADOPTION OF ZONING TEXT AMENDMENTS/ZONING MAP CHANGES

The analyses/input collected as part of the previous tasks will lead to Zoning Text Amendments and Zoning Text Changes to be considered for adoption. These amendments/changes should integrate into the City's existing regulatory framework in a manner that ensures procedural consistency, meshes with both State and local legal requirements, provides clarity as to applicability of existing regulations, and maximizes the effectiveness of the Code. This task will have the following subtasks:

Subtask 6.1: Preparation of Administrative Draft Zoning Text Amendments/Zoning Map Changes. The consultant team will prepare an Administrative Draft of the zoning text amendments/zoning map changes and transmit it to City staff

- City staff will review the draft changes and provide comments

Subtask 6.2: Preparation of Public Review Draft Zoning Text Amendments/Zoning Map Changes. The consultant team will prepare a Public Review draft of the zoning text amendments/zoning map changes based upon staff comments

- The consultant team will present the draft changes at a public forum
- The draft changes will be posted on the City's website and made available for a time-limited public comment
- City staff will compile the comments on the draft changes and share with the consultant team

Subtask 6.3: Impact Analysis. In order to better understand the potential impacts of the proposed zoning changes and to help facilitate any public engagement, the Consultant will conduct a limited impact analysis. The impact analysis will be based upon a reasonable 25-year "build-out" that may occur under the proposed changes, that quantifies the potential number of new dwelling units, residential dwellings, and gross square feet of non-residential development. The impact categories could include:

- Land use patterns, community character, cultural resources
- Infrastructure and utilities (including Stormwater; Water Supply; Sanitary Sewer; Energy; and Solid Waste)
- Community facilities and services (including Schools; Police, Fire, Emergency Services, Parks)
- Transportation (including traffic, transit, and parking)
- Socioeconomics (including demographics, employment, and tax impacts)
- Sustainability and resiliency (including consistency with the Climate Forward metrics)

Subtask 6.4: Final Zoning Text Amendments/Zoning Map Changes. The consultant team will revise the zoning text amendments/zoning map changes, as necessary, to reflect those comments received by the public, key stakeholders, and staff. The consultant team will then finalize the changes, make it publish-ready, and transmit to the City

Subtask 6.5: Adoption. Although City staff will take the lead on pursuing adoption of the proposed changes, the Consultant will provide technical assistance as needed during the adoption process. In particular, the Consultant will:

- Assist in the preparation of staff reports and other materials as needed in connection with the presentation of the proposed ordinance(s) to the Council, Planning Commission, and the public
- Anticipate a minimum of presenting at least one (1) public hearing before Council and one (1) meeting before the Planning Commission
- Incorporate any changes to the ordinance(s) that might arise during the review process, from introduction through adoption

Deliverable(s):

- Administrative Draft Zoning Text Amendments/Zoning Map Changes
- Public Review Draft Zoning Text Amendments/Zoning Map Changes
- Impact Analysis Memorandum
- Final Zoning Text Amendments in digital format, including all graphic files
- Final Zoning Map Changes in digital format, including all ArcGIS files

OPTIONAL TASKS

The City is considering three (3) optional tasks. In the project budget, the cost of the items should be listed separately and independently.

Optional Task A - Zoning Handbook

An optional task is to prepare a simple user-guide/handbook for the public that explains how to use the updated Zoning Code. The handbook should be easy to understand with graphics and examples that demonstrate how the public can navigate the Code and find answers to frequently requested information (e.g., residential setbacks, lot coverage, commercial building signage, accessory structure standards, development standards, etc.). This should be provided in editable PDF format that is internally hyperlinked for easy navigation within the handbook.

Optional Task B – Infill Guidelines Handout

An optional task is to prepare a handout that is specifically tailored for infill development strategies and design standards or guidelines. The goal will be to provide an easy to understand guide that will help facilitate and streamline infill development.

Optional Task C – Build-Measure-Learn Tiny Home Project

In order to understand how tiny homes may or may not fit into the City, an optional task is to have a real world pilot a tiny home (or tiny home village) project on City-owned lot(s) – “build”. The pilot project then would be open for public comment and feedback – “measure”. That information would then be utilized to improve any standards related to tiny homes and/or decide on next steps – “learn”.

REQUIRED FORMS AND COPIES

Based on the Scope of Work described above, the selected Consultant will deliver one (1) storage device containing all images, drawings, plans, and documentation developed in the preparation of the Zoning Code Update.

III. PROJECT SCHEDULE & BUDGET

PROJECT SCHEDULE

Work is expected to begin in late-2025, after consultant selection, Council approval, and issuance of a Notice-to-Proceed. It is anticipated that the project will be completed in twelve (12) months. The City is open to alternative timelines so long as the proposal provides a rationale for why a shorter/longer timeline is desired.

PROJECT BUDGET

The City believes it has ample budget is available for this project, but has not set a budget range.

IV. SUBMITTAL REQUIREMENTS

All proposals submitted for consideration shall include, but not be limited to, the following components.

1. **Cover Page:** Submit RFP cover page on letterhead, signed by a duly authorized officer, employee, or agent of the responding party submitting the proposal. The cover page should include a statement that the proposal is submitted in response to the “*City of Cleveland Heights 2026 Zoning Code Update RFP*”. The cover page should contain the name, address and contact information, including email, of the main contact for the proposal.
2. **Statement of Qualifications and References:** Responding parties should include in their proposal with a Statement of Qualifications that includes the information below:
 - a. General description of the responding party or team, including size and length of time in business;
 - b. A summary of the responding party’s or team’s background and specific experience on similar projects;
 - c. List of completed pertinent zoning codes/ordinances, particularly within the context of a similarly sized city; and
 - d. Any qualifications not previously described that make the responding party or team unique.
3. **Personnel:** List key personnel and the anticipated roles which said personnel are expected to play on this project. Resumes for key personnel should be provided and include work location, education and licenses or certifications.
4. **Proposed Project Understanding and Approach:** Provide a written narrative describing the respondent’s understanding of the City’s request to prepare an update to the City’s Zoning Code, along with the respondent’s approach.
5. **Proposed Scope of Services with Deliverables:** The proposal should include a description of the scope of services and a list of the specific deliverables to be provided; this should include a work plan that identifies the major tasks to be completed, as well as any optional work tasks that the respondent thinks would be valuable in conducting.
6. **Proposed Timeline:** The proposal should include a timeline for the tasks noted above. The City anticipates a timeline of twelve (12) months, but is open to alternative timelines so long as the proposal provides a rationale for why a shorter/longer timeline is desired. The timeline should also include provisions for City staff and other reviews, revision of draft deliverables, and preparation of the final documents.
7. **References:** Provide three (3) references from other clients, especially public agencies, with whom the responding party or team currently works or worked in the past and has established a contract on a project of this nature, of same or similar size as that called for by this RFP. Provide the name of the agency, contact name, address, telephone number/email, project name, and dates the services were provided.
8. **Example Code/Ordinance:** Provide a copy of or a link to at least one (1) zoning code/ordinance that the responding party has completed.

9. **Cost Proposal:** Provide a cost proposal, including fees and/or number of billable hours and hourly rate of all named team members, and total cost. Any expenses that are to be included as part of your proposal must be listed as separate line items and must include both the total anticipated expenses to be claimed and nature of the expenses (e.g., office supplies, travel/lodging/meals, etc.).
10. **Statement on Minority, Women-Owned, Veteran-Friendly, Disadvantaged Business Enterprises, or Encouraging Diversity Growth and Equity Program (MBE/WBE/VBE/DBE/EDGE) Inclusion; Prevailing Wage and Local Hiring:** Include a statement regarding the participation of Minority, Women-Owned, and Veteran-Friendly, Disadvantaged Business Enterprises or Encouraging Diversity Growth and Equity Program certified businesses, as well as the use of commercially reasonable efforts to ensure that those employed on the project are local and paid at a prevailing wage rate to an extent reasonably practicable.
11. **Statement of Non-Discrimination:** Include a statement that the respondent will comply with all applicable federal, state and local laws with regard to fair employment practices and will not discriminate on the basis of the protected classes identified in Section 749.01 of the Cleveland Heights Codified Ordinances (e.g., age, race, color, religion, sex, familial status, national origin, disability, sexual orientation, or gender identity or expression) in connection with the Project.

V. EVALUATION CRITERIA

For all proposals deemed acceptable by the City, the evaluation criteria may include but not be limited to the following considerations:

- Completeness and quality of the proposal
- Project Approach / Understanding of Scope of Work / Understanding of Cleveland Heights
- Qualifications, Experience, and Relevant Knowledge
 - Zoning codes/ordinances
 - Planning and permitting processes
- Cost Proposal
- (If required) Interviews

VI. PROPOSAL SCHEDULE

1. **Issue Date:** The issue date of this RFP is **October 22, 2025**.
2. **Questions and Responses:** Questions and inquiries will be accepted by the City, but must be submitted **via email** to planning@clevelandheights.gov. The closing date for submitting written questions is **October 30, 2025**. A summary of all substantive questions and answers will be distributed via email to all responding parties and posted on the City's website. If necessary, amendments to the RFP will be posted on the City's website.
3. **Proposals Due:** To be eligible for consideration, all responding parties must submit:

ONE (1) ELECTRONIC VERSION OF THE PROPOSAL RECEIVED BY THE CITY NO LATER THAN NOVEMBER 17, 2025 AT 5:00 PM.

Responding parties who choose to submit hard copies of their proposals by mail or delivery service in addition to the required electronic copy should allow sufficient mailing and delivery time to ensure receipt on or before the time and date stated above. There will be no exceptions granted.

4. **Where to Submit Proposals:** The required electronic version of the proposal must be emailed to planning@clevelandheights.gov.

If an applicant chooses to submit hard copies in addition to the electronic copy, it should be mailed or hand delivered (to the dropbox outside of City Hall) to:

City of Cleveland Heights
Department of Planning, Neighborhoods & Development
Attn: Eric Zamft, AICP
40 Severance Circle
Cleveland Heights, OH 44118

Both the hard and electronic copies should indicate that the proposal is in response to the "*City of Cleveland Heights 2026 Zoning Code Update RFP*".

5. **Interviews:** Certain responding parties may be invited to present their proposal at a follow-up interview.

VII. ADMINISTRATIVE INFORMATION

1. **Insurance:** The respondent shall provide any insurance protection required by the contract. This shall in no way limit the responsibility to indemnify, keep and save harmless, and defend the City, its officers, officials, employees, volunteers and agents related to the Project.
2. **Addenda and Supplements to Proposal:** In the event that the City requires additional information, responding parties will have the opportunity to further respond to any questions asked and to clarify any points by submitting a written addenda and supplement to their proposal.
3. **Expenses Incurred by Responding Respondent:** The City will NOT be responsible for any cost or losses incurred by any responding parties at any time in preparing and submitting a proposal or requested supplemental information in response to this RFP.
4. **Rights Reserved by the City:** The City of Cleveland Heights reserves the right to determine appropriateness and merit of all submissions. Issuance of this RFP does not obligate the City to enter into negotiations with any responding party. All information provided by responding parties and written correspondence will be considered public records.
5. **Minority, Women-Owned, Veteran-Friendly, Disadvantaged Business Enterprises, or Encouraging Diversity Growth and Equity Program (MBE/WBE/VBE/DBE/EDGE) Inclusion; Prevailing Wage and Local Hiring:** The City strongly encourages the participation of Minority, Women-Owned, and Veteran-Friendly, Disadvantaged Business Enterprises or Encouraging Diversity Growth and Equity Program certified businesses, as well as the use of commercially reasonable efforts to ensure that those employed on the project are local and paid at a prevailing wage rate to an extent reasonably practicable.

CITY OF CLEVELAND HEIGHTS RFP TABULATION SHEET

YEAR:	2025		
RFP FOR:	2026 Zoning Code Update		
RFP DUE DATE:	November 17, 2025	TIME:	5:00 PM
RFP PUBLICATION DATE:	October 22, 2025		
BUSINESS: Cuyahoga County Planning Commission			
NAME: Mary Cierebiej			
ADDRESS: 2079 E. 9th Street, Suite 5-300			
CITY: Cleveland	STATE: OH	ZIP CODE: 44115	
E-MAIL: MCierebiej@cuyahogacounty.gov	WEBSITE:		
PHONE #: 216.443.3720			
SUBCONSULTANT:			
BUSINESS: Crossroads Community Planning			
NAME: Holly Mattei			
ADDRESS:			
CITY: Lithopolis	STATE: OH	ZIP CODE: 43136	
E-MAIL: hollym@crossroadscommunityplanning.com	WEBSITE:		
PHONE #: 614.772.0190			
SUBCONSULTANT: Burton Planning Services (BPS); Westerville, OH			
BUSINESS: ZoneCo			
NAME: Sean Suder			
ADDRESS: 1502 Vine Street, 4th Floor			
CITY: Cincinnati	STATE: OH	ZIP CODE: 45202	
E-MAIL: ssuder@thetzoneco.com	WEBSITE:		
PHONE #: 513.235.3470			
SUBCONSULTANT: City Architecture; OHM; Urban3			
BUSINESS: White Smith Cousino			
NAME: Kelly Cousino			
ADDRESS: Post Office Box 20954			
CITY: Charleston	STATE: SC	ZIP CODE: 29413	
E-MAIL:	WEBSITE:		
PHONE #:			
SUBCONSULTANT: able.city			
BUSINESS: MAKERS			
NAME: Bob Bengford			
ADDRESS:			
CITY:	STATE:	ZIP CODE:	
E-MAIL:	WEBSITE:		
PHONE #:			
SUBCONSULTANT: Kimley-Horn			
BUSINESS: CommunityScale LLC			
NAME: Nels Nelson			
ADDRESS: 1280 Cambridge Street			
CITY: Cambridge	STATE: MA	ZIP CODE:	
E-MAIL: nels@communityscale.io	WEBSITE:		
PHONE #: 978.494.2162			
SUBCONSULTANT:			

make (māk) *vb* **1** to bring into being by shaping or altering **2** to form in the mind, a judgment or plan **3** to put together by combining parts **4** to build, construct, formulate, devise, create **5** to prepare for use; arrange **6** to cause to happen

November 17, 2025

City of Cleveland Heights
Department of Planning, Neighborhoods & Development
Attn: Eric Zamft, AICP
40 Severance Circle
Cleveland Heights, OH 44118

RE: City of Cleveland Heights 2026 Zoning Code Update RFP

Dear Eric,

We are pleased to submit this proposal for the *2026 Zoning Code Update* project. After becoming familiar with the great qualities of Cleveland Heights in our pursuit of the *Sign Regulations Update* earlier this year, we were intrigued by this renewed opportunity to work with you. We have assembled an efficient and creative team with decades of experience working on municipal code updates:

- **MAKERS architecture and urban design** (main office in Seattle, WA) is the prime consultant and will provide project management, land use/housing and urban design expertise, code writing and graphic design, mapping and GIS capabilities, and community engagement services
- **Kimley-Horn** (Ohio offices in Akron, Columbus, and Cincinnati) will be the local connection and support community engagement activities, review of the procedural/permitting code and the places of worship legislation, and lead preparation of the limited impact analysis

Major zoning code updates are not a task for timid planners or public officials. These projects involve a complex and interrelated web of regulations that require a very high level of skill, collaboration, management, engagement, and communication on multiple levels. We commend the City for embarking on this effort. Our team offers the appropriate combination of capabilities and enthusiasm needed to deliver this project. MAKERS has completed a number of successful planning and code efforts in multiple states. Kimley-Horn has a national presence with code specialists in its local offices, and includes a team member who hails from Cleveland Heights.

On the following pages you will find a description of our team's experience and qualifications that make us well suited to take on this project, along with our approach, elaboration on the RFP scope of work, and first draft schedule and budget.

As the Partner-in-Charge I will be personally responsible for ensuring the MAKERS team provides Cleveland Heights a smooth, efficient, and enjoyable planning process. We look forward to discussing this project with you further.

Sincerely,



Bob Bengford, AICP
Partner-in-Charge
Email: BobB@makersarch.com
Direct: (425) 765-0847

500 Union Street, Suite 700
Seattle, WA 98101
p 206.652.5080
f 206.652.5079
www.makersarch.com



Statement of Qualifications

MAKERS architecture and urban design, LLP

MAKERS is an award-winning planning and community design firm located in Seattle, Washington. We have assisted communities in making and implementing wise decisions about their futures since our founding in 1972.

The firm is a certified small business with a staff of 40 professionals. We offer the full range of planning and urban design expertise, including comprehensive planning, street and public realm design, land use codes, and design guideline development. Because of our broad experience, MAKERS excels at translating policy objectives into visions that can be implemented through development regulations, capital improvements, and public-private partnerships.

MAKERS has been crafting hybrid versions of form-based codes for 20 years that are easy to use and, most importantly, help meet the community's land use and community design objectives. Collectively, the firm has completed more than 100 sets of design and development regulations. MAKERS developed many of the practices that have now become standard throughout the country.



Kimley-Horn and Associates, Inc.

Kimley-Horn and Associates, Inc. (Kimley-Horn) is a national planning and design consulting firm that specializes in transportation and urban design. Founded in 1967, Kimley-Horn has a staff of more than 9,600 that serves a wide range of clients across multiple disciplines from 145+ offices nationwide, including local offices in Columbus and Akron with more than 120 staff members. Our multidisciplinary experience encompasses a wide range of services, including transportation planning and engineering, landscape architecture and urban design, environmental planning and design, and public policy.

Kimley-Horn's planners, urban designers, and engineers have a history of partnering with communities to develop progressive and context-sensitive plans. Their Code work has included everything from an initial assessment that provides a road map to the community through a full Code/UDO update. Examples of communities they have worked with on Code update projects include the Village of Pinehurst and City of Monroe, North Carolina; Lee and Manatee Counties; and the Cities of Venice and Zephyrhills, Florida, as well as Charlottesville, Virginia, and Sandy Springs, Georgia, among others. In each community, they strive to understand the values of that community and transform them into a vision that guides the planning process. .

Kimley-Horn's multidisciplinary teams are well-versed in navigating the complexities of zoning and land use regulations, ensuring that updates and ordinances are both legally sound and practical, tailored to the specific needs of their clients.

Kimley-Horn is equipped to provide a wide range of planning services, as listed below:

- UDOs
- Zoning and Subdivision Ordinance Updates
- Downtown Plans
- Comprehensive Plans
- Design Guidelines
- Parks, Trails, and Open Space Master Plans
- Plan and Plat Review Services
- Design of Park Facilities



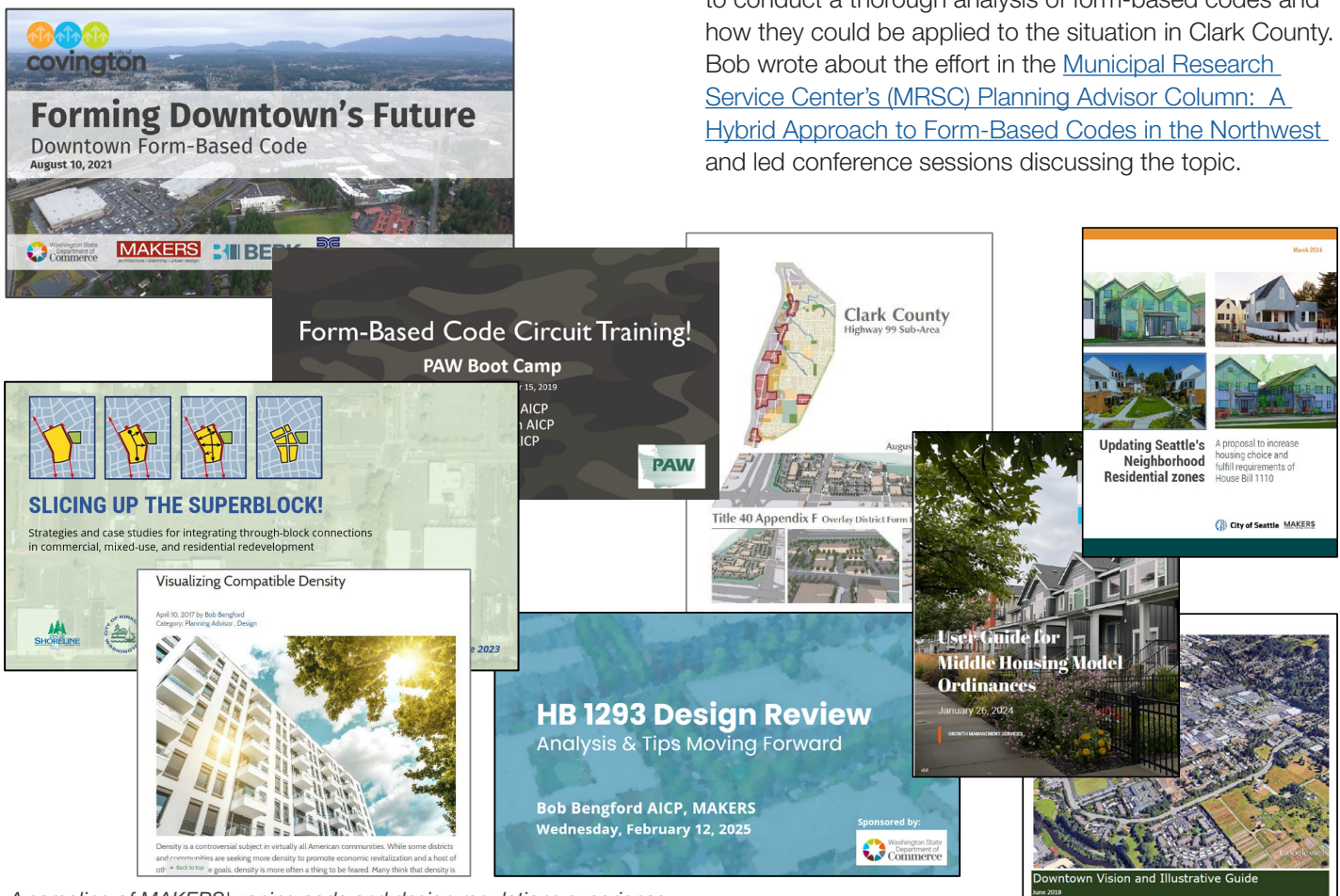
Zoning Code Experience

MAKERS has long been a leader in crafting effective code and design provisions. These are one of planner's best tools to help shape community development consistent with their vision, goals and policies. This started with late architect and partner John Owen crafting some of the Pacific Northwest's first sets of design standards and guidelines for Seattle, Kirkland, and Everett, and extended to several state and regional "how to" guidebooks. Most of this work was coupled with community planning efforts, while some of it was completed as standalone projects. Many of his concepts and graphics have been adopted as common practice in the field of urban design and are included as standard elements of many policy manuals.

Bob Bengford joined the firm in 1997 and worked under John on several design standard and guideline projects. With a background and strong interest in community design plus counter experience as a planner for rural Bonner County, Idaho, implementing an outdated code devoid of design provisions, Bob immediately took to this work, and soon expanding it to broader zoning code work.

Our collective philosophy emphasizes crafting codes and design provisions that find right mix of predictability AND flexibility to suit the community. This means integrating clear minimum standards, while interjecting provisions that allowed for strategic flexibility. This approach helps staff administer the code/design provisions (as most jurisdictions do not have any form of design review board) and developers and applicants like the approach with its good mix of predictability and flexibility. The key is working with stakeholders, staff and decision-makers, and the wider community to identify the most important design issues and crafting implementing code that fits the community and their objectives. Providing clear graphics also helps!

By the late 2000's, interest in form-based codes had reached the Pacific Northwest and MAKERS was hired to craft one for Clark County (for an urban subarea just north of the City of Vancouver). While Bob and John had long crafted "form-based" community design provisions, they hadn't been formatted or marketed as traditional form-based codes. But this effort allowed Bob and team to conduct a thorough analysis of form-based codes and how they could be applied to the situation in Clark County. Bob wrote about the effort in the [Municipal Research Service Center's \(MRSC\) Planning Advisor Column: A Hybrid Approach to Form-Based Codes in the Northwest](#) and led conference sessions discussing the topic.



A sampling of MAKERS' zoning code and design regulations experience.



Zoning Code Experience

Scott Bonjukian joined MAKERS in 2015 and soon began assisting Bob in a great variety of zoning code and housing related code efforts. Notable projects including Anacortes' ambitious development code update (included a complete code reorganization and extensive community input), and the Washington State Department of Commerce's Model Middle Housing Code and User Guide. Scott's research, communication, and project management skills have been instrumental in the success of all of these projects.

Most recently, MAKERS' design regulation approach has come full circle, as Washington State adopted legislation (HB 1293) in 2023 that requires community design provisions to adopt objective design requirements over subjective design guidelines largely for the purpose of increasing housing construction in light of rapidly increasing housing costs.

The legislation also limits the design review process to one public meeting and requires concurrent review. While most of MAKERS' design standards require little to no updates in light of this legislation, we are assisting multiple cities in updating their design guidelines (written by others) to comply with the legislation. We also assisted in this year's trailer bill to provide some needed clarifications to the legislation, and Bob has led multiple recent conference sessions to assist communities in understanding the legislation.

The matrix below and the following pages illustrate some of MAKERS and Kimley-Horn's zoning code efforts relevant to the Cleveland Heights update. The projects listed in **bold** are described in greater detail on the following pages. All of MAKERS' projects listed were led by Bob Bengford as project manager or partner in charge.

Notable Zoning Code and Design Regulations Efforts	Major Code Update	Middle Housing Integration	Urban Mixed-Use Zoning	Design Standards	Robust Community Engagement
MAKERS					
Anacortes Development Regulations Update	•	•	•	•	•
Burien Neighborhood Plans, Comprehensive Plan, and Citywide Design Standards	•	•	•	•	•
Mountlake Terrace Town Center Subarea Plan, Zoning, and Design Standards			•	•	•
Washington State Middle Housing Model Ordinance and User Guide		•		•	•
Woodinville Downtown Vision & Illustrative Guide			•	•	•
Bozeman Unified Development Code	•	•	•	•	•
Boise Citywide Design Standards				•	•
Aberdeen Zoning Code	•	•	•	•	•
Port Angeles Housing Capacity Code Updates		•	•	•	•
Covington Downtown Form-Based Code			•	•	•
Marysville Downtown Form-Based Code			•	•	•
Bothell Canyon Park Subarea Zoning Code			•	•	•
Blaine CBD Form-Based Code			•	•	
Bonner County Zoning Code	•	•		•	•
Ellensburg Land Development Code	•	•	•	•	•
Clark County Form-Based Code	•	•	•	•	•
Kimley-Horn					
Pinehurst Development Ordinance (PDO) Update	•	•			•
Lewisville Tomorrow, Comprehensive Plan, PARC Plan, and UDO Update	•		•	•	•



Experience: MAKERS

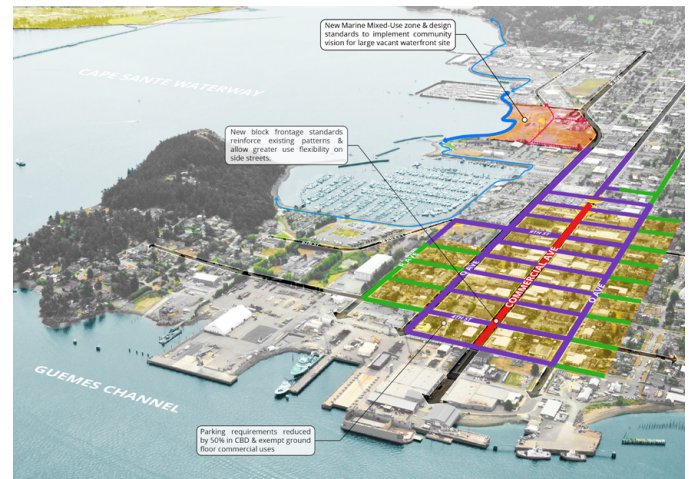
COMPREHENSIVE PLAN AND CODE UPDATE, ANACORTES, WA

MAKERS crafted a new vision statement, developed a preferred land use concept, and created goals and policies for the 2016 Anacortes Comprehensive Plan's eight elements. Our efforts focused on the land use element and coordinating the work of the other consultant firms and city staff on the remaining elements. The plan emphasizes clear policy guidance for future zoning and development regulation updates, housing diversity strategies, transportation improvements, environmental sustainability actions, economic development strategies, and much more.

We subsequently overhauled Anacortes' zoning code and created new design standards for commercial and residential development. MAKERS also led a team to develop Anacortes' 2023 Housing Action Plan which included a check-in on the City's goals for housing production and affordability.

Project Outcomes:

- Facilitation of nearly 20 Planning Commission and City Council meetings and response to hundreds of public comments
- Created an actionable plan that seamlessly translated to implementation of zoning updates
- Multiple new residential projects citywide and a major waterfront development are underway



Integrating Housing Diversity Current Issues & Preliminary Concepts

Over 80% of the existing housing in Anacortes is detached single family homes. The new comprehensive plan policies promote a wider variety of housing types to meet the full range of housing needs for the city's evolving population. The housing types listed below warrant special attention in this code update.

	Current Code	Comprehensive Plan Policy	Considerations
Accessory Dwelling Units (ADU)	• Allowed in all residential zones subject to standards • The home or ADU must be occupied by one or more property owners • May be within a single family home (attached) or detached • May be up to 900sf in area • A total of 3 off-street parking spaces for the home & ADU are required • Height limit is 14' for detached ADUs	Allow for attached and detached ADUs in all residential districts provided site, design, and other provisions are included to promote compatibility with surrounding uses.	• Adjust height limit to allow a gabled second floor for ADUs built over garages (but perhaps not a full 2nd floor) • Limit ADU/garage structure to no more than 75% of the lot width • Require that ADU/garage take up no more than 40% of the rear yard between house and property line • Require minimum 15' separation between house and detached ADU • Allow on-street parking to count for required parking space
Small Lot Single Family Dwelling	• New lots smaller than 5,000sf are only allowed in the R4 zone • There are no design standards for homes – other than setbacks and lot coverage and height limits	Allow for small lot single family development (lots smaller than 5,000 square feet) in the R3 zone provided design provisions that emphasize a pedestrian-oriented design and the inclusion of usable open space are included.	• Require garage entries to be on back behind front wall of house (no through-garage) • Limit garage floor to no more than 50% of house floor (no through-garage) • Require a covered entry for home visible from the street (character & building) • Require that at least 10% of the facade be transparent windows (character & building) • Require minimum usable open space = 10% min. of lot area with no dimension less than 15' (feet) • Provide upper limit on the size (total floor area) of house & accessory building – no more than 50% of the lot size (help address compatibility & affordability issues) • Increase side yard setbacks for the second floor of homes from 5 to 10 feet (compatibility/private issue)
Cottage Housing	• Not addressed • Turn was mentioned in Chapter 17.44 together with planned unit developments, but recently removed (cottage housing provisions weren't specified)	Encourage the development of cottage housing (a cluster of small homes around a common open space) in single family zones as an increasingly popular housing type, provided special design provisions are included to ensure a pedestrian-oriented design, inclusion of common open space, and strict cottage size limitations.	• Allow in all residential districts • Allow in clusters of 4-12 units around common open space • Limit cottages to 1 1/2 stories and no more than 1,200sf floor area • Since cottages are so small, suggest allowing two cottages for each standard house for the purpose of density calculations. • Add detailed design standards for cottage orientation, open space, and parking location/design
Townhouses	• Not specifically referenced in code, but could be built under duplex, triplex, or apartment provisions • R-4 is the only district where they could now be built • C & CBD zones required ground floor commercial – thus townhouses aren't allowed unless the first floor is designed for commercial use	Encourage the development of townhouses in the R-3, R-4 and on certain side streets in the C and CBD zones as an efficient and popular form of housing for a large demographic of Anacortes' population. Design standards emphasizing pedestrian-oriented design, facade articulation, and usable open space are particularly important.	• Allow on most side streets in CBD and C zones • Allow in R-4 and add flexibility on density limits • Allow in R-4 with up to 4 units attached subject to site lot requirements • Add design standards to limit building massing, improve the design character, address side yard privacy issues, minimize impacts of garages, and provide usable open space
Walk-Ups	• Allowed in R-4 zone with density of up to 28 units/acre & 40' height limit • Allowed in CBD zone with 50' height limit (no density limit) • Allowed in C zone with 28 units/acre & 40' height limit	Encourage these housing types in the R-4 zone and in the C and CBD zones above shops and on side streets. Design standards emphasizing pedestrian-oriented design, facade articulation, and usable open space are particularly important.	• Eliminate density limits in the R-4 & C zones to be paired with new design standards • Allow on most side streets in CBD and C zones • Add design standards to limit building massing, improve the design character, address side yard privacy issues, minimize impacts of garages, and provide usable open space



ANACORTES
Development Regulations Update

Public Meeting March 15, 2017

MAKERS
MAKERS CONSULTING



Experience: MAKERS

NEIGHBORHOOD PLANS, COMPREHENSIVE PLAN, AND CITYWIDE DESIGN STANDARDS, BURIED, WA

MAKERS led a multidisciplinary team to co-create subarea plans and implementing zoning and design provisions for Burien's Ambaum and Boulevard Park neighborhoods. The team worked with an advisory committee of community leaders, advocates, and experts; facilitated rich multi-lingual engagement with local businesses and organizations; and held easy access in-person pop-ups at culturally relevant locations.

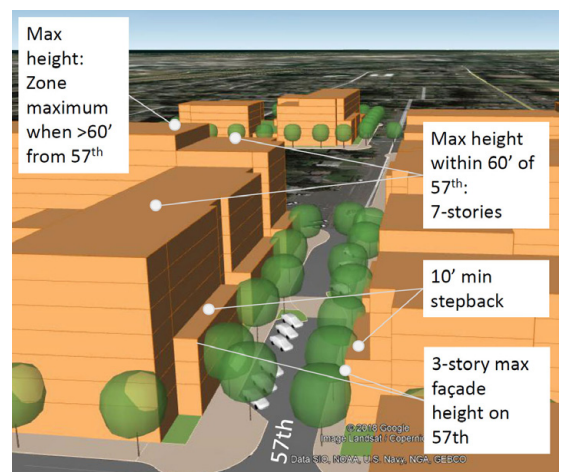
MAKERS was also part of a team that updated the comprehensive plan and implementing zoning and design standards. MAKERS worked on land use, community health and wellbeing, and housing-related policies, and led the land use alternatives and Urban Center code development. MAKERS crafted a new set of residential and mixed-use zones together with an ambitious set of design standards to implement neighborhood and citywide community development goals and policies.



TOWN CENTER SUBAREA PLAN, ZONING, AND DESIGN STANDARDS, MOUNTLAKE TERRACE, WA

Anticipating a light rail station by 2023 and a new government campus in its Town Center, Mountlake Terrace hired MAKERS to help formulate a subarea plan and development regulations to encourage modern, mixed-use development. MAKERS collaborated with City staff, other consultant team members, steering committee members, public officials, and community members to refine the Town Center's vision statement, craft goals and policies, simplified zoning provisions, and new form-based design standards. The new code simplifies the Town Center area into three consolidated zones, including a minimum height of four-stories and a maximum height of 12-stories. Other key elements of the new zoning and design standards include:

- Updated streetscape design standards for various street types
- Block frontage designations and standards to create a centralized "main street" and reinforce the desired form of street frontages
- Site and building design standards to enhance the character and livability of new developments consistent with the Town Center vision.





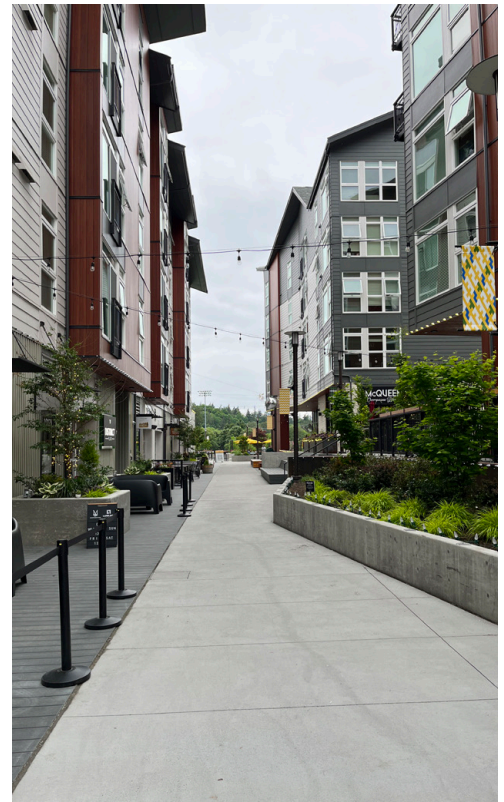
Experience: MAKERS

DOWNTOWN VISION & ILLUSTRATIVE GUIDE, WOODINVILLE, WA

MAKERS has provided land use and design assistance to the City of Woodinville for over 25 years, including the City's initial Interim Design Standards and subsequent update, commercial and multifamily design review services, and the two comprehensive plan updates. In the summer of 2016, MAKERS was asked to work with committees of Planning Commission and City Council members to update the vision for downtown and create an illustrated guide.

MAKERS met with committee members in over a dozen meetings to explore and define the desired design theme, architectural character elements, desirable forms of building massing, detailing, materials, and color, and landscaping vision. Together with the committee, MAKERS crafted an online survey that produced over 500 responses.

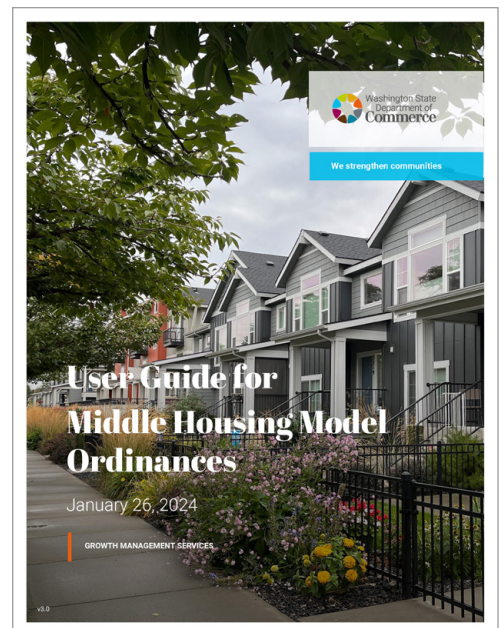
The guide was used immediately to help design the [Schoolhouse District](#) development, which includes 260 dwelling units, 20,000 square feet of commercial space, retention and expansion of the Woodinville Recreation Center, public plazas, walkways, and a festival promenade. MAKERS is now helping to codify those downtown guidelines into an updated set of citywide design standards.



WASHINGTON STATE MIDDLE HOUSING MODEL ORDINANCE AND USER GUIDE

MAKERS led a team that worked with the Department of Commerce to develop Middle Housing Model Ordinances and an accompanying User Guide for the state of Washington. The model ordinances include development regulation parameters to support Washington cities implement the Middle Housing Bill (HB 1110) adopted during the 2023 legislative session. Parameters included dimensional, design, and parking standards, unit densities, and definitions for applicable middle housing types. The model ordinances were informed by the team's expertise and public engagement. The User Guide uses diagrams, research, analyses, and references to real-world examples to provide expanded guidance and recommendations intended to support implementing code amendments for middle housing.

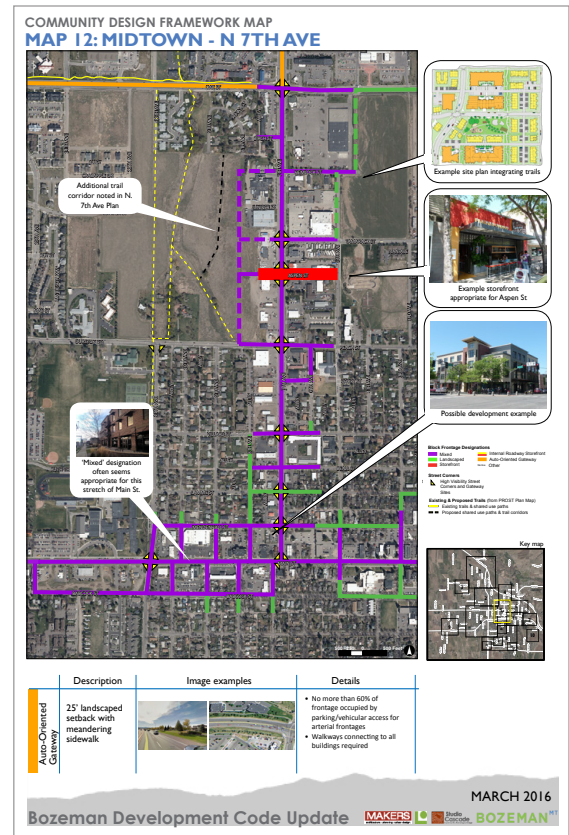
MAKERS led a robust engagement program that included five technical committee (composed of 16 planning directors from around the state) meetings, seven stakeholder focus group meetings, three virtual open houses, a public webinar, and a 30-day public comment period.



UNIFIED DEVELOPMENT CODE, BOZEMAN, MT

Bozeman is home to Montana State University and a major gateway to Yellowstone National Park. Due in part to its setting and popularity, it is one of Montana's fastest growing cities. The City hired the MAKERS team to conduct a corridor planning and implementation effort combined with a full Unified Development Code update. The first phase of the project focused on the City's underutilized and automobile-oriented North 7th Avenue (Midtown) corridor. Via multiple staff and stakeholder meetings and public workshops, the team updated existing planning concepts for the corridor, sketched alternative development scenarios on key parcels, and crafted two new zoning districts together with form-based block frontage standards (adopted in April 2016).

The second phase focused on updating the Unified Development Code. The code includes a complete reorganization for usability, integrated and updated freestanding design guideline documents, citywide block-frontage standards, and new site and building design standards. With considerable new development since adoption (in January 2018), the new code has proven to be an excellent tool in enhancing the quality of new buildings.

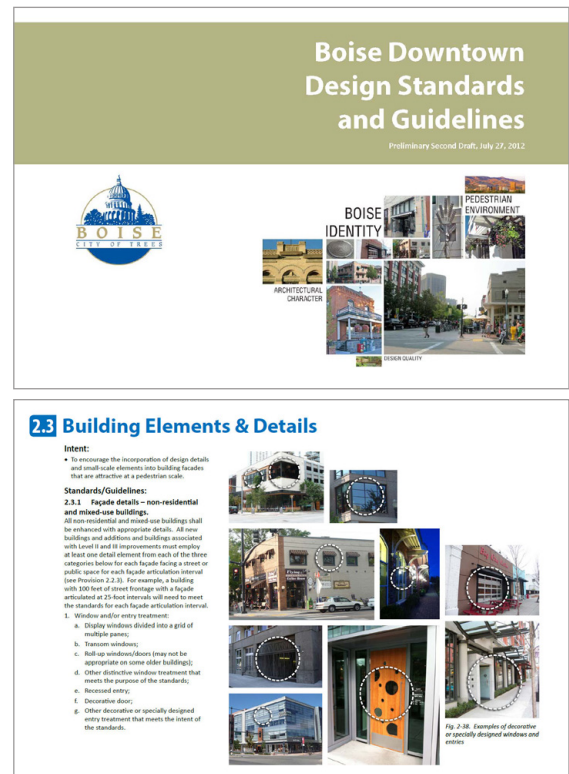


CITYWIDE DESIGN STANDARDS, BOISE, ID

MAKERS collaborated with city staff, public officials, stakeholders and citizens in crafting ambitious form-based design standards for the City of Boise. The project includes two documents: Downtown Design Standards and Citywide Design Standards, both adopted in 2013. The project followed the city's comprehensive plan update and was coordinated with the citywide land use code update. Key features of the project:

- Integration of form-based code elements, including block frontage standards and maps covering downtown and the entire city.
- Downtown provisions include distinct building character, materials, details, and massing standards and guidelines to enhance the skyline, identity, and downtown livability.

The standards have proven to be a very effective tool in enhancing the quality of new development throughout the city, based on our collaboration with staff multiple visits to the city since adoption.

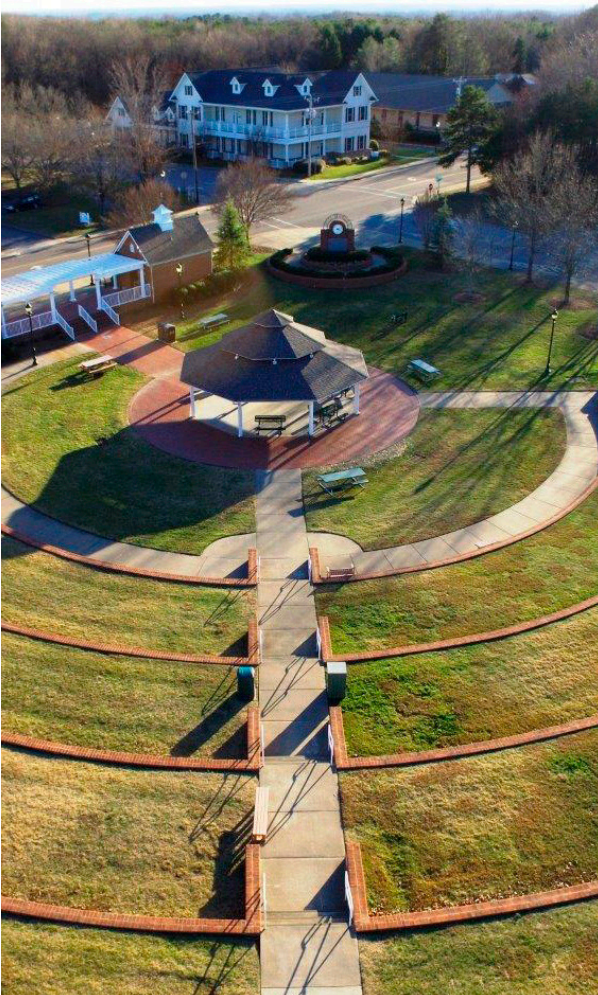




Experience: Kimley-Horn

PINEHURST DEVELOPMENT ORDINANCE (PDO) UPDATE, PINEHURST, NC

Kimley-Horn was retained by the Village of Pinehurst, North Carolina to research, evaluate, write, and consolidate land use regulations to complete a comprehensive update to the Village's Development Ordinance. The goal of the update is to modernize and update development standards and criteria, subdivision standards, definitions, and ensure consistency with the 2019 Comprehensive Plan and trends over time. Specific requests from the Village include: streamlined processes; use of graphics; conversion of special-use permits to by-right approvals; and an analysis of the current zoning districts and zoning map. The project includes a focus group and will involve multiple forms of engagement, including a project website and public open house meetings.



LEWISVILLE TOMORROW, COMPREHENSIVE PLAN, PARC PLAN, AND UDO UPDATE, LEWISVILLE, NC

Kimley-Horn partnered with the Town of Lewisville, North Carolina in a significant rewrite of its Unified Development Ordinance (UDO). The UDO encompasses all regulations related to growth and development, zoning administration, environmental management, and other aspects of land use within Lewisville. Notably, this is the first complete reevaluation of the UDO since its original adoption in the early 1990s, making it a pivotal moment for the community. The principal goals of the rewrite were to modernize land use regulations to better reflect the needs of today's Lewisville and to fulfill the intents and descriptions outlined in the Lewisville Tomorrow Comprehensive Plan.

Under this contract, Kimley-Horn collaborated closely with Town staff and the community to review existing codes, conduct public outreach, draft new ordinance language, and update the Town's zoning map. The process included multiple opportunities for public input, such as workshops and hearings, and resulted in an adoption-ready UDO, a revised zoning map, and a user-friendly administrative manual. This initiative was designed to ensure that Lewisville's land use regulations are current, effective, and aligned with the community's long-term vision.



Personnel: MAKERS



Bob Bengford, AICP

Bob is passionate about helping communities craft plans, zoning, and design provisions that implement their land use and community design goals and objectives and has completed

more than 80 regulatory/design standards projects with MAKERS. Bob is a certified planner with over 30 years of planning and urban design experience including work based in several states. His planning and community design work includes a full spectrum of community and development types, from dense urban downtowns, historic neighborhoods, rural communities, post-war commercial/industrial centers, and auto-oriented commercial corridors. Placemaking and promoting sensitive integration of a greater diversity of housing types into Washington communities has long been a priority emphasis.

Bob has been collaborating with communities on such projects long enough to see a range of developments occur under his codes and after his adopted plans. These results have offered great lessons in techniques that work, and in development review where adjustments can be made. His experience, enthusiasm, and communication skills have been instrumental in resolving conflicts and achieving consensus on design solutions in a wide variety of contexts.

Bob has long been actively involved in the Washington Chapter of the American Planning Association, helping to plan conferences and leading numerous conference sessions. He co-chairs the Washington Community Planning Assistance Team, leading numerous community planning events for underserved communities throughout the state. He also created and leads Washington's Great Places Program.

Education: B.S., City and Regional Planning, Cal Poly San Luis Obispo; Commercial Real Estate Certificate, University of Washington Extension

Work Location: Seattle, WA



Scott Bonjukian, AICP

Scott is an urban designer committed to helping communities solve complex and interconnected problems related to economic development, housing, transportation, and resiliency. With a

background in architecture and public sector planning, he brings a deep toolbox and an open mind to every project. His expertise includes code analysis and land use policy, public engagement, and graphic design. Scott also provides aerial photography capabilities, which often proves helpful for context analysis and public engagement on design and planning projects. He has completed design standards and development regulations for dozens of communities, along with comprehensive plans, subarea plans, citywide facilities plans, site analyses, and development entitlements. Scott is an efficient project manager and fosters productive and positive relationships among clients and multidisciplinary teams.

Education: Master of Urban Planning, Urban Design Specialization, University of Washington; B.S. in Architectural Studies, Washington State University

Work Location: Seattle, WA



Laurel Hicks

Laurel brings a comprehensive perspective of urban design to MAKERS, supported by a range of skillsets in urban planning, cartography, advocacy, and data analysis. She is dedicated

to addressing changing community needs to foster sustainable, inclusive built environments, with particular interest in non-motorized transportation development, green building practices, and affordable housing advocacy. Before MAKERS, Laurel's studio work at the University of Washington included development of a land capacity analysis for Pacific County, and design of an I-5 freeway lid. During her internship with the City of Kirkland Long-Range Planning team, she conducted GIS data analysis and graphics production in support of their Comprehensive Plan work.

Education: Master of Urban Design and Planning; Bachelor of Arts, Sustainable Urban Development; Geographic Information Systems (GIS) Certificate, University of Washington

Work Location: Seattle, WA



Personnel: Kimley-Horn



Alyssa Flandermeyer, AICP

Alyssa has more than seven years of professional planning experience across the Midwest and Southeastern United States. Her areas of expertise include land development codes, code updates,

comprehensive planning, growth management, public policy, small and special area plans, transportation, development-related issues facing growing communities, and urban and rural design. Alyssa is highly skilled in stakeholder engagement, including facilitating meaningful collaboration among public agencies, community members, and private sector partners. She is experienced in coordinating and conducting public meetings and presentations and excels at building consensus through clear communication and inclusive outreach strategies.

Education: Bachelor of Urban Planning and Development, Ball State University

Work Location: Indianapolis, IN



Aaron Prichard, AICP

Aaron has more than 10 years of experience working in both private and public-sector planning. He has a wide breadth of experience working on code updates and long-range plans,

ranging from Housing Action Plans, Downtown Plans, Comprehensive Plans, Transportation/Pedestrian Safety Plans, and roadway project feasibility studies. Aaron has also conducted development reviews for current planning projects, ranging from large-tract residential subdivisions to commercial and industrial site plans to mixed-use master plan developments. Before coming to Kimley-Horn, Aaron served as Senior Long-Range Planner for the Town of Holly Springs, North Carolina, where he was the town's Project Manager for their Downtown Area Plan, which was voted the 2023 Best Small Area Plan in North Carolina by the state's chapter of the American Planning Association.

Education: Bachelor of Arts, History and Political Science, University of North Carolina at Chapel Hill; Master of Science, Urban and Regional Planning, University of Wisconsin – Madison

Work Location: Columbus, OH



Chris Dahman

Chris specializes in transportation/mobility planning, smart city solutions, and policy review. He is experienced in data analysis and spatial representation in ArcGIS, transportation demand/

utilization modeling, comprehensive planning of cities and regions, and policy/legislation review. Chris is a member of the American Planning Association.

Education: Master of Science, Urban and Regional Planning, University of Michigan-Ann Arbor; Bachelor of Science, City and Regional Planning, Ohio State University

Work Location: Columbus, OH



Project Understanding and Approach

Approach and Keys to Success

The City of Cleveland Heights is set to modernize and update its zoning code to reflect the community's sustainability, equity, and historical values. Building on recent zoning initiatives and planning efforts, our approach aims to foster a balanced development strategy that supports inclusive growth, historical preservation, and modern land use practices. Our methodology is designed to incorporate innovative solutions while maintaining transparency and stakeholder engagement throughout the process.

Based on our review of the RFP and City's physical and regulatory context, the following pages highlight some keys to the success of this zoning code update.

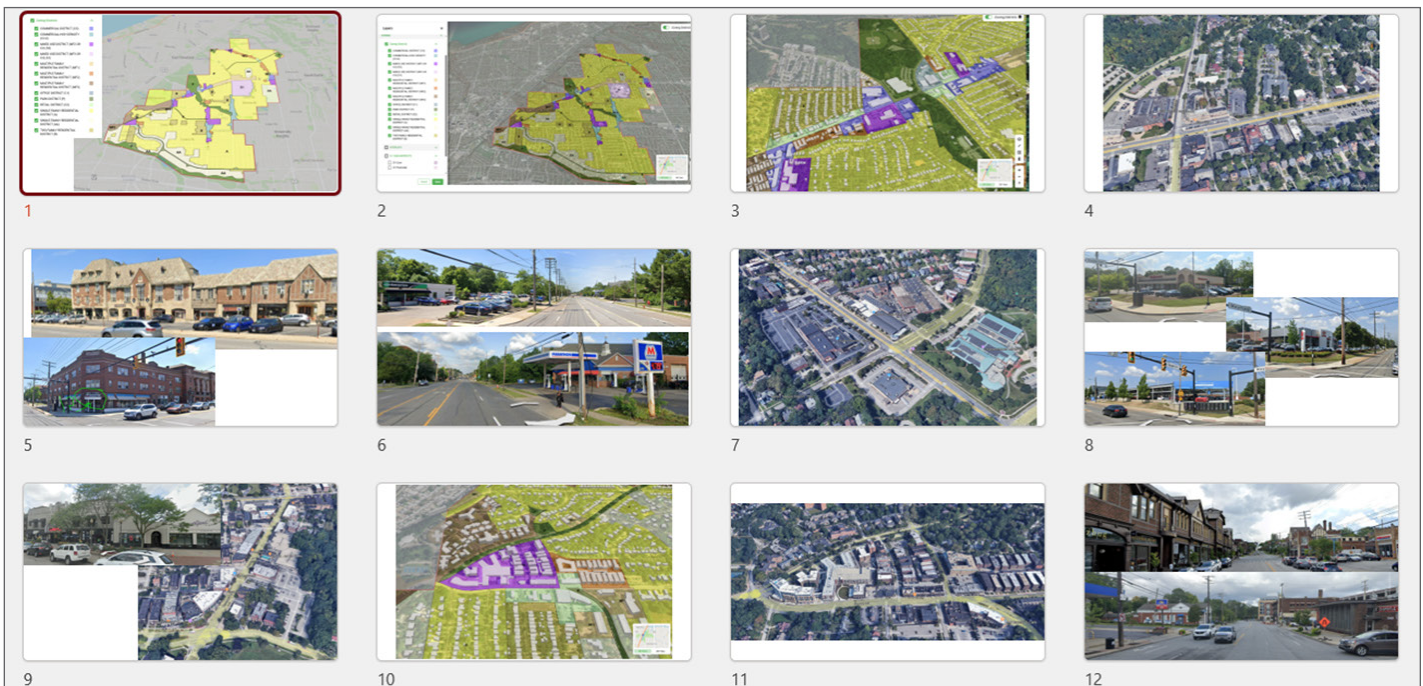
Battle-Tested Consultant

To perform the suggested scope of services and create a successful zoning code within this budget, this project needs a consultant team (the actual team members, not just the firm or firms) that brings demonstrated success in completing user-friendly zoning codes for numerous similar communities – AND where such regulations have been successful in achieving their objectives. Our team has a great understanding of how to best prioritize efforts, maximize the effectiveness of community outreach activities, involve public officials, communicate issues and implications, and resolve conflicts that inevitably occur.

We have been doing form-based regulations long enough to see how they are performing in a variety of communities and learn from any challenges that may have arisen. A check with our references and investigation of the final products and quality of new developments in the respective communities will demonstrate that MAKERS-Kimley-Horn team members have been battle-tested.

Fresh Eyes Tailoring Solutions for Local Conditions

The City of Cleveland Heights invited MAKERS to submit a proposal for the sign code update earlier in 2025, and again notified us of this larger zoning code update. In preparation for the sign code RFP and interview, we thoroughly investigated the community and its physical context, including a Google Earth flyover and reading the zoning code and current map (we zoomed in on the commercial and mixed-use areas, as illustrated in our recent sign code interview).



Screenshot of our Cleveland Heights zoning analysis, Google Earth fly-over and street view tour.



Project Understanding and Approach

After further review of the local situation and extensive discussions with Kimley-Horn team members we are further intrigued by the community and eager to help with the full range of the priority zoning code updates, including:

- Make the City's neighborhoods more resilient and livable
- Expand housing opportunities and affordability
- Help integrate and build upon recent and current planning initiatives
- Enhance permit review processes
- Help meet sustainability goals
- Applying an equity and inclusion lens in updating the code
- Promoting compatible infill and mixed-use development
- Moving more towards a form-based code
- Making the code easy to use, internally consistent, and legally defensible
- Conducting a collaborative, inclusive, and effective community engagement process that enhances the zoning code and creates a sense of community ownership.



City-Consultant Teamwork

We often find that our most successful projects are when the MAKERS team works as an extension of city staff. The success of all code projects is heavily dependent upon good coordination and communication between staff and the consultant team's project manager. We have emphasized our kickoff meetings for the entire project team to get to know each other, clarify roles and communication protocols, and get started on the right foot. Understanding staff roles is particularly important, as staff are critical to interfacing with City leadership, reviewing and approving drafts, assisting with community outreach, and taking ownership of the adopted code in a way that ensures successful implementation. Staff's experience in administering the existing code is also critical to identifying key code issues, problems, opportunities, and in reviewing preliminary concepts and drafts.

After the kickoff we typically advocate for biweekly progress meetings and setting major meeting dates well in advance. This helps the consultant team maintain momentum and stay accountable to schedule, with each progress meeting obligated to have enough content and discussion that keeps the project moving forward. Online platforms like Mural boards or SharePoint documents have also proven to be effective for real-time editing and staff comments on code concepts and draft deliverables and presentations, both inside and outside of meetings.

Quick, informal conversations are always welcome to resolve smaller issues. As project manager, Scott Bonjukian will be readily available to converse with City staff by phone or email outside of scheduled meetings.

We propose a community van/walking tour near the beginning of the effort as a dual "team-building" and "getting to know the community" effort. Two examples from Spokane and Wenatchee tours.



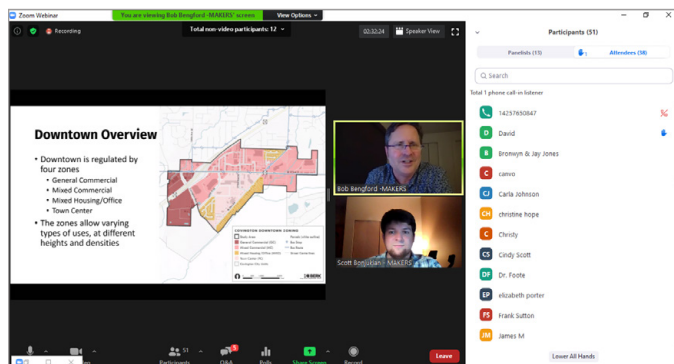
Project Understanding and Approach

Experienced Management Team

Disciplined project management is absolutely essential for major development code updates to (a) keep the project and team focused and on-track, (b) effectively manage the draft document, (c) proactively address any issues that arise, and (d) manage communication between team members.

Scott Bonjukian has proven to excel at these skills, particularly on larger projects with multiple team members. Bob Bengford (as Partner in Charge) and Scott have worked in these roles on numerous projects. They will be at all key meetings and involved in all aspects of the project. Our collective experience in completing multi-part code updates helps us to both craft and carry out such a scope of work and manage our time to stick to the schedule.

Relatedly, our management team rolls with changes in scope and schedule as necessary. Many code projects evolve due to either: a desire to expand community engagement process (additional public workshops, for example); a need to extend the schedule to allow for additional Planning Commission and/or City Council meetings. The complexity and importance of zoning code updates invariably lends itself to such changes and extensions. Our approach is to commit our resources to complete the scoped work plan on schedule, but be flexible and open to these adjustments.



MAKERS excels at engagement, both in-person and online, such as this webinar for Covington's Downtown Form-Based Code.

Effective and Inclusive Community Engagement

Community engagement should be informative, welcoming, and fun! MAKERS integrates engagement activities into nearly all of our code projects and knows from experience that people are most likely to get involved when engagement meets these two goals: 1) Activities are interesting and inform relevant parties of upcoming change; and 2) People who are especially interested or impacted are encouraged to provide relevant and meaningful feedback that results in a better project outcome.

These goals can be met in a variety of ways, and our draft scope of work integrates opportunities to achieve both targeted and broad forms of community engagement. We want to reach both those who are low on time or just want to skim the surface (e.g. take a brief online survey, read a City newsletter) and those interested in opportunities for “deep dives” on specific issues that affect their daily lives or their community’s well-being (e.g. stakeholder interviews, attend a public workshop). Areas where controversy may arise also merit special focus and may require one-off engagement activities based on the situation. Our team will facilitate a flexible engagement plan and deploy resources both at scheduled meetings and strategic, unique activities when warranted.

We particularly endorse the RFP’s suggestion for a Technical Advisory Committee. Convening a diverse group of representative stakeholders is critical to the success of this multi-topic code update. The TAC can help us work through a variety of detailed technical issues and promote buyoff by decision-makers. We will work with City staff to recruit a well-rounded committee, and provide accessible and meaningful TAC activities that promote healthy dialogue. MAKERS has a number of highly interactive remote and in-person exercises, such as visual preference surveys, instant response technology evaluation, and rapid-paced visualization techniques which are especially useful for identifying values and concerns regarding zoning and design issues.



Project Understanding and Approach

User-Friendly Code and Objective Standards

We have updated many codes that had good intentions, but were executed with vague text that was difficult for applicants, staff, community members, and public officials to interpret. Using clear and predictable language is essential in all of our projects. Several team members at MAKERS and Kimley-Horn have public sector experience in reviewing plans and applications against code, and can bring that to bear in ensuring the Cleveland Heights code amendments are easy to navigate and read for the widest possible audience.

Graphic Communication

Graphics are an important communication tool on which MAKERS places special emphasis. MAKERS' adopted design regulations have an extensive use of photos and digital illustrations to support and clarify the code text. We employ a wide variety of graphics to clearly communicate expectations – ranging from simple black and white diagrams, photographs with descriptive captions, or elaborate perspective sketches or aerial 3D illustrations depicting the envisioned development consistent with the code. The key to good graphic communication in codes is to choose and design the illustrations to focus on the regulatory issue at hand and avoid unnecessary clutter.

Photographs can be particularly useful communication tools. For design provisions, we use multiple good development examples to emphasize there is often a number of ways to meet a particular standard. Providing bad examples can also be effective in communicating what is not acceptable (but we only use bad examples from other communities!).

Single Family Detached	35 units
Cottage Housing	8 units 1/2 units for density purposes
Townhouse	49 units
Live-Work Townhouse	29 units
Apartments	20 units
Site Stats	
Gross Area	18.71 ac
Public ROW	4.31 ac
Park	2.42 ac
Net Area	11.98 ac
Units	137
Density	11.44 du/net acre



A 3D site model MAKERS developed for the rural community of Carnation, WA and which was incorporated into the municipal code to illustrate a new requirement for a variety of housing types in a specific zoning district. Such models can help the public visualize the form of potential development amid complex development regulation discussions and help staff make decisions when applying the code.



Proposed Scope of Services

The detailed scope of work provided in the RFP is a great first start on the list of tasks to achieve the project objectives. Our “first draft” scope of services below illustrates our preliminary approach in carrying out those tasks, including additional subtasks and considerations for how to best achieve the required deliverables on time and on budget.

Time for project management, administration, and recurring project meetings (we recommend every two weeks at a set day/time) is assumed to be embedded within each task and is reflected in the fee proposal.

Task 1: Initiation meeting

We recommend a two-part initiation process: 1) An internal online kickoff meeting with all involved City staff; and 2) An in-person public kickoff and consultant team visit with City staff and a public meeting one month later.

1.1 INTERNAL KICKOFF

For the internal kickoff, the key agenda items will include:

- Reviewing and affirming the project objectives, scope, schedule, and budget
- Staff’s priorities and key code and map issues, including a review of any specific issues or code sections that have been identified for auditing and fixes (by specific title/chapter/section), areas of research on best practice solutions, and integration of sustainability elements
- Identification of key stakeholders for engagement, along with the engagement methods and schedule
- Discuss plans and timing for the public kick-off (Task 1.2 below).



As a way of spurring healthy dialogue about the built environment MAKERS frequently leads walking tours with staff and decision-makers on zoning code and design standards projects.

1.2 PUBLIC KICKOFF AND COMMUNITY CHARACTER ANALYSIS TOURS

For the public kickoff, the consultant team will visit Cleveland Heights for 1-2 days to ground ourselves in the community, become more familiar with the urban fabric, and engage directly with City leadership. Activities will include:

- A joint City Council and Planning Commission meeting (Task 4.1) with these key agenda items:
 - » Refresher on existing code challenges and why this project is happening, and review scope and schedule
 - » Discussion on what code issues are most important to the Council and Commission, what they hear most from their constituents, and local examples of successful and unsuccessful developments and designs we should take lessons from
 - » Discuss stakeholder and community engagement, with priorities identified on who we need to hear from most, what topics will be of the most interest to the general public vs. expert stakeholders, and what will be the measures of success on engagement
 - » Focused discussion on the ‘places of worship’ issue, including background and desired outcomes.
- Community Character Analysis (Task 2.2) driving/walking tours with City staff. Key considerations will include:
 - » Which areas to visit, with an itinerary co-developed with City staff. This will likely include a mix of the designated historic neighborhoods, typical residential areas, business districts, and the mall.
 - » Visiting and documenting the most interesting or important commercial and residential developments from the past 5-10 years, and discussion of the code issues that shaped development and how community objectives have been met or not
 - » Discussion and viewing of the physical architectural details that make Cleveland Heights unique, with an emphasis on design transitions, site layouts, articulation, and the public realm
 - » If time allows, visits to neighboring jurisdictions to view examples of high-quality development that may be desirable in Cleveland Heights
 - » The tour could potentially be opened up beyond City staff, such as inviting Planning Commissioners, City Councilmembers, the Technical Advisory Committee, or other key interested stakeholders



Proposed Scope of Services

Task 1 Deliverables

- » Presentations and notes from kickoff meetings
- » Points of contact at the City
- » Initial list of stakeholders and rough engagement plan
- » Final zoning issues to be addressed
- » Community Character Analysis draft itinerary
- » Updated scope of work and schedule

Task 2: Background Review, Data Collection, and Analysis

2.1 REVIEW EXISTING MATERIALS

The consultant team will familiarize itself with all relevant background materials, including the existing code, zoning map, and planning documents identified in the RFP. Key findings applicable to this project will be incorporated into the Existing Code Review Memorandum.

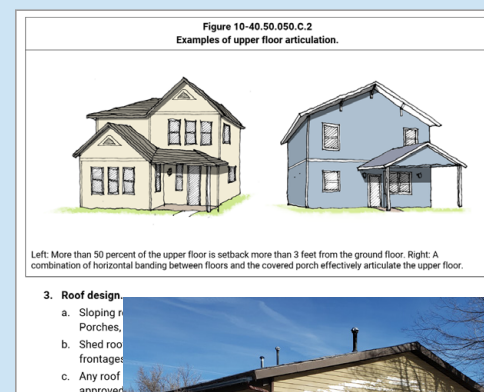


2.2 COMMUNITY CHARACTER ANALYSIS

After the walking tours in Task 1, the consultant team will summarize key aspects of Cleveland Heights' character that should be considered in the code update. Based on the RFP, community context, and common coding approaches, it could be reasonable to organize the analysis into two buckets: One for single family/middle housing areas; and one for everything else (multifamily, commercial, mixed-use, civic). Primary components of the analysis are block frontages and building design. Additional components are site design elements, including internal setbacks, circulation, private open space, landscaping, and utility and service areas.

La Plaza Vieja Design Standards

In the old Hispanic neighborhood of La Plaza Vieja in Flagstaff, AZ, concerns were rising about high-density student housing. The MAKERS team catalogued existing architectural character and styles. A walking tour with staff and neighborhood leaders demonstrated the wide variety of single-family and middle housing forms. Through a neighborhood workshop and survey, common threads (and tolerance for regulation) were discovered with front entries, façade articulation, rooflines, and window design and were prioritized. MAKERS provided illustrated design standards for future infill and redevelopment, and tested the standards on several sites. The project was completed in 2023.





Proposed Scope of Services

2.3 CODE AUDIT

MAKERS will take the lead on a code audit, with an emphasis on identifying inconsistencies, outdated sections and where clarifications are needed. Kimley-Horn will support with review of the permitting and procedural standards. Key aspects of this work will include:

- Focus on the high-priority key code issues discussed at the kickoff meetings
- Make general code organization and usability observations and considerations for improvements
- Document what and how planning policies are implemented in code and point out considerations to make code consistent with the 2017 Master Plan, Climate Forward Plan, Historic Preservation Design Guidelines, and other policies
- Provide a high-level review of consistency with state law or state guidance, and pointing out considerations to make the code compliant (see below for notes on recent Ohio planning-related legislation)
- Incorporate any internal audits already created by City staff, to avoid duplicating existing work

Zoning Districts and Allowed Uses

The table below lists considerations for specific code sections compared to current Comprehensive Plan policies. Where relevant, the considerations note where something is directly consistent with new policies versus changes that go beyond.

As an organizing principal, consider reorganizing the list of permitted use to be a table/matrix format, organized by zones and uses in rows and columns. The current format is difficult to read and navigate.

Code Section	Considerations
16.08.040.C RM-9600 district	Consider revising permitted residential uses with duplexes and cottages permitted by-right (consistent with policy H-1.3), but possibly with supplemental standards related to the site's size and context and size and design of the dwellings, per the description of the Medium Density Residential designation under policy LU-1.8.
16.08.040.D RH district	Add townhouses to the list of permitted principle uses. Consider the definition of townhouses added to the Growth Management Act in 2023 under RCW 36.70A.030 : "Townhouses means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides."
16.08.050.A HLC district	Permissions for multifamily use are unclear; under the Accessory Uses column it is described as "residential", whereas in the Conditional Use column it is described as "multifamily dwelling." Based on policies LU-3.2 and HC-1.2, consider revising the multifamily permissions for clarity: • Multifamily use is a permitted Principal Use • Add supplemental standard (footnote): Multifamily uses west of Main Street must be on the second floor or above in a mixed-use building • Add supplemental standard (footnote): Multifamily uses east of Main Street are a conditional use
16.08.050.B Town Commercial	Permissions for multifamily use are unclear; under the Accessory Uses column it is described as "residential", whereas in the Conditional Use column it is described as "multifamily dwelling." Based on policies LU-3.2 and HC-1.2, consider revising the multifamily permissions for clarity: • Multifamily use is a permitted Principal Use • Add supplemental standard (footnote): Multifamily uses must be on the second floor or above in a mixed-use building. Alternatively, in a mixed use development, multifamily uses may be on the ground level when dwellings are separated from the street by commercial uses. The asterisk/footnote for duplexes, which are conditional in this zone, should be removed since CTC 16.10.040 only has supplemental standards in the RM-9600 zone. Further, those standards are recommended to be removed. Consider reducing the number of conditional uses and making some permitted by-right, especially community-serving and common uses such as commercial recreation and hotel uses, to help encourage their development. Also permit by-right a set of light industrial developments such as artisan manufacturing, microbreweries, roasteries, craft shops, and art production in in the Town Commercial zone. See land use policy LU-3.4 and economic stability policy ES-1.3. Prohibit single-purpose commercial development, except for offices, when a parcel abuts SR 20 right-of-way. See land use policy LU-3.5.

Example of a MAKERS code audit in a matrix format. An alternative approach we have employed is direct comments on a text copy of the code.

Preliminary Code Audit Observations

As an example of observations for residential zones we may include in the code audit (Task 2.3):

- References to "character" and maintaining "high standards" for single-family districts are increasingly falling out of favor as exclusionary language
- Most graphics are dated and could be modernized for legibility
- Under Sections 1121.01 and 1123.01, the permitted uses and minimum lot sizes do not need to be duplicated in the purpose statements for each zone
- The Section 1121.12 accessory use yard requirements are excessively detailed and cover unnecessary or outdated items like compost bins and laundry clotheslines
- The permitted and conditionally permitted uses are inconsistently displayed as lists and as tables. A combined table for all residential zones would be preferred for ease of use.
- On the zoning map the MF zones are generally limited to narrow strips of land along major streets, significantly restricting areas where multifamily housing can be developed and increasing the likelihood that lower income households are exposed to the negative effects of busy roadways
- Minimum land area per dwelling unit and maximum dwelling units per acre are duplicative standards, and only one is needed.
- The minimum development area in Section 1123.06 prevents small-format multifamily development that can help meet housing needs, along with the low 1.5 FAR limit in the MF-3 zone
- In Section 1123.10 the minimum townhouse dwelling unit size of 1,250 square feet is reasonable for providing family-sized units, but may prevent the development that meets the needs of other market segments
- Enclosure requirements for parking spaces can increase construction costs for middle housing in some situations. The multiple-family dwelling parking standard of one space for each dwelling unit is reasonable.



Proposed Scope of Services

2.4 ZONING MAP ANALYSIS

In close conjunction with Task 2.3, MAKERS will evaluate the existing zoning map to identify inconsistencies, usability issues, questions, and preliminary considerations. This will be a relatively quick task resulting in initial concepts for changes to the list of zones and zone boundaries. Formal and detailed recommendations and drafting of map updates will be made later in Task 6, after engagement activities and additional discussions with City staff help determine what scale of map changes may be appropriate.

2.5 REVIEW PLANNING AND PERMITTING PROCESS AND PROCEDURES

In close conjunction with Task 2.3, Kimley-Horn will evaluate the City's existing planning and permitting process and procedures. They will review recent project approvals and design review processes to identify common issues and priorities within the planning and permitting framework. The objective is to pinpoint areas that can benefit from streamlining, thereby enhancing the efficiency of the approval and permitting processes. This review will also involve recommended updates to forms and fees. This task may be supported by using one or more stakeholder interviews (Task 4.3) to meet with permitting staff or private applicants that have recently gone through the project approval process.

Task 2 Deliverables

- » Existing Code Review Memorandum (including zoning map and review process analysis)

Task 3: Best Practices Research

3.1 RESEARCH

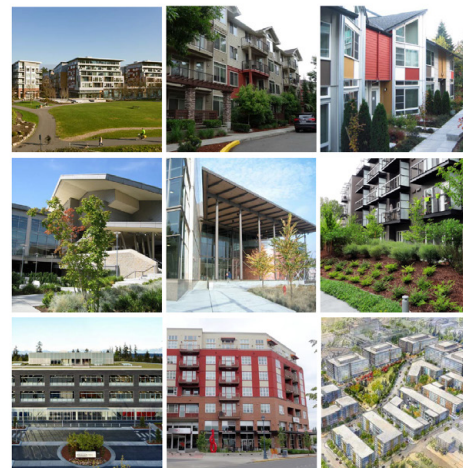
As a national leader on user-friendly and form-oriented land use regulations, housing policy, and design standards, MAKERS is well-suited to bringing a fresh outside perspective to the code. Much of this experience will be reflected in our general observations of the code review in Task 2. In Task 3, MAKERS will more specifically focus on comparing the codes of neighboring or other Ohio jurisdictions that may provide inspiration for code structure (including tables, graphics, etc.) and approaches to specific land uses or site development issues. We will also share relevant examples of our own work in the Pacific Northwest, where helpful. Conversations with City staff and stakeholders may also reveal reason for regional consistency on specific issues, such as housing regulations, sustainability requirements, parking standards, etc.

Form-Based Code Considerations

The RFP stops short of endorsing a full transition to a form-based code but expresses interest in a “form-based direction”. MAKERS specializes in exactly what the City is seeking, with over 30 years of experience in “hybrid” form-based codes that are easy to use and, equally important, help meet communities’ land use and design objectives.

Best Practices in Urban Design Standards

MAKERS conducted an expansive evaluation of the City of Redmond, WA's design standards that examined (1) document structure and organization, (2) context and site planning, (3) building design, and (4) site details and other issues. Of these four categories, MAKERS analyzed 25 different design standards subjects applicable to Redmond. For each, we summarized current standards, relevant feedback from engagement, notable examples from other comparable cities, emerging best practices, and a summary of recommendations for Redmond. The analysis has proven to be particularly valuable to how we have since approached similar design standards updates in other communities.



Redmond Design Standards Evaluation & Comparative Cities Research

March 20, 2015

MAKERS



Proposed Scope of Services

Equity and Inclusion

MAKERS will also provide high-level recommendations for how an equity and inclusion lens can be integrated into the code. This could apply to not only desired outcomes in the built environment (e.g. universal design, cultural welcomeness, housing affordability, business permitting costs, etc.) but also the usability of the code itself with regards to format, use of accessible language, and graphic design and coloring.

MAKERS also brings knowledge of best practices driven by state-level legislation not only in Washington State (which is emerging as a national leader for issues like middle housing, ADUs, TOD, parking, and environmental review), but also in places like Oregon, Montana, Arizona, Colorado, Texas, New Hampshire, Iowa, and California.

Task 3 Deliverables

- » Best Practices Review Memorandum
- » Best Practices Review Slideshow

3.2 STATE AND NATIONAL TRENDS

In this subtask, MAKERS and McKinley-Horn will provide a summary of the national trends in best practices for local zoning relevant to this update, with a special focus on housing. The RFP mentions the Renewing Opportunity in the American Dream (ROAD) to Housing Act of 2025 at the federal level. We will also incorporate our intimate knowledge of state-level legislation that is promoting housing production and zoning reform – a summary of recent Ohio planning-related legislation prepared by Kimley-Horn is below.

Recent Planning-Related Legislation in Ohio		
Year	Legislation Name/Number	Summary of Main Points
2022	Senate Bill 61 (134th GA)	Updates the New Community Law and regulations for condominiums and planned communities. Key provisions: allows HOA boards to remove discriminatory covenants, requires adequate reserve budgeting, regulates solar energy devices, and expands HOA authority in land use proceedings.
2023–2024	House Bill 315 (Amended)	Funds technical assistance for local governments to modernize zoning and land use regulations.
2024	Senate Select Committee on Housing Report	Recommends technical assistance for zoning code modernization. It influenced amendments to HB 315 and reflects legislative intent to support local planning reform.
2025	House Bill 445	Strengthens collaboration among regional councils and metropolitan planning organizations for transportation and development planning.
2025	House Bill 93	If passed, this bill would restore the Clean Ohio Fund for brownfield redevelopment and conservation.
2025	House Bill 315 (Enacted Jan 2, 2025)	Expands township authority to enforce zoning violations by civil fine (previously only criminal), allows combining civil fines with other legal actions, creates new fee authority for qualifying event venues, modernizes notice requirements (including digital/online), and enables township historic preservation commissions.

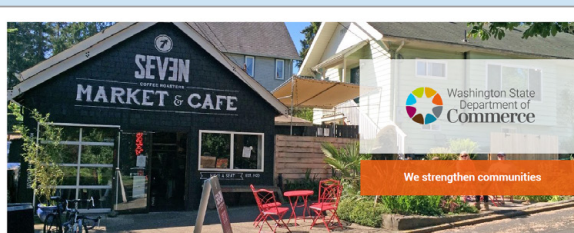


Proposed Scope of Services

MAKERS Involvement: State Planning Legislation

MAKERS has been at the forefront of housing policy and neighborhood design as the Washington Legislature makes annual amendments to the Growth Management Act. Working with the Department of Commerce we have produced multiple guidance documents on complying with new state law.

Topics have included housing action plans and housing elements, middle housing, co-living housing, transit-oriented development, unit lot subdivisions, residential parking, and neighborhood commercial uses. Published documents can be found at the [Department of Commerce website](#). More recently, MAKERS has been consulted directly by legislators and advocacy organizations ahead of planning-related bills being introduced.



NEIGHBORHOOD COMMERCIAL FACT SHEET | JANUARY 2025

Neighborhood Commercial

Return of the Corner Store

Across Washington, cities, towns, and counties are exploring the reintroduction of small-scale neighborhood commercial uses like cafes and neighborhood grocery stores into residential neighborhoods after decades of land use segregation. Neighborhood commercial uses are primarily neighborhood-serving businesses that provide limited retail goods and services for nearby residential customers. Communities look to many potential benefits of accommodating these uses within residential neighborhoods:

- Help people meet their daily needs for goods and services without relying as much on driving, which can improve public health, air and water quality, and traffic congestion.
- Increase the local tax base.
- Encourage local entrepreneurship above the scale of a home-based business and below the cost of renting a large commercial property.
- Increase employment opportunities.
- Improve access to fresh food.
- Provides residential neighborhoods a sense of place and community ownership.

Permitting neighborhood commercial uses goes hand-in-hand with increased allowances for residential density. Recent legislation requires many Washington jurisdictions to zone for middle housing and accessory dwelling units in traditionally low-density, single-family zoned neighborhoods. These neighborhoods will incrementally

Agency contact

Lilith Vespier
INFILL HOUSING MANAGER
Local Government Division
Lilith.Vespier@commerce.wa.gov
Phone: 360.890.5100

GROWTH MANAGEMENT
SERVICES

Task 4: Stakeholder and Public Engagement

4.1 MEETING WITH CITY COUNCIL AND PLANNING COMMISSION

See Task 1.2 for details.

4.2 STAKEHOLDER AND COMMUNITY ENGAGEMENT PLAN (SCEP)

MAKERS and Kimley-Horn will collaborate with City staff to develop a SCEP that highlights a coordinated plan for conducting meaningful engagement that is both broad and targeted across demographics and neighborhoods. The initial meeting with City Council and Planning Commission (Task 1.2) will provide important direction on this work. While it is important the most frequent code users are consulted and heard – designers, developers, property owners, permitting staff, etc. – the code impacts everyone in Cleveland Heights. Our team will employ strategies that solicit input from underrepresented groups like renters, young parents, and people with disabilities.

The SCEP will identify the techniques, audiences, online vs. in-person approach, and responsible team members for each of these suggested activities:

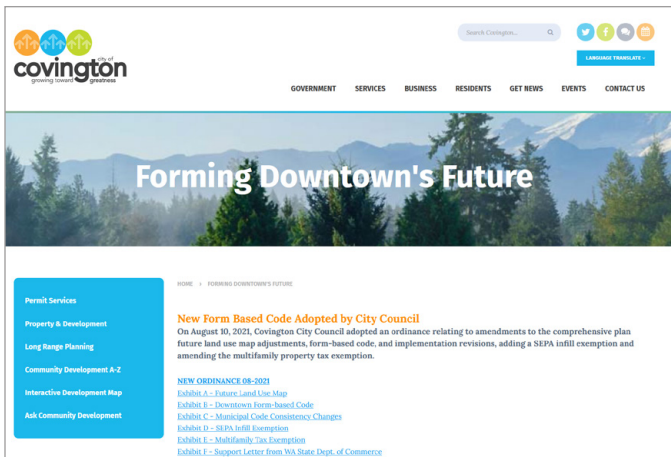
- Storefront Studio
- Technical Advisory Committee meetings
- Stakeholder interviews
- Surveys
- City Council and/or Planning Commission meetings and briefings
- Public meetings/workshops
- Tabling at community events (school events, annual festivals, etc.) or popular designations like the mall and grocery stores
- “Road show” presentations at community meetings or civic clubs
- Project website and interactive online engagement methods

MAKERS and Kimley-Horn staff will be responsible for developing and facilitating the majority of engagement activities, whether online or in-person. Any activities led by City staff will have the support of the consultant team, such as printed materials and slideshows.

The SCEP will be drafted before the public kickoff in Task 1.2 to encourage productive conversation and input from the City Council and Planning Commission.



Proposed Scope of Services



For the Downtown Form-Based Code in Covington, WA, the MAKERS team provided most of the content (text, graphics, documents, resource links) for City staff to use on a [dedicated project webpage](#). The webpage was updated throughout the project as new deliverables were published, meeting dates and public comment opportunities were set, and key milestones were reached.

4.3 STAKEHOLDER AND COMMUNITY ENGAGEMENT ACTIVITIES

This subtask will implement the strategies and activities of Task 4.2 above. The precise scope of engagement activities will be determined via the Task 1 activities, including coordination with staff and discussions with the City Council and Planning Commission, and can be adjusted throughout the project at the direction of City staff and based on what the team learns during early engagement. The SCEP can be a living document with the schedule and strategy evolving to meet City objectives and fill gaps in public participation.

Details on some proposed activities follow:

Storefront Studio. This is an intensive multi-day effort that embeds the consultant team in the community to help build awareness of the local context and establish relationships with participating community members. It is a dynamic team workspace and gives the community multiple opportunities to participate in the early stages of the code development process.

City staff are highly involved in the logistics for this task – namely acquiring a space at little or no cost, ideally a vacant storefront space or other similar accessible space in a highly visible location. The consultant team will be responsible for staffing the studio for 2-3 days, managing agendas and all activities, and producing all materials. It is assumed that City staff will be an active partner in promoting the studio, and the consultant team will assist in providing promotional materials.

The studio will be scheduled after initial code concepts are identified and are ready for public feedback. Outcomes of the studio will include:

- Open studio hours during the day with consultant staff available for conversation, and map or survey exercises addressing citywide and neighborhood-specific issues that are the topic of code
- One or two evening workshops presenting the project findings to-date (e.g. the code audit and best practices) and code concepts. This will include exercises and small group discussions to respond to the proposed code concepts, identify other opportunities and priorities in this code update, and reveal areas of tension or alternative solutions
- In-person stakeholder interviews (for those that have not occurred online or earlier in the project)
- In-person TAC meeting #2 (if schedule alignment can be found)
- Where possible, consultant staff may extend their presence to coinciding community meetings or events
- Additional walking tours and other fieldwork (as needed or time allows)



Storefront Studios run by MAKERS in Bozeman, MT and Port Angeles, WA for planning and code projects.



Proposed Scope of Services

Technical Advisory Committee (TAC). The RFP emphasizes the TAC at the top of the list of engagement activities. This will be an important sounding board from the perspective of code users, property owners, and development professionals. The TAC could be used to build connections between the City and broader constituencies, such as design and construction industry organizations and business associations. A committee of 8-12 people is recommended. Candidates for the TAC will be identified and selected by City staff, with some input from the consultant team.

Four TAC meetings are anticipated for consultant team attendance, as follows:

- **Meeting #1.** This first meeting will see introductions, explanation of ground rules and role of the TAC, and a review of the project schedule. The TAC will be asked to jump in with feedback on the consultant's early deliverables and findings from Tasks 2 and 3, including the community character analysis, code and map audit, and best practices research. The TAC will provide preliminary thoughts on how to move forward.
- **Meeting #2.** At this meeting the TAC will be asked to review fully-developed code concepts and give feedback on the project direction. Meeting content could include proposed updates to the code structure, zoning map, and new regulation ideas for key issues. This meeting could be attended in-person by the consultant team and coincide with the Storefront Studio.
- **Meetings #3 and #4.** Due to the potential size of the code update, these two meetings will be similar in their agenda but cover different chapters/sections. The TAC will be presented with code drafts and asked to respond to the major code update ideas in detail. These meetings will also be an opportunity to shape alternatives or develop questions for the broader community at the first draft public meeting.



MAKERS regularly facilitates advisory committees for planning projects.

Stakeholder interviews. The benefits of stakeholder interviews are two-way: They help the consultant team further understand local perspectives and detailed code issues and development practices, and they can cultivate champions for the code updates and tee up the project for success. For example, on a recent zoning project, single-stair buildings, height measurement methods, parking requirements for affordable housing, definitions for housing types, tiny home standards, daycare use standards, storefront dimensional regulations, and landscape planting specifications were either introduced or refined via stakeholder interviews.

Candidates for interviews will be discussed during the early project tasks, and can include major property owners, residential and commercial developers, affordable housing providers, architects, builders and contractors, environmental leaders, religious organizations, neighborhood groups, and outspoken citizen advocates.

Online survey. Surveys can be useful for engaging a broader segment of the community, but for code projects they need to be carefully timed and designed to maximize their utility. For most people, the zoning code is not on their daily radar and the survey needs to include concise and helpful background information leading into many of the questions. Graphics and photos are also essential to explain technical topics. MAKERS is well-versed in producing these kind of code surveys, covering topics as diverse as subdivision trail regulations, block frontage standards, and housing form.

For this project, there are two possible times to conduct a survey: (1) Near the beginning at the information-gathering stage, or more likely (2) after the initial set of key code concepts and options have been developed, during or after the proposed Storefront Studio. This would give community members an additional opportunity to participate at their own pace. The concepts that are surveyed will potentially be focused on new form-based elements of code, and/or visual preferences for commercial and residential development that inform zoning and design standards updates.

Survey length needs to be respectful of busy lives. A financial incentive, such as a gift card raffle, can be effective for increasing engagement, especially among underrepresented populations such as youth and renters. In addition, online surveys will have the option of being translated and produced in hard copy format to meet engagement objectives.



Proposed Scope of Services

Webinars and in-person public meetings. Within the Storefront Studio we recommend integrated two integrated in-person meetings. We also recommend a public workshop once the first draft code has been completed and published, to present and evaluate the code updates (associated with Task 6.2). A combination presentation-open house format usually works best at this juncture. Live webinars and/or on-demand presentations together with built-in surveys and other comment options should be another consideration.

Tabling and road shows. The RFP places a special emphasis on these engagement options. Our team's philosophy on these activities is:

- These activities take some effort to schedule and conduct, especially when they are repeated multiple times, so they may be best reserved for after engagement patterns reveals a gap in specific demographics that the City wishes to hear from.
- These activities should have a clear reason for people to participate in the project and provide a call-to-action (rather than sharing general information), such as an invitation to take an open survey or advertising an upcoming public workshop.
- City staff are a good first candidate for leading these activities because they are already nearby in the community, often have established relationships with the organizers, and can jump on opportunities with short notice. This may include neighborhood group meetings, sporting events, and tabling outside shopping destinations. The consultant team will provide printed and digital materials for any City staff-led activities.
- The consultant team is best employed for activities that are known far in advance or coincide with site visits that are already scheduled, for major community events that have the chance to reach a broad audience (examples may include Pride in the Park, Carnival Night, and the Annual Water Show), and/or for meetings of important or influential constituencies most directly affected by code.

Task 4 Deliverables

- » Stakeholder & Community Engagement Plan (SCEP)
- » Engagement materials, including handouts, posters, presentations, surveys, website content, social media content, and other materials as needed
- » Memorandum on overall stakeholder and community engagement, including summary and analysis of input



MAKERS hosts engaging and informative public meetings for code update projects.



MAKERS holds pop-up engagement and road show events at key locations to meet community members where they already are.



Proposed Scope of Services

Task 5: Places of Worship Review and Recommendations

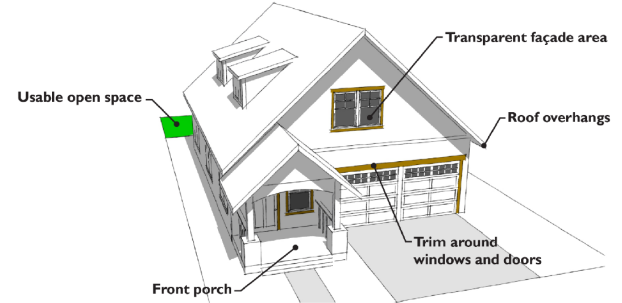
Kimley-Horn will lead a thorough review of the withdrawn zoning text amendments related to places of worship, including public comments received and staff research not integrated due to the legislation's withdrawal. As part of Task 3, we will research local and national best practices for regulating this land use.

After an initial review, we will collaborate with Planning and Law staff, hold one or more study sessions with City Council and the Planning Commission, and propose potential changes to the zoning text amendments either as an early action item or integrated into the broader zoning updates. The proposed amendments will address community concerns and legal requirements.

MAKERS will support the effort with contributions from our experience in regulating religious facilities and non-residential uses in neighborhoods. In consideration of First Amendment rights, we typically take a limited approach focused on regulating impacts and parking based on the size of the facility.

Task 5 Deliverables

- » Recommended changes to zoning text amendments for places of worship



E. Architectural Design. To ensure variety in architecture and to reduce the dominance of garages on the streetscape, applicants for new residential developments shall demonstrate compliance with the following provisions at the time of building permit application:

Similar to RDC 18.220.065.B.3 for townhouses, staff have found this single-family façade variety standard nearly impossible to enforce. It is being supplemented by a new standard for façade setback variety.

1. Front façade variety. Dwellings with the same front façade located on the same side of a street shall be separated by no less than four lots, and dwellings with the same front façade located on opposite sides of a street shall be separated by no less than four lots, with the lot directly across the street not included in the four-lot calculation. In this context, the lot "directly across the street" means the lot with which the greatest portion of frontage aligns with the frontage of the subject lot.

The cross-reference below to RDC 18.210.120.A.1.b was a roundabout way of requiring attached garages (which are very common for single-family anyway) to either be setback by four feet from the front façade or provide enhanced design elements in the RLD zones only. We suggest addressing this issue directly to ease navigation for code users.

1. Front façade features. Every front façade shall contain a minimum of three elements from the lists below to include, including a minimum of at least one element from the structural elements list and at least one element from the decorative elements list. In order for a dwelling to meet the enhanced architectural design requirement in RDC 18.210.120.A.1.b, the front façade shall contain a minimum of six elements from the lists below to include a minimum of two elements from the structural elements list and at least two elements from the decorative elements list.

Example of in-line annotations in a public review draft, from MAKERS' development regulations updates in Ridgefield, WA.

Task 6: Zoning Text Amendments and Map Changes

6.1 PREPARATION OF ADMINISTRATIVE DRAFT ZONING TEXT AMENDMENTS/ZONING MAP CHANGES

The first two steps of this task will likely run parallel: (1) Recommendations for code organization plus a format/style guide, and the design and integration of tables and graphics; and (2) Code and map concepts and options for those elements where changes are under consideration. Topics to be addressed in these concepts include many of those elements listed on pages 4-5 of the RFP, including middle housing, inclusionary zoning standards, parking provisions, form-based elements, automobile use provisions, and community design standards. Both of these steps will draw from work in Tasks 1-4. The Storefront Studio will be a great venue for introducing and evaluating these initial concepts and options.

The third step of this task is moving from concepts to code drafting. Due to the size and scope of the update, this will be an iterative process with select sections transmitted in batches, allowing for the City and consultant team to collaborate efficiently and keep up project momentum. This version of the draft text and map could incorporate in-line annotations (intended for all code reviewers, including the public) to explain the rationale behind a change, provide further clarification, list alternative approaches under consideration, or link to relevant resources.

We will use the recurring team meetings to discuss progress, review concepts, and highlight next steps throughout the task.

6.2 PREPARATION OF PUBLIC REVIEW DRAFT ZONING TEXT AMENDMENTS/ZONING MAP CHANGES

The consultant team will prepare a Public Review draft of the zoning text amendments and zoning map changes based upon City staff comments. The consultant team will present the draft changes at a public forum and conduct other engagement efforts to publicize the draft (as identified in the SPEC per Tasks 4.2-4.3). The draft changes will be posted on the City's website and made available for public comment. City staff will compile emailed or written comments on the draft changes and share with the consultant team.



Proposed Scope of Services

6.3 COMMUNITY IMPACT ANALYSIS

To ensure the proposed zoning changes benefit the community and align with its needs, McKinley-Horn will conduct a comprehensive Community Impact Analysis. This analysis will quantify the potential impacts of proposed zoning changes and evaluate key areas such as land use patterns, infrastructure, community services, transportation, socioeconomics, and sustainability.

The analysis will include:

- Quantifying Development Impacts: Assessing the potential number of new dwelling units and non-residential development.
- Evaluating Infrastructure Needs: Reviewing impacts on stormwater, water supply, sanitary sewer, energy, and solid waste.
- Assessing Community Services: Analyzing the effect on schools, police, fire, emergency services, and parks.
- Transportation Analysis: Evaluating traffic, transit, and parking impacts.
- Socioeconomic Review: Investigating demographic, employment, and tax implications.
- Sustainability and Resiliency: Ensuring consistency with the Climate Forward metrics.

6.4 FINAL ZONING TEXT AMENDMENTS/ZONING MAP CHANGES

In response to feedback from the public and decision-makers, the consultant team will collaborate with City staff and edit and finalize the zoning text and map in a format that is publish-ready.

6.5 ADOPTION

Consultant team support at the adoption phase of a zoning code update is always critical and can vary wildly. We are eager and committed to support the City in preparation for and attending hearings and other public meetings. Our fee proposal assumes the consultant team virtually attends one Planning Commission meeting and one City Council public hearing. This task could potentially include post-adoption staff training sessions, which we have led several times with other communities.

Task 6 Deliverables

- » Administrative Draft Zoning Text Amendments/ Zoning Map Changes
- » Public Review Draft Zoning Text Amendments/ Zoning Map Changes
- » Impact Analysis Memorandum
- » Final Zoning Text Amendments in digital format, including all graphic files
- » Final Zoning Map Changes in digital format, including all ArcGIS files
- » One (1) storage device containing all images, drawings, plans, and documentation developed in the preparation of the Zoning Code Update

Optional Task A: Zoning Handbook

MAKERS and Kimley-Horn are prepared to take on the development of a zoning handbook that explains how to use the updated code. The handbook will be easy to understand with graphics and examples that demonstrate how to navigate the code and find answers to frequently requested information. This work will be influenced by MAKERS' recent work at several cities to create design review checklist forms, and on several guidance documents and fact sheets produced for the Washington Department of Commerce that cover a wide variety of zoning issues and urban design details (as noted above).

An outline of potential subtasks follows, and a preliminary budget is provided in our fee proposal.

A.1 Handbook Focus. This includes an initial discussion of key elements and goals for the handbook.

A.2 Document Design. This task allows for the design of the document and graphic styles at the project outset, allowing time to focus on good design and layouts before moving on to the actual content.

A.3 Draft Content Development. This step likely involves a coordination meeting with City staff in the middle to discuss early concepts, questions, and issues.

A.4 Final Content Development.



Proposed Scope of Services

Optional Task B: Infill Guidelines Handout

Under this optional task MAKERS would lead the preparation of an informational handout for infill development strategies and applicable design standards or guidelines. This will be an accessible document for property owners, builders, developers, and City staff.

It will be important to clarify the desired content and format. Decision points may include:

- The range of housing types and commercial land uses that will be included in the handout
- Whether general information on infill development is provided independent of regulatory requirements (such as walking through the benefits of middle housing and accessory dwelling units), or if the focus will be how infill development should be designed to meet code
- Whether basic fire and building code information should be included in addition to zoning and design standards
- Whether content provided on text documents will be directly copied onto City webpages or if separate original content for webpages is necessary
- What types of visual elements will be most beneficial, including whether any existing Cleveland Heights graphics can be re-used and how much updates or tailoring will be needed

The deliverable(s) will be crafted in an engaging, colorful, and accessible way that helps both the general public and building permit applicants understand the infill

development opportunities and regulations in Cleveland Heights. The content will be designed to effectively communicate key ideas and development regulations.

An outline of potential subtasks follows, and a preliminary budget is provided in our fee proposal. Task B could be integrated with the main project or be scheduled for post-adoption. We are open to adjustments and expect our draft scope and budget to be modified as we learn more about the City's needs.

B.1 Handout Focus. This first step is answering the decision points bulleted above.

B.2 Document Design. This task allows for the design of the document and graphic styles at the project outset, allowing time to focus on good design and layouts before moving on to the actual content.

B.3 Draft Content Development. One or two coordination meetings are likely needed for this step.

B.4 Final Content Development.

Optional Task C: Build-Measure-Learn Tiny Home Project

MAKERS and Kimley-Horn can also provide assistance with this task, though would like to clarify details of the task with City staff before providing more scope and budget details.

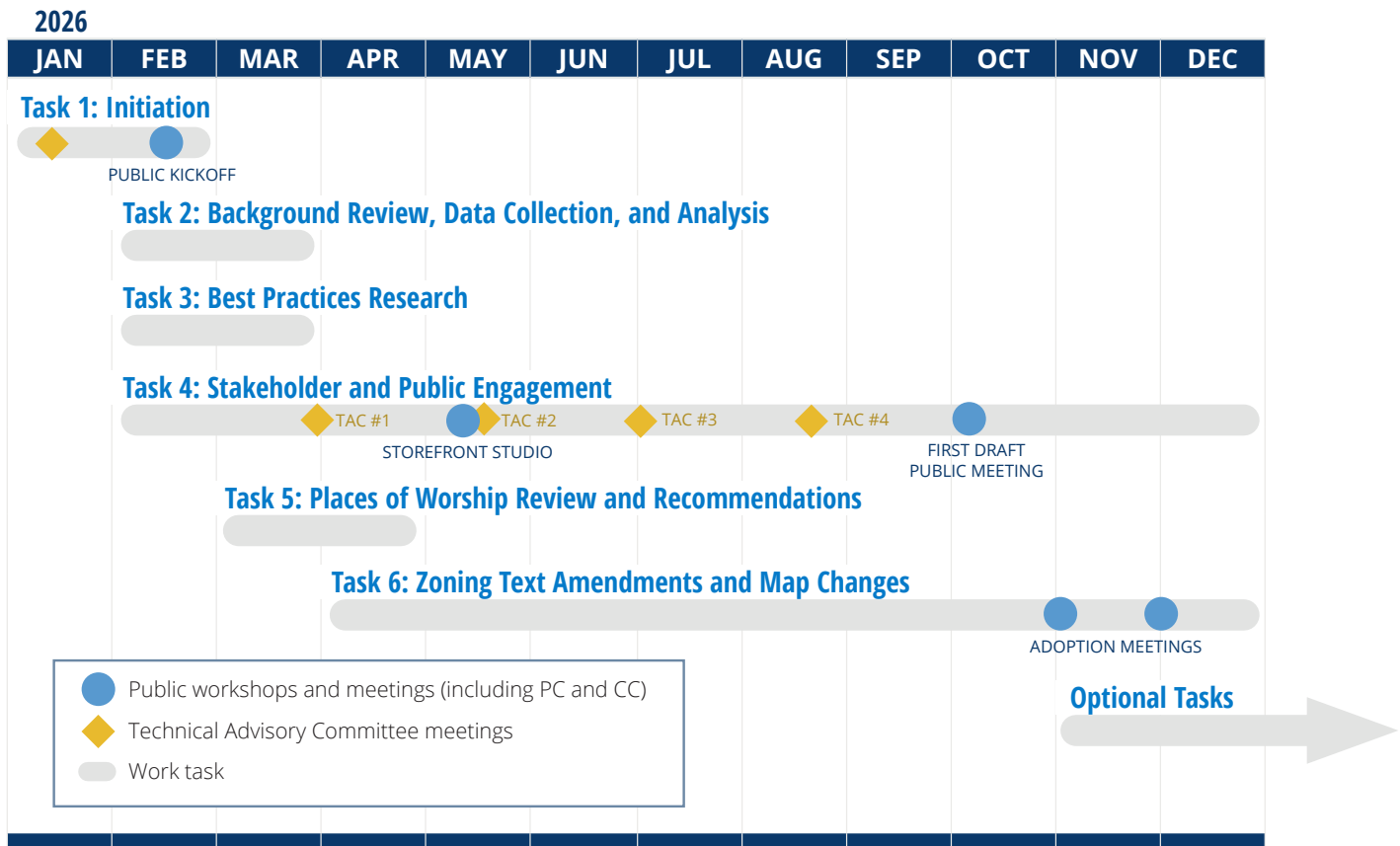


Examples of MAKERS' recent middle housing handouts/prototypes.



Proposed Timeline

Below is our first draft schedule based on the information in the RFP. This is intended as a starting point for discussion and will be tailored to take into account new information City priorities, staff availability, the anticipated adoption process, and other requirements.



References

MAKERS

Anacortes Development Regulations Update

Libby Grage, Planning Manager
City of Anacortes
(360) 299-1986
libbyb@cityofanacortes.org

Washington Middle Housing Model Ordinance

Lilith Vespier, Infill Housing Manager
Washington Department of Commerce
(509) 606-3530
lilith.vespier@commerce.wa.gov

Kimley-Horn

Pinehurst Development Ordinance Update

Alex Cameron, Planning and Inspections Director
Village of Pinehurst
(910) 295.8664
acameron@vopnc.org



Example Codes/Ordinances

MAKERS Examples

Below are links to the final products of the projects described in the experience section above.

- Anacortes Development Regulations Update
 - » [Anacortes Unified Development Code](#)
- Burien Neighborhood Plans, Comprehensive Plan, and Citywide Design Standards
 - » [New Mixed Use Zone Provisions](#)
 - » [Commercial and Multifamily Design Standards](#)
- Mountlake Terrace Town Center Subarea Plan, Zoning, and Design Standards
 - » [Town Center Subarea Plan](#)
 - » [Town Center Zones](#)
 - » [Town Center Design Standards](#)
- Woodinville Downtown Vision & Illustrative Guide
- [Washington State Middle Housing Model Ordinance and User Guide](#)
- [Bozeman Unified Development Code - Title 38](#)
- [Boise Citywide Design Standards](#)

Kimley-Horn Examples

- [Pinehurst Development Ordinance Update](#)
- [Lewisville Tomorrow Comprehensive Plan, PARC Plan, and UDO Update](#)



Cost Proposal

Our suggested budget breakdown is outlined below. This first draft is based on the RFP's scope of work and schedule, experience working on similar code updates, and coordination between MAKERS and Kimley-Horn. We expect to update the budget based on available resources, the City's priorities, new information, and other project assumptions. We look forward to the opportunity to tailor our proposal to best meet Cleveland Height's objectives.

		MAKERS			Kimley-Horn			
		Bob Bengford	Scott Bonjukian	Laurel Hicks	Aaron Prichard	Alyssa Flandermeyer	Chris Dahman	
	Task	\$245/hr	\$175/hr	\$155/hr	\$215/hr	\$215/hr	\$185/hr	Amount
1.	Project Initiation							\$12,265
1.1	Internal kickoff	8	8	2	4	1	1	\$5,010
1.2	Public kickoff and community character analysis tours (prep, travel time, and tours only; also see Task 4.1)	12	12	4	6		1	\$7,255
2.	Background review, data collection & analysis							\$25,030
2.1	Review existing materials	6	12	4	4		2	\$5,510
2.2	Community character analysis	8	12		2		1	\$4,775
2.3	Code audit	10	20	4	10		2	\$9,240
2.4	Zoning map analysis	2	8		2		1	\$2,555
2.5	Review planning and permitting process and procedures	2	2		8		2	\$2,950
3.	Best practices							\$6,340
3.1	Best practices	2	10	2	4	2		\$3,900
3.2	State and national trends	1	5		4	2		\$2,440
4.	Stakeholder & public engagement							\$40,580
4.1	Meeting with City Council and Planning Commission (actual CC/PC meeting time only; also see Task 1.2)	2	2		2			\$1,290
4.2	Stakeholder and community engagement plan (SCEP)	2	12		2			\$3,090
4.3	Stakeholder and community engagement activities	40	60	20	40		20	\$36,200
5.	Places of worship review & recommendations							\$3,870
5.1	Places of worship review and recommendations	1	1		10	6		\$3,870
6.	Preparation & adoption of zoning code & map							\$98,325
6.1	Preparation of administrative draft code and map	50	120	40	10		45	\$50,775
6.2	Preparation of public draft code and map	24	60	10	8		20	\$23,770
6.3	Community impact analysis		2		12		22	\$7,010
6.4	Final code and map	10	20	6		4		\$7,890
6.5	Adoption	20	12		8			\$8,880
SUBTOTAL								\$186,410
Expenses								
	Travel							\$13,590
TOTAL								\$200,000
Optional Task A: Zoning Handbook								\$10,860
A.1	Handbook focus	2	4		2			\$1,650
A.2	Document design	1	4	4				\$1,590
A.3	Draft content development	4	16	8	4			\$5,980
A.4	Final content development	1	6	2				\$1,640
Optional Task B: Infill Guidelines Handout								\$17,540
B.1	Handout focus	4	8					\$2,440
B.2	Document design	2	6	4				\$2,200
B.3	Draft content development	8	16	24				\$8,600
B.4	Final content development	4	8	12				\$4,300



Statements

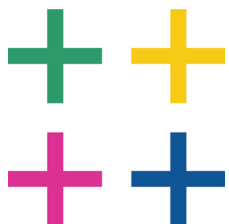
Statement on DBE/WMBE Inclusion

MAKERS prioritizes strengthening the capabilities, experience, and competitiveness of historically underrepresented, women-owned, minority-owned, and emerging small businesses in all the communities where we work. Our business practices have been shaped by our own perspective as a small women-owned business. We look for opportunities to invite local community groups, innovators, and grassroots organizers from underrepresented communities to work in partnership on projects. Through our work we prioritize engaging and supporting Black, Indigenous, and People of Color (BIPOC) professionals, Community Based Organizations, BIPOC community members, and suppliers.

MAKERS is certified with the state of Washington as a disadvantaged business enterprise (DBE #D2F0022439) and a women-owned business enterprise (WBE #W2F0022439).

Statement of Non-Discrimination

The MAKERS team will comply with all applicable federal, state and local laws with regard to fair employment practices and will not discriminate on the basis of the protected classes identified in Section 749.01 of the Cleveland Heights Codified Ordinances (e.g., age, race, color, religion, sex, familial status, national origin, disability, sexual orientation, or gender identity or expression) in connection with the Project.



Proposal

Submitted in response
to the City of Cleveland
Heights 2026 Zoning Code
Update RFP

Prepared By:

ZONE CO ++

Better Codes Make Better Places

A handwritten signature in blue ink, appearing to read 'Sean Suder'.

Sean Suder, Founding Principal

1502 Vine Street, 4th Floor
Cincinnati, OH 45202
www.thezoneco.com
(513) 235-3470
ssuder@thezoneco.com

Valid Through:
11/17/26

SECTION OVERVIEW

01

Statement of Qualifications
with Example Codes and
References

02

Personnel

03

Proposed Project
Understanding and
Approach

04

Proposed Scope of
Services with Deliverables

05

Proposed Timeline

06

Cost Proposal

07

Statements of
Non-Discrimination
and Inclusion

STATEMENT OF QUALIFICATIONS

Our team was selected to provide the best service to the City of Cleveland Heights. Each firm brings a unique specialization. Firm expertise and roles within this project are described below.

ZoneCo is a nationally recognized zoning consultancy currently working with Cleveland Heights on sign regulations updates. Their expertise in clear, equitable, and user-friendly codes and strong experience across Ohio make them ideal for delivering modern zoning solutions.

City Architecture, a Cleveland-based firm, brings deep local knowledge and urban design expertise to Cleveland Heights. Their work integrates context-sensitive design and landscape requirements, ensuring regulations match community character. They have intimate familiarity with the community, its people, and the built form. Their team will assist with form and design standards, and engagement.

OHM Advisors brings multidisciplinary planning, engineering, architectural, environmental, and development strength. They have proven experience with advanced GIS services that can be leveraged for communicating code updates effectively with the community. They will have a deep bench of technical expertise available to the team at any time, in addition to advanced virtual and GIS engagement techniques.

Urban3 specializes in municipal economic analysis and fiscal modelling for land use and zoning. They recently completed an analysis of Cuyahoga County; the findings from this project will be pertinent to this project. Furthermore, Principal Heather Worthington was instrumental in Minneapolis' ground breaking zoning reform and equitable zoning and engagement. Heather will develop the project's engagement plan and oversee small-group format engagement sessions.



ZoneCo



City Architecture

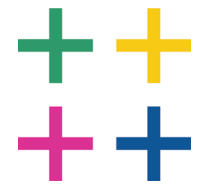


OHM Advisors



Urban3

WE ARE ZONECO



The Intersection of Planning + Design + Law

+ About ZoneCo

The importance and complexity of zoning policy inspired the founding of ZoneCo, LLC. Zoning code consulting is our core service. We are focused and passionate, and we strive to help communities be more vibrant, resilient, equitable, and sustainable places through land use policy.

We believe that zoning should facilitate a community's desired outcomes, not serve as a barrier to development and placemaking.

We craft clear consistent, user-friendly, equitable, and defensible zoning codes that remove barriers and achieve desired outcomes.

+ About Our Team

Our team is multi-disciplinary, which reflects our belief that land use planning and zoning should integrate expertise from various disciplines. Our personable, professional staff collectively have skills in planning, zoning, urban design, historic preservation, environmental science, mapping, architecture, real estate, public finance, public engagement, graphic design, and project management. Several of our staff members have land use law experience.

All ZoneCo professionals have public sector experience. We understand the complexities of administering a zoning code, which helps us to better understand our clients and their challenges.

Consulting Services +

- Zoning Codes
- Subdivision Codes
- Sign Ordinances
- Historic Ordinances
- Zoning Diagnostics
- Equity Zoning Audits
- Board & Commission Training
- Code Graphics
- Public Engagement
- Coastal Zoning
- Form-Based Codes
- Design Standards
- On-Call Planning & Zoning Services
- Future Land Use Plans
- Planning Approvals

Where We've Worked +

Alabama	Maryland	Pennsylvania
Colorado	Massachusetts	South Carolina
Connecticut	Minnesota	Tennessee
Florida	Mississippi	Vermont
Georgia	Missouri	Virginia
Illinois	Montana	Wisconsin
Indiana	New York	
Kentucky	Ohio	

Firm Location/Contact:
1502 Vine Street, 4th Floor
Cincinnati, OH 45202

www.thezoneco.com

THIS IS WHO WE ARE.

THIS IS WHAT WE DO.

Founded in 1989, City Architecture has been in practice for more than three decades. We are a respected Cleveland firm providing integrated services in architecture, planning, and urban design and are both a Cuyahoga County Small Business Enterprise and City of Cleveland Certified Small Business. We are focused on creating places that are vibrant, responsive to their context, and reflective of the vision of the client and community. We believe in meeting people where they are, bringing every voice to the table through authentic and meaningful community engagement. As a group of highly motivated professionals and staff, we strive to identify issues, solve problems, and create opportunities which go beyond the basic project requirements while respecting defined budgets.

Together, our four principals, along with our outstanding staff, work as a cohesive group on a wide variety of projects. Our firm is composed of registered architects, certified planners, LEED accredited professionals, graduate architects, urban designers, interns and administrators. Our firm has a track record of working with public and private clients. We take significant pride in our ability to deliver projects that are well received and enthusiastically supported. Our practice is motivated by our collective belief that our work's impact reaches beyond individual projects, and we strive to influence policies and standards in order to advance equity through design.

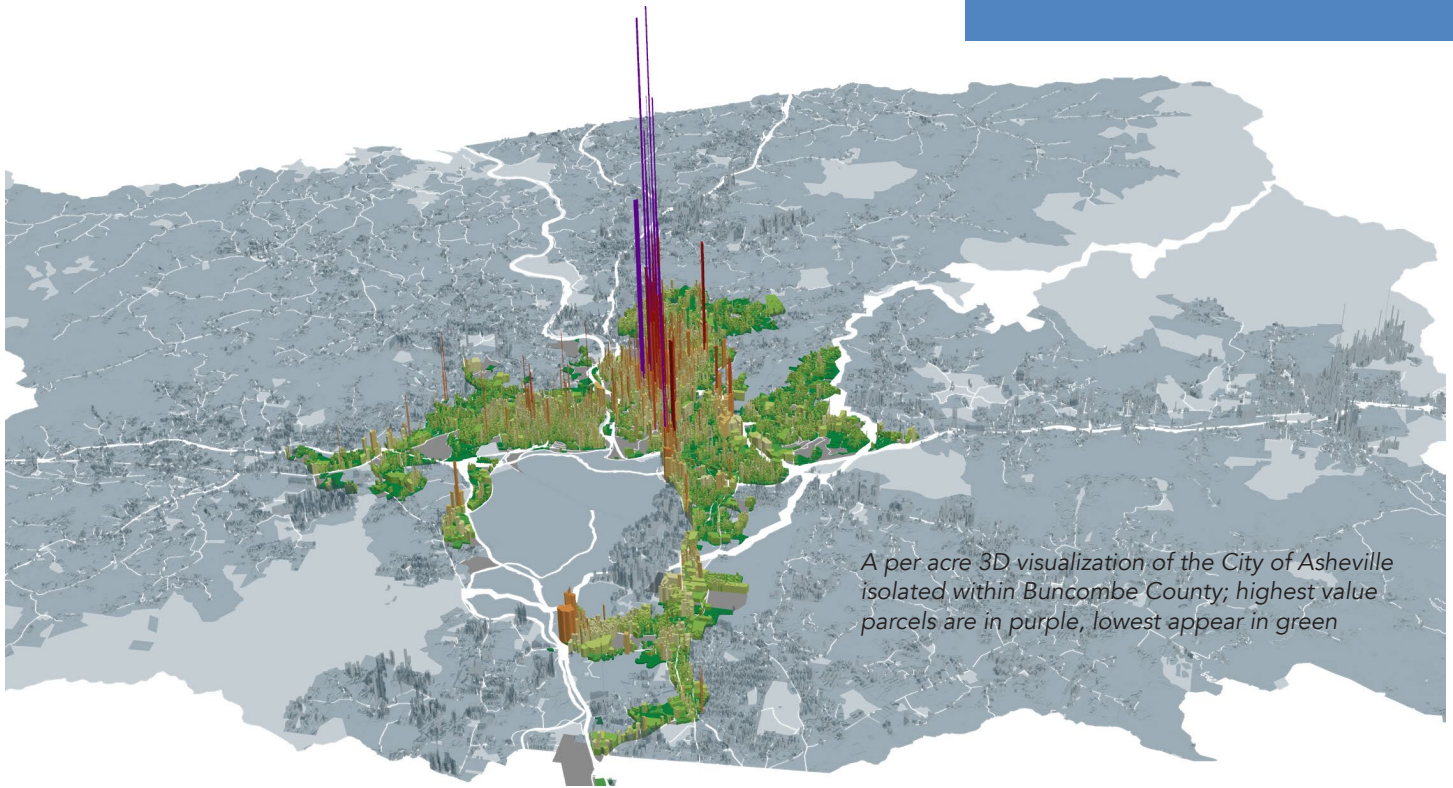
The longstanding mission of City Architecture is to design buildings and places that complement their neighborhood, add to a city's vitality and reflect our clients' values. We aspire to create the people-places that promote a sense of community. It is our ongoing commitment to serve as neighborhood builders - often working within established places. At our core, we believe that inspired designs serve as economic catalysts, meeting current needs while positioning strategic investments for a healthy future.

We have an extensive reputation as the architects and planners of many of Northeast Ohio's most highly recognized projects. City Architecture's dedication to our work is best represented in over 250 awards and honors for excellence in planning, urban design, architecture, renovation, historic preservation and smart growth development. Our work has been recognized and highlighted in local, state and national publications. **We are honored to have been recognized with an AIA Ohio Gold Medal Firm Award, the highest honor the organization can bestow upon a firm, in recognition of consistent excellence in design and professional practice.**

Most importantly, we value our work and our relationships with the people and places with whom we are privileged to collaborate.

"We believe City Architecture possesses the necessary talent, and more importantly passion, to help guide processes that lead to long-term successes."

- Cynthia Leitson, Vice President,
Capital, Construction and
Facilities, Cuyahoga
Community College



WHO IS URBAN3?

Urban3 is a real estate economics firm based in Asheville, North Carolina. We are leaders in visualizing economic productivity using 3D modeling software, as well as designers of infographics that communicate the financial impact of public policy and land use. Urban3's pioneering economic visualization work has earned international recognition.

WHY 3D MODELING?

Urban3's visualizations are composed using local data and create a snapshot of the fiscal health of a community. We think of it as our client's Economic MRI. The visuals not only reflect the relative fiscal potency of development patterns, but aid decision makers in delivering a clear and data-driven understanding of the economics of place. Our 3D images are a new way of seeing the world in which fiscal efficiency is immediately apparent.

"Urban3's work was an eye-opener. Anyone interested in encouraging economic growth should build on a foundation of understanding the tax implications of different choices. Urban3 provides that critical foundation."

Rick Bernhardt
Former Executive Director,
Nashville Metro Planning

WHY IS VISUALIZING A COMMUNITY'S FINANCIAL HEALTH IMPORTANT?

Mapping and analyzing the financial health of a community helps policymakers and practitioners prioritize capital improvements and community design decisions. Our method simplifies complex information to include everyone in real conversations about community growth. Through our visualizations, communities have the resources to make informed decisions about future development.

Who We Are

OHM ADVISORS

We are the community advancement firm.

As a community advancement firm designing award-winning work across the architecture, engineering and planning spheres, we believe that something incredible grows out of a team of experts with individual specialties—ideas with bigger impact.

Firm History

OHM Advisors was established in 1962 and has been growing steadily ever since. Some of our growth has been through strategic mergers and acquisitions and some has been organic, but the driving force has always been to create an exceptional team of people committed to best serving our clients.

Firm Leadership

Since our beginnings, we've understood that meeting the advisory needs of our clients starts with building their trust. For over six decades, our goal has been to create honest client partnerships for today's challenges that last well into the future.

FIRM OVERVIEW

A team of over **720** experts of diverse backgrounds and talents

23 LOCATIONS and growing throughout MI, OH, IN, PA, KY, FL & TN

Experts in 10 collaborative disciplines

Advancing Communities since 1962



Explore our innovative solutions to challenges at **OHM-Advisors.com**

TEAM EXPERIENCE AND ROLES

The matrix below describes the skills and roles for our team within this project. ZoneCo, in addition to managing the project, will lead zoning assessments and drafting with support from City Architecture, a team with intimate familiarity with Cleveland Heights. ZoneCo is currently working on the Cleveland Heights sign code, a code update in University Heights, and a corridor zoning project in Shaker Heights. We understand both the region and the development patterns in Cleveland Heights. These two teams will work collaboratively on form and design standards, with ZoneCo leading the majority of the code drafting.

Heather Worthington is one of the country's foremost experts on approaches to communicate, engage, and navigate forward-thinking zoning reforms. She will be unparalleled in her skill with facilitating small group meetings and politically charged conversations, making sure all residents feel heard. She led Minneapolis' equity-centered comprehensive plan, which was followed by first-in-the county reform to residential single-family zoning districts to create increased equity for housing access. Her firm, Urban3, just completed a land value economics study across Cuyahoga County, including Cleveland Heights, and Heather will be able to relay those findings into this project. Heather will develop the Stakeholder and Community Engagement Plan (SCEP) with support from City Architecture.

OHM Advisors is also currently working in Cleveland Heights on the Parks & Recreation Master Plan, and the sign code. They will be available to attend engagement events as needed. They have advanced virtual and GIS-based engagement tools that will be integrated into the engagement plan. They have extensive experience working jointly with ZoneCo on code layouts, code graphics, and zoning maps. Their deep bench of technical experts in construction, engineering, and architecture will be available to the team as needed.

OUR SKILLS	TEAM EXPERIENCE/ROLES			
	ZoneCo	City Arch.	OHM	Urban3
Code Audit/Context Assessment	●	●		●
Creation of Engagement Plan		●		●
Engagement Meetings	●	●	●	●
Virtual/Map-Based Engagement	●		●	
Zoning Code Standard Calibration	●	●		
Zoning Code InDesign Layout			●	
Zoning Code Drafting	●			
Zoning Code Graphics/Mapping			●	
Legal Review/QA-QC/Code Testing	●	●		
Code Adoption	●			

CLIENT TESTIMONIALS



CITY OF GAHANNA, OH

“External customers with experience working in a variety of codes/ jurisdictions have given high praise for the logical order of ZoneCo’s code, use of pictures and tables, easy to understand verbiage, and I’ve had more than one professional say it was their favorite or best code that they’ve seen. Elected officials have given positive feedback regarding the simplicity/ease of understanding the code compared to the previous code.”

-Michael Blackford, Planning Director



WINCHESTER/WINSTED, CT

“I go to a lot of towns and states. I have never seen regulations that have really jumped out at me as clear and well-organized as what Sean has provided to us.”

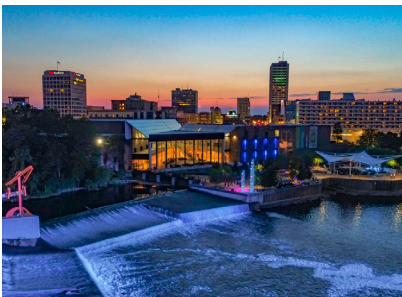
- Member, Winchester, CT Planning and Zoning Commission, The Register Citizen



CITY OF REYNOLDSBURG, OH

“ZoneCo took what we had in our heads, and transferred those thoughts and plans into a defensible, yet progressive document. Our experience with ZoneCo is one of pride in our local community, as we grow into one of the most forward thinking, and development friendly municipalities in the state! Our new zoning code will live long after I’m gone, still providing a framework for the built environment of a more prosperous Reynoldsburg.”

- Andrew Bowsher, Development Director



CITY OF SOUTH BEND, IN

“This citywide code is an excellent model for any city - particularly legacy cities-seeking to use code reform to promote fiscally and environmentally sustainable urban regeneration, greater housing diversity, walkable neighborhoods, and stronger urban design. The code’s helpful “how to use” guide, clean easy-to-read graphics, and logical layout make navigation easy for administrators, applicants, and citizens. The historic preservation provisions, bike and car parking standards, and clever treatment of cul-de-sacs are some of the many exemplary features...This new code will have a lasting and positive transformational impact on South Bend’s future and provides many lessons for other cities considering a form-based code.”

- Smart Growth America / FBC Institute
ZoneCo, Co-Winner of Driehaus Award, South Bend, IN

BOWLING GREEN, OHIO

Gateway Zoning District and Zoning Code Update (recent additional contract for subdivision code)

Project Scope

ZoneCo commenced the project with a new form-based gateway district and was subsequently retained to update the full zoning code. Additionally, ZoneCo just kicked off the update of Bowling Green's subdivision ordinance.

Skills and Techniques

- Zoning Diagnostic Report
- Corridor Growth Strategies
- Form-Based Standards
- Mixed-Use Standards
- Parking Standards
- Standards to accommodate university population and employment

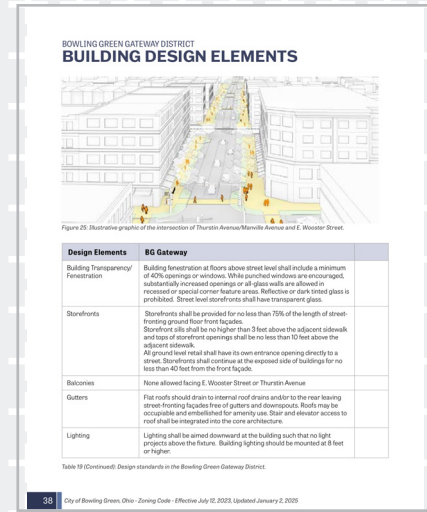
Project Overview

The zoning code update aimed to modernize regulations to foster a more livable community by reducing barriers to new businesses, increasing housing options (including townhomes and accessory dwelling units), creating a walkable urban center, strengthening the connection between BGSU and downtown, promoting local identity, and ensuring neighborhood character while supporting health and fitness opportunities, all guided by existing city planning documents.

City Council adopted the new code on July 12, 2023

Project Reference

Heather Saylor
Planning Director
304 N Church St
Bowling Green, Ohio 43402
(419) 354-6218
hsaylor@bgohio.org



GAHANNA, OHIO

Updated Land Use Plan and Zoning Code Update

Project Scope

An engagement-driven Land Use Plan, reflective of the community's vision for growth, followed by a modernized, streamlined, and updated zoning code.

Skills and Techniques

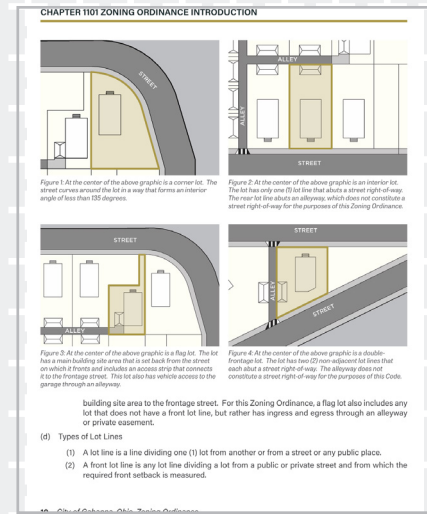
- Full Public Engagement Strategy
- Land Use Plan Update
- Community Surveys
- Full Code Diagnostic
- Calibration of all Regulations and Standards
- Development Pattern Districting
- Form-Based Coding
- Recommendations and Considerations for Suburban Retrofit
- Presentations at all Adoption Meetings

Project Overview

The City of Gahanna initiated a process to update the Comprehensive Land Use Plan in 2017 and aid in the consolidation of recommendations and goals from several previously completed plans. OHM Advisors worked with staff and the community to determine the key priorities and vision for growth and development in Gahanna. The team of OHM and ZoneCo were then selected to do an update of the Zoning Code, which was completed in 2024. The new

Project Reference

Michael Blackford
City of Gahanna
200 S. Hamilton Rd.
Gahanna, Ohio 43230
614.342.4029
michael.blackford@gahanna.gov



Zoning Districts
NC:
Neighborhood Commercial

Table 8: Neighborhood Commercial Standards

Standard	Min.	Max.
1. Lot Area	-	-
2. Lot Frontage	Lot must abut public street.	-
3. Front Setback	10 ft.	-
4. Side Setback	Adjacent to Residential zone: 10 ft. Adjacent to Non-Residential zone: 10 ft.	-
5. Rear Setback	Adjacent to Residential zone: 20 ft. Adjacent to Non-Residential zone: 10 ft.	-
6. Structure Height	-	Principal Structure: 30 ft. Accessory Structure: 15 ft.
7. Impervious Coverage	-	70% of lot area
8. Building Placement	Accessory structures must be placed to the side or rear of the principal structure.	

Figure 27: Regulatory graphic showing standards for the NC zoning district.

Figure 28: Graphic showing example of a building that could be developed in NC.

32 City of Gahanna, Ohio, Zoning Ordinance

DORMONT, PENNSYLVANIA

Development Code Update

Project Scope

A modern, streamlined, and updated Zoning Ordinance, with transit-oriented and form-based elements.

Skills and Techniques

- Transit-Oriented Standards
- Full Code Diagnostic
- Calibration of Development Standards and Regulations
- Form-Based Standards
- Mixed-Use Standards
- Design Standards
- Development Pattern Districting
- Floodplain Standards
- Visual Urban Dictionary

Project Overview

The Borough of Dormont, Pennsylvania engaged the team of ZoneCo and YARD & Company to help modernize its zoning ordinance. As one of Pittsburgh's several transit-oriented inner ring suburbs, Dormont seeks to build on the momentum created by recent regional transit-oriented development planning efforts. The team crafted a development code that not only allows for context sensitive infill development and adaptive reuse but enables the Borough to capitalize on several light rail stations and bus stops. The process includes active engagement and education; the testing of new ideas and zoning concepts to determine the most appropriate content; and a user-friendly tool to guide growth.

Project Reference

Benjamin Estell
Borough Manager
1444 Hillsdale Avenue, Pittsburgh, PA 15216
(412) 561-8900
bestell@boro.dormont.pa.us



SPRINGFIELD, OHIO

Zoning Code Update

Project Scope

ZoneCo was hired to update the Springfield Zoning Code.

Skills and Techniques

- Full Diagnostic Report
- Land Use Assessment
- Calibration of Standards and Regulations
- Environmentally-Oriented Standards
- Open Space / Agricultural Land Planning and Preservation

Project Overview

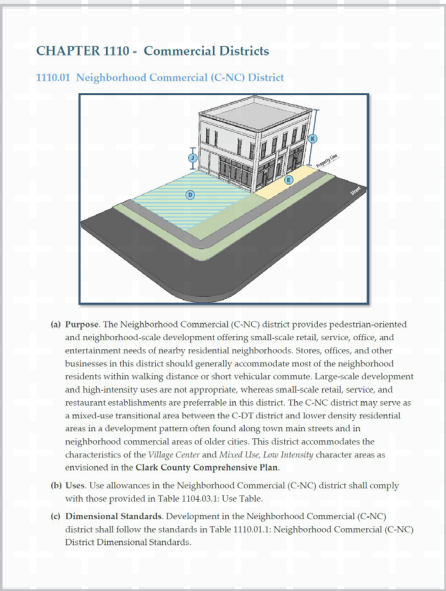
The goal of the Springfield code update was to simplify language and create more clarity. Further to this, zoning districts were streamlined and aligned with the goals of the Clark County Comprehensive Plan. Infill standards were integrated to ensure new development is compatible with land use goals and existing urban fabric. The final code is easier to read with effective use of tables and graphics, easier to administer, and better aligned with current City objectives.

Robust engagement informed the plan, and the community provided input and feedback throughout the code update.

The final code was adopted in the spring of 2025.

Project Reference

Stephen Thompson
Community Development Deputy Director
76 E. High St.
Springfield, OH 45502
sthompson@springfieldohio.gov
(937) 324-7674



(b) Signs Allowed by District: Signs are generally allowed by zoning district as provided in Table 1119.06.2: Sign Type Allowance Summary. For more specific allowances and standards for a given sign type, refer to Sections 1119.07, 1119.08, and 1119.09.

Table 1119.06.2: Sign Type Allowance Summary

Key →	✓ = sign allowed	✗ = sign not allowed	NR = sign allowed for nonresidential uses only	1 = standard does not apply	C = sign allowed by Conditional Use Permit		
District →	R-AG	R-1D	R-1C	C-1C	C-1H	C-1M	Code Location
Requirement ↓	P-FR	P-FR	P-FR	P-FR	P-FR	P-FR	
On-Premise Signs (See Section 1119.07)							
Freestanding Signs							
Monument Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (b)(1)
Pole Sign	✗	NR	✓	✓	✓	✗	Section 1119.07 (b)(2)
Attached Signs							
Wall Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (c)(1)
Attached Awning/Canopy Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (c)(2)
Projecting Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (c)(3)
Hanging Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (c)(4)
Window Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (c)(5)
Freestanding Canopy Sign	✗	NR	✓	✓	✓	✗	Section 1119.07 (c)(6)
Incidental Signs							
General Incidental Sign	NR	NR	✓	✓	✓	✓	Section 1119.07 (d)(1)
Speaker Board	✗	NR	✓	✗	✗	✗	Section 1119.07 (d)(2)
Off-Premise Signs (See Section 1119.08)							

SOUTH BEND, INDIANA

Form-Based Code

Project Scope

Peer review and legal review were provided for the re-write of the Zoning Ordinance.

Skills and Techniques

- Signage Standards
- Special Districts
- Overlay Districts
- Standard Districts
- Form-Based Standards
- Mixed-Use Standards
- Building Standards
- Parking Standards
- Floodplain Standards

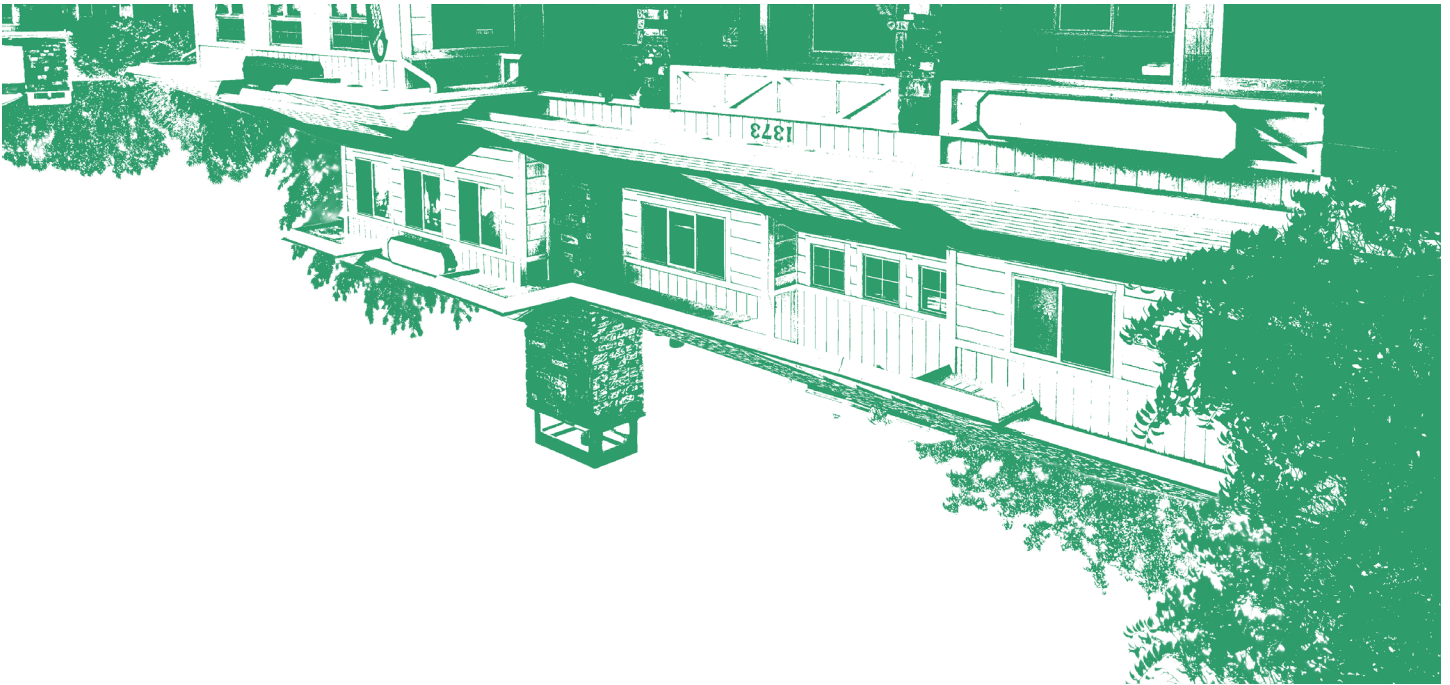
Project Overview

ZoneCo was hired to provide peer review services for the South Bend, Indiana zoning ordinance re-write. South Bend is seeking to craft a zoning code that provides flexibility while achieving the desired urban form. The code is highly visual, and ZoneCo helped to ensure that the code is facilitating the community vision while checking for compliance with Indiana statutes.

Project Reference

Michael Divita, AICP
Principal Planner
227 W. Jefferson Blvd., Suite 1400S
South Bend, IN 46601
(574) 235-5843
mdivita@southbendin.gov





PERSONNEL



PROJECT TEAM

The expertise held by each of our team members is described in greater detail on the team resumes in the following section. This team is special in that it combines experts intimately familiar with Cleveland Heights (ZoneCo, City Architecture, and OHM are currently working in Cleveland Heights, while Urban3 just finished a project with Cuyahoga County that included Cleveland Heights), but also have their own specialty areas within the scope of this project. These firms are also regional or national leaders in their respective specialty areas.

Sean Suder is a seasoned planning professional, land use attorney, and historic preservation expert. The genesis for founding a firm dedicated to zoning code consulting was borne out of his work acting as the Project Manager for the City of Cincinnati form-based code adoption and drafting of the Land Development Code while serving as Chief Land Use Counsel. He wanted to utilize his acumen for land use law, design, planning, and client service to create a firm focused only on zoning. There are only a handful of firms across the country that focus on zoning exclusively. The ZoneCo team has decades of experience in land use regulations and public administration. Sean is an ideal project manager for this project. Further to this, he will be able to seamlessly weave the concurrent work on the sign ordinance into this project.

As described on the “Team Experience and Roles” page, each team and team member has clear





SEAN S. SUDER, ESQ.

PROJECT MANAGER

About

As a city planner and lawyer who has worked in both the private and public sectors, Sean combines his technical and practical knowledge and experience with innovative zoning methodologies. In his role as the City of Cincinnati's Chief Land Use Counsel, Sean served as lead counsel for the award-winning Cincinnati form-based code and historic preservation ordinances. He is a national authority on innovative zoning methods and practices, including Development Pattern Districting (DPD), our widely acclaimed intuitive zoning approach..

Education

Juris Doctor

University Of Virginia School of Law

Bachelor of Urban And Environmental Planning

University of Virginia School of Architecture

Professional Associations

Congress for the New Urbanism
Form-Based Code Institute
Heritage Ohio
Urban Land Institute
American Planning Association

Credentials

Leadership in Energy and Environmental Design Accredited Professional (LEED®AP)
Admitted to practice law in OH, KY, D.C.

Contact

SSuder@thezoneco.com

Past Experience

ZoneCo

Lead Principal and Founder (2016 - Present)

(Prior: Calfee Zoning, 2016-2020; Graydon Land Use Strategies, 2014-2016)
Sean consults with communities of all sizes on crafting zoning regulations that are consistent, clear, usable and defensible. As an experienced private sector land use lawyer with extensive local government experience, Sean brings a unique perspective and experience to zoning codes.

City of Cincinnati

Chief Counsel, Land Use and Planning (2010-2014)

As Chief Counsel for Land Use and Planning for the City of Cincinnati, Sean worked with a team of city staff, consultants, elected officials, and citizens to develop legally defensible zoning and land use regulations that reduced regulatory risk to property owners, increased certainty for the community, and reduced litigation risk and expense for the city. Sean served as lead counsel for Cincinnati's Historic Preservation Code (Winner of the 2012 Cincinnati Preservation Award), Cincinnati Land Development Code, which includes the City's first stream corridor protection overlay district, and Cincinnati Form-Based Code (Winner of CNU 22 Award), all of which was funded by a 2010 HUD Sustainable Communities Challenge Grant.

Adjunct Professor/Speaker/Author

Sean has served as an Adjunct Professor of Land Use Law at the University of Cincinnati College of Law and has spoken at planning conferences across the country.

Relevant Project Experience

Sean served as project manager for the following comparable projects:

- Reynoldsburg, OH: Zoning Code Update
- Dormont, PA: Zoning Code Update
- Bowling Green, OH: Gateway District / Code Re-write
- South Bend, IN: Zoning Code Peer Review Services
- North Canton, OH: Main Street Districts Development and Full Zoning Code Re-Write
- Vienna, VA: Zoning And Subdivision Code Update
- Kent County, MD: Land Use Ordinance Update
- Gahanna, OH: Zoning Code Update
- Sidney, OH: Zoning Code Update
- Germantown, TN: Zoning Code Audit
- Avondale Estates, Ga: Zoning Code Audit
- Westerville, OH: Legal Counsel And Subsequently Retained As Project Manager
- Winchester/Winsted, CT: Zoning Ordinance Update
- Litchfield, CT: Zoning Ordinance Update



TODD KINSKEY, FAICP

SR. PLANNER

About

A professional urban planner and public administrator who has dedicated his career to serving local governments - the majority of that time was spent in senior leadership positions. He has a proven record as a dedicated leader who always strives for excellence, promotes teamwork, and facilitates change in a collaborative manner.

Todd has served as APA Ohio President, on the City of Cincinnati Board of Zoning Appeals, and as an Adjunct Professor of City Planning at the University of Cincinnati College of Design, Art, Architecture, and Planning (DAAP), among many others.

Education

Bachelor Of Urban Planning, Cum Laude
Certificate in Historic Preservation
University of Cincinnati

Professional Associations

American Planning Association
American Institute of Certified Planners (Since 1997)
AICP College of Fellow, Class of 2020

Contact

TKinskey@thezoneco.com

Past Experience

ZoneCo
Project Manager (2024- Present)
Todd applies extensive zoning and legislative experience to managing zoning code updates at ZoneCo. Todd brings over three decades of local government planning, zoning, subdivision, housing policy, and project management experience to our growing roster of local government clients across the nation. He has led numerous code update and re-write projects for complex and diverse built environments during his 30+ years in public service. He is a committed, caring, and thoughtful city planner whose work has been recognized by the American Planning Association through his induction into the College of Fellows of the AICP (FAICP) in 2020.

City of Dayton, OH
Director- Dept. of Planning, Neighborhoods & Development/ Dept of Planning & Community Development (2018 - 2024)
Todd oversaw the daily operations of the Department of Planning, Neighborhoods & Development (102 employees) and its seven Divisions including: Planning, Community Engagement, Economic Development, Community Development, Housing & Inspections, Building Services, and the Dayton Mediation Center. He was responsible for an annual budget of approximately \$11M in operating funds and more than \$45M in special projects and grant funds. Todd's leadership was responsible for numerous innovative, activating projects throughout Dayton and the region.

Hamilton County, OH
Director- Dept. of Planning + Development (1993-2018)
During his tenure at Hamilton County, Todd held several positions, the latest of which was Director of the Planning + Development Department. In this role, he oversaw the daily operation of the Department (75+ employees) and its five Divisions: Community Planning, Community Development, Development Services, Building + Inspections, and Stormwater + Infrastructure. Todd was responsible for budget preparation and oversight, contract negotiations, County Commissioner project response, and general oversight and coordination of all activities of the Department.

Todd is adept at the administration of subdivision regulations, and reviewed hundreds of plans of subdivision during his time with Hamilton County.

Adjunct Professor/Speaker/Author
Todd has served as an Adjunct Professor at the University of Cincinnati College of DAAP, has spoken at planning conferences across the region, and co-authored a chapter called "Design Review in Ohio" in the A Guide to Planning In Ohio, Second Edition (2023).

Relevant Project Experience

- Batavia, NY: Zoning Code Diagnostic Report
- Beavercreek, OH: Land Use Plan and Zoning Code Update
- Buckeye Lake, OH: Zoning Code Diagnostic Report
- Canfield Twp, OH: Zoning Code Update
- Colerain Twp, OH: Zoning Code Update
- Riverside, OH: Zoning Code Update
- Springfield, OH: Zoning Code Update
- Southold, NY: Zoning Code Update
- Shaker Heights, OH: Lee Road Corridor Zoning Project



NOLAN NICAISE, AICP

PRINCIPAL AND CODE WRITER

About

Nolan is an urban planning, environmental science, and policy professional. He has worked as a planner, scientist, environmental policy specialist, higher education program administrator, lecturer, consultant, research assistant, and elected leader.

He holds an MA degree in Urban and Environmental Policy and Planning from Tufts University and a BS degree in Biology from the University of Dayton, where he focused on water science.

Education

MA, Urban and Environmental Policy and Planning
Tufts University

BS, Biology, Summa Cum Laude
University of Dayton

Professional Associations

American Institute of Certified Planners

Contact

nnicaise@thzoneco.com

Past Experience

ZoneCo

Zoning Code Drafting and Project Management (2020-Present)

Nolan combines real-world planning experience with a depth of knowledge about environmental policy. Additionally, Nolan has excellent composition, mapping, and long-range planning acumen. He has a range of experience across the Midwest, including public sector experience, which means he understands the complexity of administering a zoning code.

Planning and Development Services of Kenton County Planner (2020)

Prior to joining ZoneCo, Nolan received public sector experience in Kenton County, Kentucky. He was engaged in a variety of planning activities for smaller municipalities within Kenton County, including zoning administration, mapping, and long-range planning.

Parsons Corporation

Planner & Environmental Scientist, (2017-2019)

Nolan evaluated environmental impacts of proposed pipeline construction projects, coordinate with local, state, and federal officials to determine environmental permitting requirements, prepare and submit permit applications to governmental agencies, and inspect construction sites to ensure compliance.

He specialized in stormwater regulations and site design (stormwater pollution prevention plans, as part of the National Pollutant Discharge Elimination System), threatened and endangered species protections, and dredge and fill activity permitting (Clean Water Act Section 404).

Nolan provided scientific monitoring support for environmental remediation sites, such as oil terminals and industrial landfills. He regularly coordinated with state environmental protection agencies, state departments of natural resources, local soil and water conservation districts, and the US Army Corps of Engineers.

Relevant Project Experience

- Portsmouth, OH: Full Zoning Code Re-write
- Barberton, OH: Full Zoning Code Re-write
- Purcellville, VA: Full Zoning Code Re-write
- Huntsville, AL: Full Zoning Code Re-write
- Springfield, OH: Full Zoning Code Re-write
- Lafayette, CO: Full Zoning Code Re-write
- Garfield Heights, OH: Full Zoning Code Re-write
- Charles County, MD: Full Zoning Code Re-write
- Stow, OH: Zoning Diagnostic Report
- Bowling Green, OH: Zoning Code Re-Write
- Sidney, OH: Full Code Re-write
- Vienna, VA: Zoning And Subdivision Code Update
- Kent County, MD: Land Use Ordinance Update
- Plain City, OH: Zoning Code Update
- Gahanna, OH: Zoning Code Update
- Elyria, OH: Zoning Code Update
- Oberlin, OH: Zoning Code Update



JOCELYN GIBSON

LEAD PRINCIPAL

About

Jocelyn has always been passionate about zoning as a vehicle for bringing about change in the built environment. As a City Planner in the public sector, she took special interest in Zoning Hearings and the every day development decisions that lead to profound change over time. She has both public and private sector code writing and planning experience, supplemented by private sector real estate experience.

Education

Masters of Community Planning
University of Cincinnati

B.A. International Affairs
University of Cincinnati

Professional Associations

Congress for the New Urbanism
American Planning Association

Contact

jgibson@thezoneco.com

Past Experience

ZoneCo, Senior Consultant and Planner (2018-Present, Formerly called Calfee Zoning)

Jocelyn brings both private and public sector experience in the areas of urban planning and corporate real estate. Jocelyn is a perfect fit with ZoneCo due to her passion for zoning as a way to bring long-range planning visions into reality. Her cross-section of urban planning with real estate experience ensures that she is attentive to the needs of both the community, its people and their quality of life, and also the needs of businesses and institutions.

CBRE Group

Senior Client Strategy & Consulting Analyst (2015-2018)

In her role with CBRE, Jocelyn evaluated the real estate portfolios of large corporate clients in an effort to optimize their real estate expenditure across the globe. She helped clients visualize portfolios, expenditure and potential savings in unique and accessible ways. Jocelyn has worked with industrial, commercial and office real estate portfolios. She utilized mapping and analytics tools to evaluate locations, consolidations, and workspace planning. Her clients included several Fortune 500 companies.

City of Cincinnati

City Planner (2013-2015)

Jocelyn served as a City Planner with the City of Cincinnati during the final stages of completion of the award-winning Comprehensive Plan, the creation of the City's award-winning Form-Based Code, and the creation of the City's Land Development Code. Jocelyn participated in all of these efforts, in addition to regular recommendations and presentations to the City Planning Commission and City Council. Jocelyn also gave zoning recommendations to the City's Zoning Hearing Examiner.

Relevant Project Experience

Gaithersburg, MD: Zoning Ordinance Update

Evanston, IL: Zoning Equity Diagnostic

Bowling Green, OH: Gateway District Development And Subsequently Retained For A Full Zoning Code Re-Write

North Canton, OH: Main Street Districts Development

Girard, OH: Zoning Diagnostic

Lexington, KY: New Circle Road Land Use Analysis

Sidney, OH: Zoning Code Update

Westerville, OH: Code Re-Write

Greenwood, IN Code Re-Write

City of Cincinnati Land Development Code (while working in city government)

City of Cincinnati Form-Based Code (while working in city government)



TERESA BAMBERGER, ESQ

ZONING CONSULTANT, ARCHITECT

About

Teresa is an experienced Land Use Attorney and Planning and Zoning Consultant with diverse experience in community planning and design, land use law, project management, site design & civil engineering, urban design, environmental planning and permitting, and architecture. She understands that zoning codes can impact many stakeholders and other community planning issues, and draws upon her experience to craft thoughtful and tailored codes and regulations that will advance each community's goals.

Education

Juris Doctor

University of Cincinnati

B. Architecture

University of Detroit

Professional Associations

AICP Designation

American Planning Association

Ohio Bar Association

Cincinnati Bar Association

Contact

jgibson@thezoneco.com

Experience

ZoneCo, LLC, and Suder, LLC, Cincinnati, OH, 2025-Present

As a former Planning Director, urban and community planner, and land-use attorney, Teresa has a wealth of knowledge she uses to advise on zoning, development, defensibility, and design-based zoning issues. Teresa joined ZoneCo in 2025 and is applying her knowledge and skills to high level zoning research and code drafting, including the current demand for housing, stormwater and flooding issues, and balancing zoning codes with housing and economic development goals.

Land Use & Eminent Domain Attorney

Richard H. Glazer Co., L.P.A., Cincinnati, OH, 2011-2025

Teresa Managed complex litigation involving eminent domain, land valuation and appraising, land use and development, easements, leasing, utilities, environmental regulations, zoning and planning law, trespass actions, premises liability and building codes.

Land Planning Project Manager

Harris Smariga & Assoc., Inc., Frederick, MD, 1996-2001

Teresa managed large mixed-use, industrial, commercial, and residential projects from initial client consultation through construction, including design, public hearings, regulatory permitting and scheduling.

Planning Director

Town of Mount Airy, Maryland, 1991-1996

Teresa was the first Town Planner for a rapidly growing community within the Baltimore/Washington region. She advised the Mayor, Town Council, Planning Commission, Zoning Appeals Board, and was the Town liaison with County and State planning and environmental agencies. She managed economic development, parks and rail-to-trail planning, historic preservation, and infrastructure planning for Mount Airy. She also served as Chair of the Carroll County Environmental Affairs Board; Member of the Carroll County Forest Conservation Ordinance Drafting Committee; and Member of the Maryland Governor's Chesapeake Bay Tributary Strategy Committee.

Urban Designer - Planner - Architect

RTKL Associates, Baltimore, Maryland 1987-1991

Teresa was a project designer for a large multi-national planning and architectural firm. Experience included suburban and urban community planning, and planning and design of retail, office, hotel, residential, mixed-use, and university projects.

Relevant Project Experience

- Mount Airy MD: New Comprehensive Plan, Zoning Code and Subdivision Regulations.
- Loudoun Co., VA: Design Guidelines - George Washington Univ.
- University City, MO: Zoning Code Update
- Village of Matteson, IL: Master Plan for addressing highway impacts on Village Center
- South Bluffs, Memphis, TN: Master Plan for Neo-Traditional Housing Development

ALEX J. PESTA, AIA, AICP, LEED AP

Principal/Partner

Alex believes great design enhances every project. Whether developing a city-wide master plan, a streetscape enhancement package or an architectural detail, his accuracy and appreciation of craft permeate his work. Alex's passion for place-making and sustainability has driven him to get involved in his own community through service on several boards and commissions.

Alex's wide array of efforts and experience has gained him a holistic understanding of design, project implementation, detailing and communication with consultants, city officials, and most importantly, the client. Alex's experience and passion for design led him to urban planning where he can practice his design beliefs at a neighborhood scale. As a project manager, urban designer and architect he has been involved with the creation of city master plans, mixed-use developments, redevelopment plans, large infrastructure projects and streetscape designs. He takes great pride in the relationships he has fostered with clients and his ability to earn a community's trust throughout planning and design processes.

He believes that intelligent, effective and meaningful investments in public spaces and infrastructure have the ability to celebrate place, redefine a street or establish new identities. Many of the planning projects that Alex has facilitated have led to further investments in their communities. His approach centers on creating realizable initiatives that can be implemented immediately while building momentum and leading to change on larger scales.

PROJECT EXPERIENCE

Woodhill Choice Neighborhood Transformation Plan

Cleveland, OH

The Marquee at Cedar Lee - Cleveland Heights, OH

Buckeye Road Refresh Vision Plan - Cleveland, OH

Akron Innerbelt Reimagining Communities Plan - Akron, OH

Tri-C Metro Campus Redevelopment - Cleveland, OH

City of Sandusky Bicentennial Master Plan - Sandusky, OH

Jackson Street Pier and Shoreline Drive - Sandusky, OH

City of Huron City-Wide Plan - Huron, OH

Summit Lake North Shore Implementation Plan - Akron, OH

Our West Bayfront Neighborhood Plan - Erie, PA

West 73rd, West 76th & Lake Avenue Shoreway Tunnels

Cleveland, OH

MetroHealth/Metro West Neighborhood Planning

Cleveland, OH

Opportunity Corridor Brownfield Area-Wide Planning

Cleveland, OH



HONORS AND INVOLVEMENTS

- Cleveland Heights Parks and Recreation Board Member - 2018-Present
- East Design Review Committee - Cleveland - 2017-Present
- Multiple local and state conference presentations - Ongoing
- Home Repair Resource Center Board of Directors - President - 2011-2014; Vice President - 2008-2010; Board Member - 2002-2016
- APA / ULI Member
- AIA Member

EDUCATION AND REGISTRATION

- University of Cincinnati - Bachelor of Architecture (2002)
- Certificate of Historic Preservation
- Registered Architect - State of Ohio
- American Institute of Certified Planners
- LEED Accredited Professional

BANDY-ZALATORIS, AICP, LEED AP

Director of Planning & Urban Design

Michelle is an urban designer and planner with significant experience in the development of neighborhood and city master plans, corridor studies, streetscape designs, and the development of design standards.

Her work is characterized by projects that seek to rebuild the urban core and elevate the quality of life for our communities. She has worked in the architecture, planning and design field for more than 25 years, during which she has been involved with an impressive range of projects. A particular strength of Ms. Bandy-Zalatoris is the personal manner in which she conducts business. This has enabled her to work comfortably within diverse groups, gaining the trust of clients and communities who know that she is working in their interest.

Her work in the area of master plans, redevelopment plans and corridor plans has incorporated a significant amount of public process experience. This has included organizing and managing public meetings, ensuring that the ideas and concerns of participants are translated into design details that guide action.

Understanding and enhancing the unique sense of place of each of the projects with which she's involved is critical to her design approach. She believes that collaboration is key to the success of any project, and Michelle seeks to work with clients, the community and other design professionals in an open, respectful, empowering and interactive process.

PROJECT EXPERIENCE

Sandusky Safe Streets Action Plan - Sandusky, OH
Lorain Road Corridor Plan - North Olmsted, OH
Buckeye Road TLCI Plan - Cleveland, OH
East 66th Street Implementation Plan TLCI - Cleveland, OH
Woodhill Choice Neighborhood Plan - Cleveland, OH
Jackson Street Pier and Shoreline Drive - Sandusky, OH
Tri-C East Campus Master Plan - Highland Hills, OH
Front Street Downtown Transformation - Cuyahoga Falls, OH
East 79th Street TLCI - Cleveland, OH
Our West Bayfront Community Plan + Updates - Erie, PA
Coventry Road Streetscape - Cleveland Heights, OH
Battery Park Redevelopment Plan - Cleveland, OH
Chagrin-Lee Streetscape - Shaker Heights, OH
Smoky Hollow Redevelopment Plan - Youngstown, OH
Broadway Neighborhood Redevelopment Plan - Cleveland, OH
Glenville Neighborhood Master Plan - Cleveland, OH



HONORS AND INVOLVEMENTS

- Northeast Design Review Board - Cleveland - 2023-Present
- Southeast Design Review Board - Cleveland - 2020-2023
- Route 59 - City of Akron Engineering Dept. Charrette - 2022
- ULI REDI Program Support - 2022, 2023
- American Planning Association - 2001-2005, 2009-Present
- American Institute of Certified Planners - 2001-2005, 2009-Present
- Ohio Planning Conference Presenter - 2019
- Cleveland Planning Conference - Presenter - 2008, 2016, 2022, 2024
- City of Cleveland Green Team - LEED ND Educational Presentations - 2007
- Midtown Cleveland Design Review Board - 1999-2005

EDUCATION AND REGISTRATION

- University of Cincinnati - Bachelor of Architecture (1994)
- American Institute of Certified Planners
- LEED Accredited Professional
- American Planning Association Member

KRYSTA PESARCHICK, AICP, ECODISTRICTS AP, LEED GREEN ASSOCIATE

Senior City Planner

Krysta is an urban designer and city planner who has been involved with a wide variety of architecture and planning projects of varying sizes. She rises to the challenge of looking at every project from different scales to develop creative design solutions. Her communication, organization, and attention to detail in everything she does, ensures a high level of coordination that leads to a successful project.

Oftentimes, data plays a key role in our work. The ability to not only analyze raw information, but turn it into applicable knowledge is something that Krysta excels at. That information becomes the wisdom that guides decisions and moves projects forward. She also finds creative ways to incorporate technology seamlessly in ways that support communication, expand outreach, and enhance connections.

PROJECT EXPERIENCE

North Olmsted City-wide Comprehensive Plan 2025 – North Olmsted, OH

The Cascades – Yellow Springs, OH

Greater Cleveland Partnership Cleveland Development Model
Cleveland, OH

Southland Planning Study & Smith Road Reconfiguration
Middleburg Heights, OH

Innovation Square Neighborhood Plan – Cleveland, OH

Aura at Innovation Square – Cleveland, OH

Summit Lake North Shore – Akron, OH

Tri-C East Campus Master Plan – Highland Hills, OH

Envision Grafton TLCI – Village of Grafton, OH

Playwright Park – Fairfax, Cleveland, OH

Carnegie Avenue Midtown TLCI – Cleveland, OH

Courtyard by Marriott at Akron Northside – Akron, OH

NEOSCC: Vibrant NEO 2040 – Northeast Ohio

Flats Forward Framework Plan – Cleveland, OH

East 66th Street TLCI & Streetscape Design – Hough, Cleveland, OH

Cedar Extension Multifamily Building – Cleveland, OH

KSU Institutional Advancement Building LEED Coordination – Kent, OH

Center-Ridge Road TLCI – Rocky River, OH

myGlenville Neighborhood Revitalization Plan – Cleveland, OH

Downtown Sandusky Slum & Blight Study – Sandusky, OH



HONORS AND INVOLVEMENTS

- Historic West Cleveland Design Review Committee (2019-Present) - Chair
- APA Ohio Cleveland Section Executive Committee (2021-Present) - Treasurer
- Downtown/Flats Design Review Committee (2016-Present) - Member
- American Planning Association Member
- USGBC Ohio Member

EDUCATION AND REGISTRATION

- Kent State University Cleveland Urban Design Collaborative - Master of Urban Design (2012)
- Kent State University - Bachelor of Arts in Architectural Studies (2011)
- American Institute of Certified Planners
- LEED Green Associate
- EcoDistricts AP

HEATHER WORTHINGTON

PRINCIPAL

URBAN3



 [LINKEDIN PROFILE](#)

EDUCATION

Senior Executives in State and
Local Government
*Harvard University Kennedy
School of Government*

Master of Public Administration
Hamline University

Bachelor of Arts in History/
Historic Preservation
Michigan State University

CERTIFICATIONS

Credentialed Manager
*ICMA (International City/County
Management Association)*

WITH URBAN3 SINCE
2024

Heather Worthington is an effective and powerful communicator built on 25 years of leadership experience in local government organizations. She connects with decision makers using her insightful analysis of each community, centers the problems in plain language, and offers effective next steps for city and county policy.

Heather most recently served as Director of Long Range Planning in Minneapolis, where her team led the creation, engagement, and policy adoption of the Minneapolis 2040 Comprehensive Plan. She has been a proponent of fiscal transparency and visualization of municipal finance since her work in Ramsey County, but brought Urban3 to Minneapolis to provide data visualization in conjunction with the Minneapolis 2040 planning process, and to address deep historic disparities caused by redlining, zoning, and land use policies through data visualization of municipal finance and planning.

Heather was the first Deputy County Manager appointed in Ramsey County, Minnesota, where she led the Economic Growth and Community Investment service team and led the restructuring of the County into service teams. She led the cleanup and redevelopment of the Twin Cities Army Ammunition Plant (TCAAP), the state's largest Superfund site. Heather served as the City Administrator of Falcon Heights, MN and Assistant City Manager of Edina, MN, where she worked on a broad range of policy issues including economic development, human resources, and organizational development. She teaches in the Hamline Center for Public Administration and Leadership program and also teaches Administrative Law in the Master's in Public Administration program.

Heather is committed to seeking authentic community engagement and leading efforts to strengthen communities that are experiencing change related to population shifts, racial disparities, displacement, and disinvestment.

MEMBERSHIPS



DATA-DRIVEN STORYTELLING

[URBANTHREE.COM](#)



Andre Banerjee \ URBAN DESIGNER

As a landscape designer and researcher, Andre believes that user experience is at the core of successful outdoor spaces. Andre uses landscape design to advocate for social equity and mental wellbeing, striving to create holistic and inclusive built environments. Andre's focus on social justice through design has contributed to the success of a variety of projects including multi-family, mixed-use, commercial, and industrial developments. A talented designer, Andre is adept at utilizing a variety of software to create 3D models, renderings, and illustrative diagrams to communicate design intent to clients and key project stakeholders. Select relevant experience:

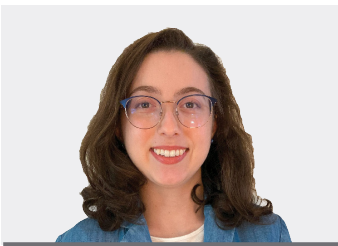
- Medina Comprehensive Plan, Medina, OH
- LinkUS Northwest Corridor Bus Rapid Transit, Columbus, OH
- Hilliard Focus Area Zoning, Hilliard, OH
- Plain City Zoning Code, Plain City, OH
- Whitehall Zoning Code, Whitehall, OH
- Buckeye Lake Zoning Code, Buckeye Lake, OH

Education

Bachelor of Science, Landscape Architecture, The Ohio State University, 2018

Experience

With OHM since 2021
3 years prior experience



Morgan Mackey \ URBAN DESIGNER

Morgan is a multi-disciplinary designer with a passion for creating innovative and sustainable urban spaces. With experience in landscape architecture and urban planning, Morgan's interests range from small site details to regional urban planning efforts, with an emphasis on sustainability and community engagement. Morgan uses her graphic abilities to showcase design solutions, social relationships, and cultural storylines. Select relevant experience:

- Barberton Development Code Update, Barberton, OH
- Columbus Peninsula Vision Plan, Cleveland, OH
- Medina Comprehensive Plan, Medina, OH
- Hancock Zoning Code Update, Hancock, MI
- Plain City Zoning Code, Plain City, OH
- Cleveland Midway - Superior Avenue, Cleveland, OH
- Regional Metroparks Trails Connectivity Study, Northeast Ohio
- Hilliard Focus Area Zoning, Hilliard, OH

Education

- Master of Landscape Architecture, Kent State University, 2025
- Bachelor of Science in City and Regional Planning, Minor in Architecture, The Ohio State University, 2021

Experience

With OHM since 2021



Katrina "Kat" Donovan \ GIS ANALYST

Kat brings a wide range of multi-disciplinary skills and abilities to OHM with her experience in GIS, design, planning, and architecture. As a technical GIS professional, Kat fully utilizes her diverse background to invent creative solutions for complex problems and to create high-quality, customized products for clients. Her work has enhanced community efforts in the realms of public engagement, community development, comprehensive planning, housing, parks and recreation, safety, and transportation. GIS products created by Kat include tools designed for story-mapping, gathering and facilitating public input, marketing public projects, surveying communities, managing public assets and inventories, field data collection, and web-based data analysis. Select relevant experience:

- AMATS Bike Map Update, Akron, OH
- Regional Metroparks Trails Connectivity Study, Cleveland, OH
- Polk Industrial Mapping, Polk County, TN
- Moving Stark Forward Experience & Webapps, Stark County Areawide Transportation Study, OH
- Launch LCA Experience and Storymap, Licking County Area Transportation Study, OH

Education

- Master of Urban Planning and Development, Cleveland State University, 2020
- Bachelor of Arts in Architectural Studies, Kent State University, 2018

Experience

With OHM since 2024,
8 years prior experience



R. Tony Burgoyne, PE \\\ MUNICIPAL ENGINEER

For 24 years, Tony has advised communities throughout Ohio in support of critical infrastructure initiatives aimed at operations, maintenance, and regionalization. As a versatile engineer, he has extensive experience leading planning and design improvements for regional and local sanitary and storm water infrastructure, waterway, and ecological restorations. In his current role, Tony uses his experience to develop business by guiding stakeholders and clients to prepare funding strategies and secure grants and low interest financing that offset design and construction-related costs. Select relevant experience:

Education

Bachelor of Science in Civil Engineering, The University of Akron, 2003

Professional Registration(s)

Professional Engineer:
OH, 2006, #PE.71558

Experience

With OHM since 2022
19 years prior experience

- Peninsula Master Plan, Peninsula, OH
- 20th SE & 26th Street NW Storm Sewer Improvements, Massillon, OH
- Hayden Avenue Sewer Enhancement East Cleveland, OH
- Cleveland Ave Streetscape Phase 3 City of Akron, OH
- Howard Street Storage and Pump Station, CSO Rack 22, Akron, OH
- Markle Drive Sewer Separation Construction Services, Village of Silver Lake, OH



Josh Slaga, PE \\\ MUNICIPAL ENGINEER

Josh is a proven leader in public works with 16 years of experience successfully delivering infrastructure projects to municipal and state clients with an emphasis on helping communities implement capital improvements projects. Josh's experience in the full life cycle of a project includes planning, funding, public involvement, detailed design, plan development, bidding, and construction administration. His core competencies include project management, public speaking and engagement, budget development and adherence, funding strategies, contracting, and capital improvement planning. Josh excels at leading multi-disciplinary teams to deliver public infrastructure projects ranging from annual paving programs, to building renovations, to complex urban renewal projects on budget and schedule. Select relevant experience:

Education

- Master of Science in Civil Engineering, University of Akron, 2014
- Bachelor of Science in Civil Engineering, University of Akron, 2009

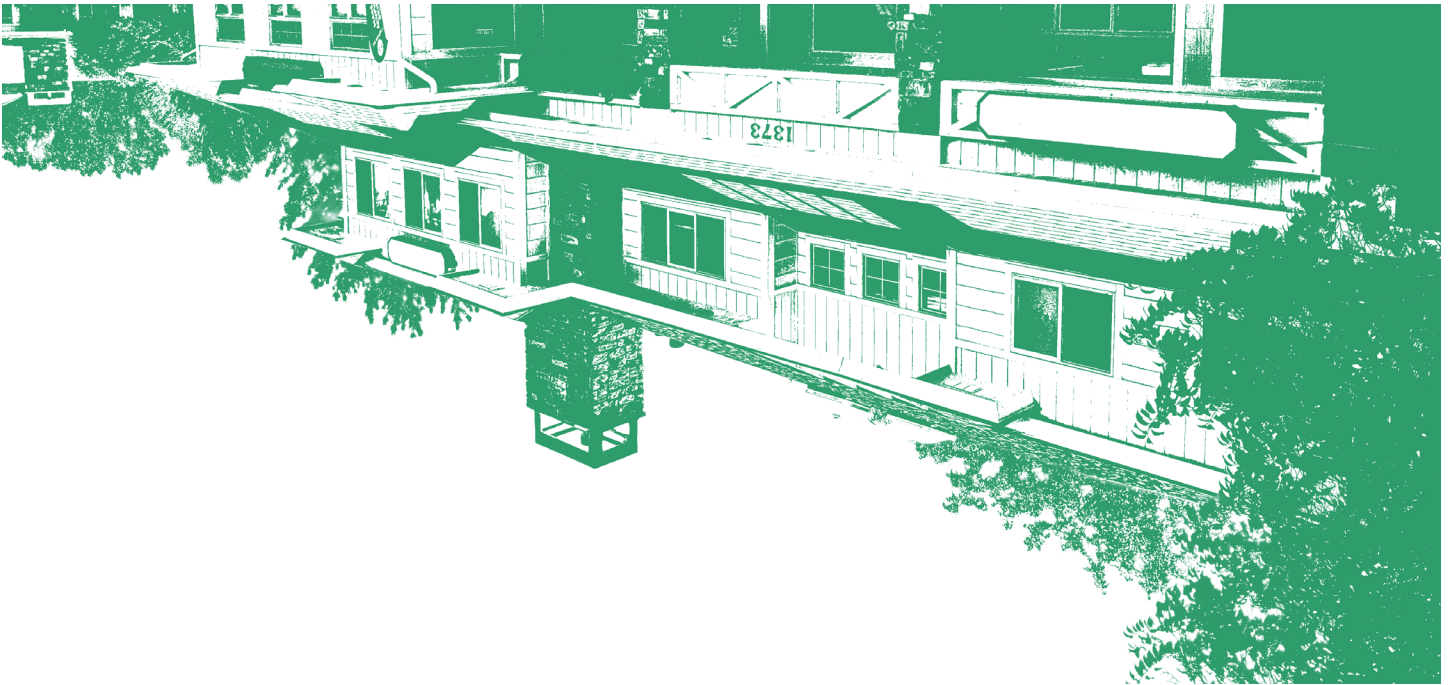
Professional Registration(s)

Professional Engineer:
OH, 2012, #PE.76770

Experience

With OHM since 2023
14 years prior experience

- Public Square Connectivity & Public Realm Plan, Cleveland, OH
- Parks, Recreation, & Open Space Plan, Cleveland Heights, OH
- CUY-Lake/Clifton Connector, Cuyahoga County, OH
- SR 44 Corridor Plan, Rootstown Township, Portage County, OH
- CUY-Antenucci Boulevard, Garfield Heights, OH



PROPOSED PROJECT UNDERSTANDING AND APPROACH



PROJECT UNDERSTANDING

Cleveland Heights is a vibrant, historic suburb defined by its walkable neighborhoods, diverse housing stock, and distinctive commercial districts, all set within a landscape that has a strong architectural legacy. The city’s built environment reflects both its streetcar suburb origins and ongoing focus on inclusivity, preservation, and community vibrancy.

The project is structured in phases—Diagnosis, Calibration, Codification, and Adoption—to ensure comprehensive background review, inclusive community engagement, targeted drafting, and successful adoption. Our team will prioritize the following: an attractive user-friendly code; equity and sustainability; form, design, and site standards that preserve the built heritage while facilitating desired outcomes for infill, reuse, and developable sites; and integrated coordination with parallel city planning efforts, which are described in the RFP.

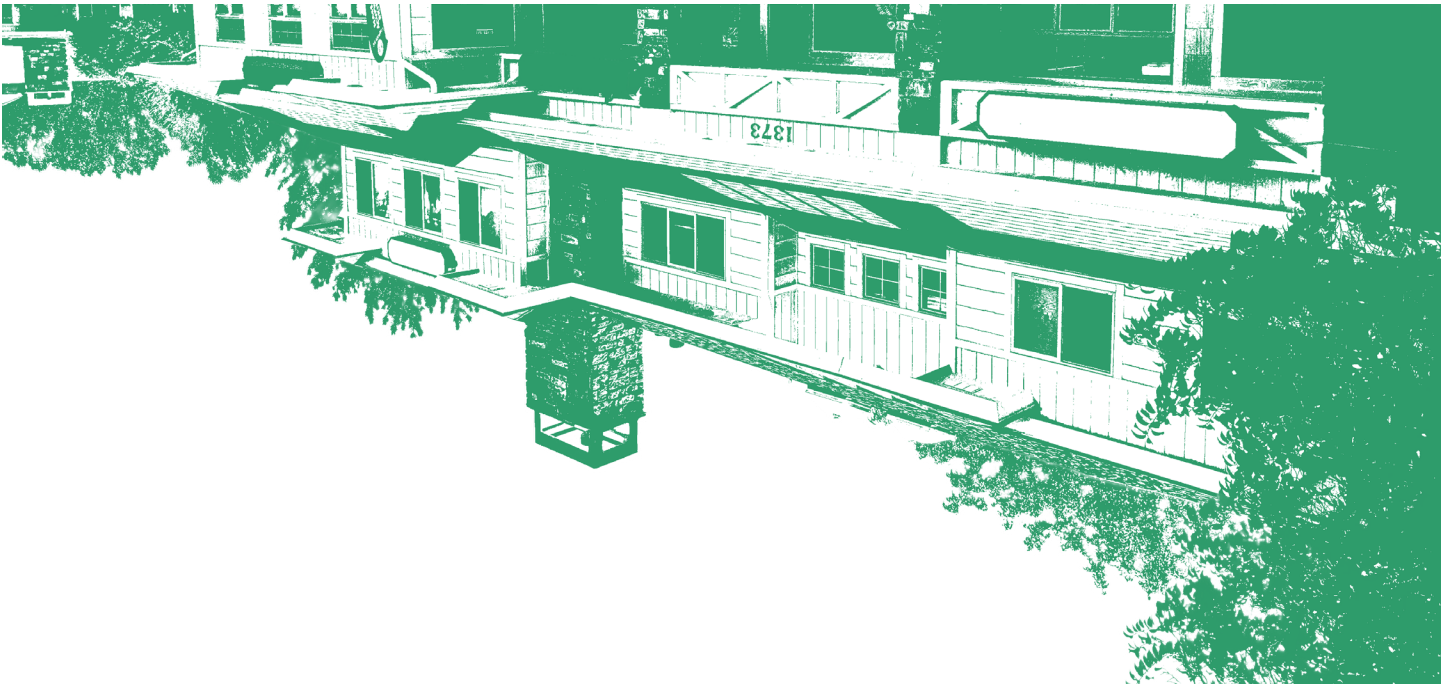
Cleveland Heights seeks to address a range of critical issues through its code update project, including resolving outdated regulations that inhibit the creation of “missing middle” housing, gentle density housing, and successful infill on city-owned vacant lots. Key areas for reform also include allowing appropriate non-residential uses in residential districts, modernizing standards for places of worship, and aligning affordability mechanisms such as inclusionary zoning with federal and state laws. Other priorities to improve the code’s usability and clarity—with more graphics and tables, keeping standards consistent with best practices (parking, loading, non-conformities), and moving toward form-based and conservation zoning approaches that respond to community character and climate goals.

The City of Cleveland Heights seeks to modernize its business, mixed-use, and commercial zoning districts to reflect local character and support economic vitality. Key goals include enabling high-quality, context-sensitive mixed-use development that strengthens the identity of each of the city’s twelve business districts, removing barriers that have hindered infill and redevelopment projects, and updating standards to encourage vibrant pedestrian environments, and flexible site design. The update will provide better coordination with recent district planning and overlay initiatives, ensuring use flexibility, opportunities for contemporary retail, services, and office uses while protecting adjacent residential areas.

Our land use law experience mixed with design and planning acumen are optimal qualities for overseeing the code update with passion and attention to detail. ZoneCo is uniquely equipped to conduct legal review, enhance code defensibility, and produce a clearer and more concise zoning code.

We understand that Cleveland Heights is an engaged community. We sought out a national expert in communicating zoning reform, Heather Worthington, who will work closely with the local community experts at City Architecture to make sure that the community is informed, educated, and has the ability to influence code language and standards. OHM can also supplement in-person engagement efforts, and they will oversee online and map-based engagement tools. Our team is well-versed in a myriad of tools and engagement formats.

We balance both the technical and design-sensitive aspects of this project while respecting the broader community values embedded in the RFP and master plan.



PROPOSED SCOPE OF SERVICES WITH DELIVERABLES



SCOPE OF SERVICES

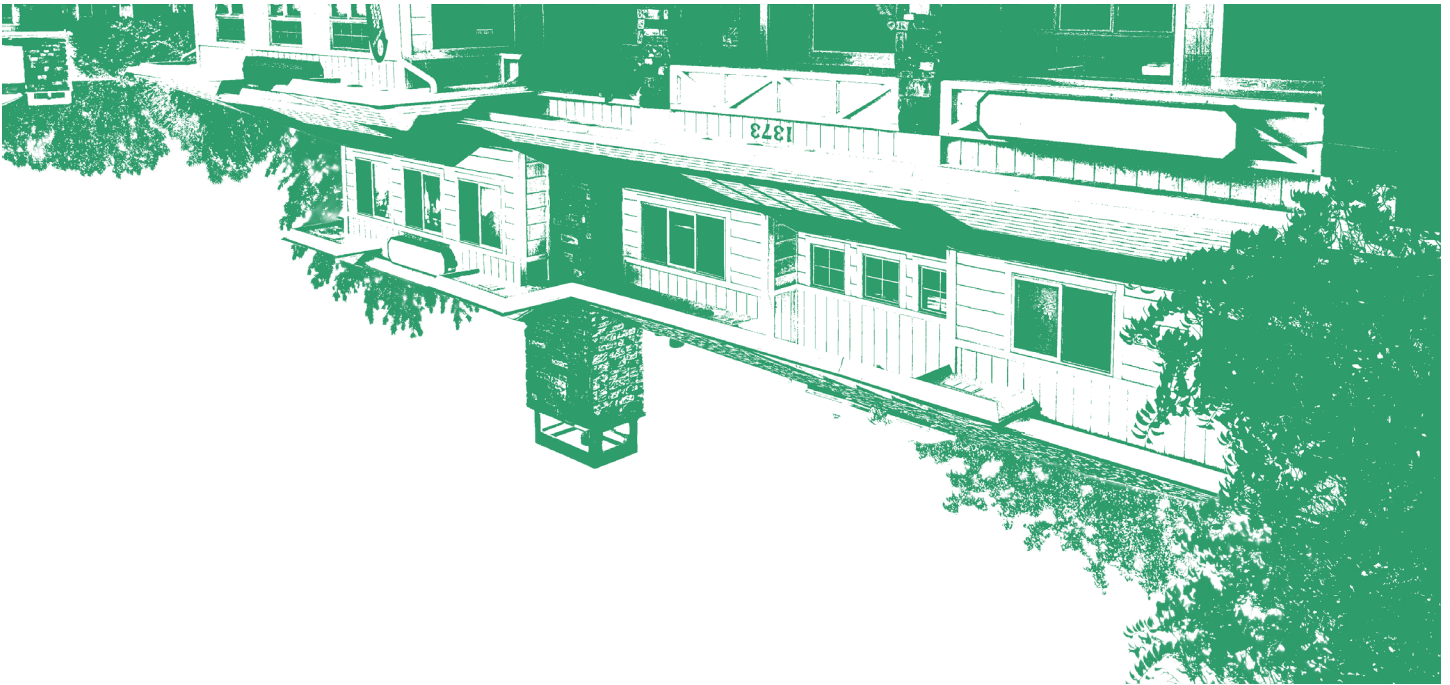
The scope of services below has organized all of the desired scope items into ZoneCo's three-module approach. Although we are familiar with the community, and our Stakeholder and Community Engagement Plan follows the RFP, we are happy to collaborate with you on the ideal composition and format of public meetings. Further to this, for virtual engagement, we have an array of virtual and map-based tools at your disposal to utilize as part of this project. We will work with you to refine the proposed scope of services as needed.

#	Task Categorization	Task
Project Initiation and Kick-off		
0.1	Assessment or Review	Distribute ZoneCo kick-off survey, which covers important foundational project issues, and create a report and summary of responses to review during the kick-off meeting.
0.2	Team Meeting	Conduct project kick-off meeting with City staff to review the following: their pain point zoning issues, confirm project scope, schedule, gather project background materials, review dynamics between the multi-faceted public, City departments, and public officials. Review results of the ZoneCo survey.
0.3	Assessment or Review	Assess available documents and data to establish resources for review (ensure past plans, codes, and current projects are included for integration).
0.4	Deliverable	Develop Stakeholder and Community Engagement Plan (SCEP) to ensure broad, inclusive, and equitable participation, outlining activities and timing for all project phases. This plan will facilitate education, transparency, effective means of giving feedback/input into code standards and language, and reporting back on engagement received while circling back to public input received during long-range planning exercises.
0.5	Deliverable	Produce kick-off meeting notes documenting scope, schedule, deliverables, engagement plan, and how equity, historic preservation, and sustainability will be centered throughout the process.
Module 1: Diagnose		
1.0	Deliverable	The team can utilize the existing City website for updates, or the consultant team can create a dedicated project website. The RFP listed both options.
1.1	Public Meeting	Launch SCEP with early engagement: joint Council/Commission meeting to set engagement/representation expectations; public education about project purpose/zoning fundamentals (explicitly focus on equity and inclusion).

#	Task Categorization	Task
1.2	Assessment or Review	Review all background materials (current zoning code, plans, completed/ongoing studies, prior code amendments, recommendations from Sustainability Zoning, Master Plan, Climate Forward Plan, housing needs assessment, sign/landscape & district projects).
1.4	Assessment or Review	Analyze community character and historic development patterns (site layout, design transitions, architecture, urban form; with emphasis on sustainability and historic preservation).
1.5	Assessment or Review	Conduct a zoning code audit for consistency with Master Plan inconsistencies, outdated sections, compliance with State/Federal law, need for code clean-up, and recommend improvements for user-friendliness (formatting, graphics, Gridics integration) (prioritize code modernization and best practices).
1.6	Assessment or Review	Audit and analyze residential types, densities (including missing middle, “gentle density,” tiny homes, ADUs), infill housing, non-residential uses in residential districts.
1.7	Assessment or Review	Evaluate the Zoning Map for inconsistencies, needs for boundary changes, improvements to economic competitiveness/regional consistency; coordinate with other current initiatives occurring in the City, as listed in the RFP.
1.8	Assessment or Review	Assess and recommend streamlining opportunities for review, approval, and administration processes, including forms, fees, Zoning Administrator roles, and aligning with fair housing requirements.
1.9	Assessment or Review	Evaluate allowance and standards for affordability (inclusionary zoning, payment-in-lieu), transitions/supportive housing, and household status per fair housing law.
1.10	Assessment or Review	Assess subdivision regulations, and recommend flexible/sustainable infrastructure and development standards.
1.11	Assessment or Review	Update/compare fees, parking, loading, landscaping, nonconforming use provisions, and test user-friendliness.
1.12	Assessment or Review	Review outstanding recommendations from key plans (including Sustainability Zoning, Master Plan, Climate Forward Plan—specifically conservation aspects), and document alignment/gaps with any proposed solution.
1.13	Assessment or Review	Research and compare best practices and peer codes (focus on form-based, objective standards, design guidelines, economic competitiveness, equitable zoning, infill housing, city-owned lots and mixed-use/opportunity zones), and monitor relevant state/federal legislation.
1.14	Community Engagement	Gather broad community/stakeholder input: open houses, interviews, surveys, targeted sessions for business owners and their associations, infill, renters, business, underrepresented groups (as detailed in SCEP), and non-profit service providers.
1.15	Assessment and Public Meeting	Review places of worship regulation and public comments; conduct research and virtual workshop with staff, Council & Commission to determine revised direction or early action.

#	Task Categorization	Task
1.16	Deliverable	Compile and deliver a findings report (including build-out/impact analysis of key code changes, and public input summary). Include an annotated new table of contents for the updated code, and a sample layout for the code.
Module 2: Calibrate		
2.1	Deliverable	Develop draft solution strategies for residential typologies, densities, infill, missing middle, affordability, supportive/transitional housing, regulatory simplification, and code update goals. Provide to staff for review and discuss at follow-up meetings.
2.2	Public Engagement	Facilitate public workshops, open houses, and focus groups presenting findings and options for feedback (emphasize engagement of equity-priority groups, infill advocates, neighborhood associations, and property owners).
2.3	Assessment or Review	Coordinate with parallel efforts: housing needs assessment, sign/landscape requirements, Severance Overlay, etc., to align and integrate recommendations throughout calibration.
2.4	Deliverable	Use case studies, scenario modeling, and build-out analysis to help community and decision-makers understand impacts; refine solutions accordingly.
2.5	Public Engagement	Hold advisory committee meetings/focus groups (per SCEP) with specific focus on underrepresented groups and business interests (including M/W/V/DBE businesses).
2.6	Public Meeting	Present draft policy recommendations — for residential, infill, non-residential integration, regulatory streamlining, process efficiency, best practice modernization, map improvements, and any early action items — for City leadership, stakeholder, and public validation.
2.7	Deliverable and Public Meeting	Provide final policy/prioritization recommendations reflecting technical findings, legal review, and all community input.
Module 3: Codify		
3.1	Deliverable	Draft zoning text amendments and zoning map changes integrating all community input thus far. Clean-up/modernize language, integrate sustainability, equity, historic values, reform standards to meet goals for character and aesthetics, strategic updating of uses and use permissions, and best practices.
3.2	Deliverable	Code drafting to include drafting the following sections for special review by staff, and schedule special meeting with staff to review strategy.
3.2.1	Deliverable	Residential diversity, infill, missing middle, gentle density, tiny homes, non-residential in residential.
3.2.2	Deliverable	Affordability mechanisms (inclusionary requirements, supportive housing, fair housing compliance).
3.2.3	Deliverable	Form-based regulation, design guidelines, objective standards, improved formatting/graphics.
3.2.4	Deliverable	Parking/loading/auto, nonconformities, administrative streamlining, consistency check with subdivision code.
3.2.5	Deliverable	Put zoning code into InDesign format and develop code graphics.
3.2.6	Deliverable	Alignment with state/federal law, regional best practices, and City's adopted plans/initiatives.

#	Task Categorization	Task
3.3	Assessment or Review	Distribute administrative draft to staff/legal/commission for review; revise as needed, make all needed revisions, and develop public review draft, OHM will create a map based tool to visualize what is changing and how.
3.4	Public Engagement	Publicly release formal review draft; facilitate public review meetings, digital feedback, and open houses to collect broad input and identify concerns.
3.5	Deliverable	Conduct/complete formal 25-year build-out and impact analysis (land use, infrastructure, demographics, sustainability) for major zoning changes, presenting to public and leadership for informed decision-making.
3.6	Optional Deliverables	Prepare optional deliverables: user guide/handbook for new code, infill guidelines handout, and draft a pilot “tiny homes” project plan for City review.
3.7	Deliverable	Prepare and finalize all code documents in publish-ready, digital, and GIS formats; make publicly accessible.
3.8	Public Meeting	Support formal legislative adoption process: prepare staff reports, presentations, attend/adapt for required Planning Commission and City Council meetings/public hearings.
3.9	Assessment or Review	Provide three hours of implementation assistance as needed.



PROPOSED TIMELINE



PROPOSED TIMELINE

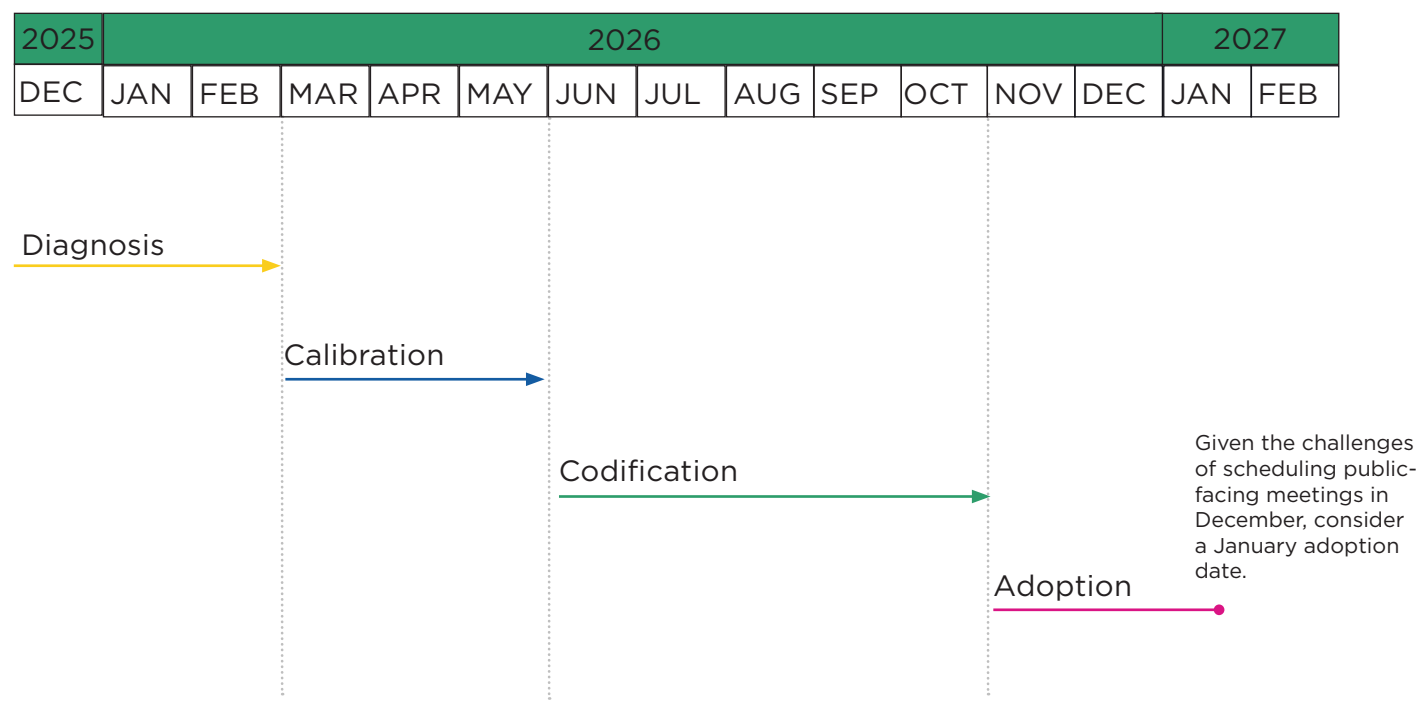
The schedule divides the project into four key phases—Diagnosis (which includes project kick-off and initiation), Calibration, Codification, and Adoption—which correspond directly with major RFP tasks like background review, analysis, public engagement, drafting, and legislative adoption.

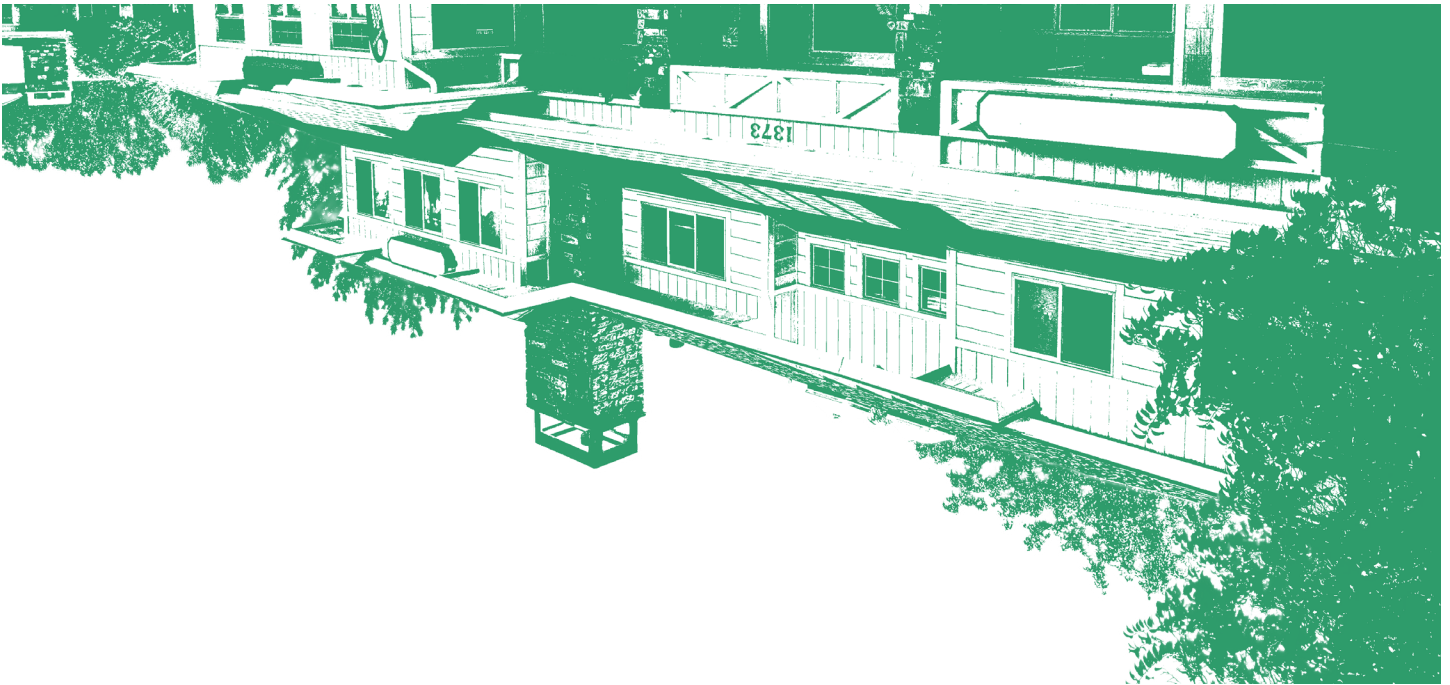
We are currently working on several zoning codes updates which have a 12 month desired adoption timeline. We consistently advocate that at the beginning of the project, you select a specific City Council meeting from Council Calendar for the desired adoption. Our team will then walk back all dates for deliverables and engagement. One benefit of our team, is that we have a deep bench of

professionals, all with existing familiarity with Cleveland Heights, that can be called upon for additional capacity should there be any unforeseen circumstances.

The schedule spans late 2025 through early 2027, reflecting the RFP’s expected 12-month project duration with room for City review, public feedback, and revisions, while also allowing for the adoption process and optional tasks.

Breaking work into distinct phases clarifies objectives and deliverables at each step. This enables strong project management and helps stakeholders understand progress and engagement points throughout the process.





COST PROPOSAL



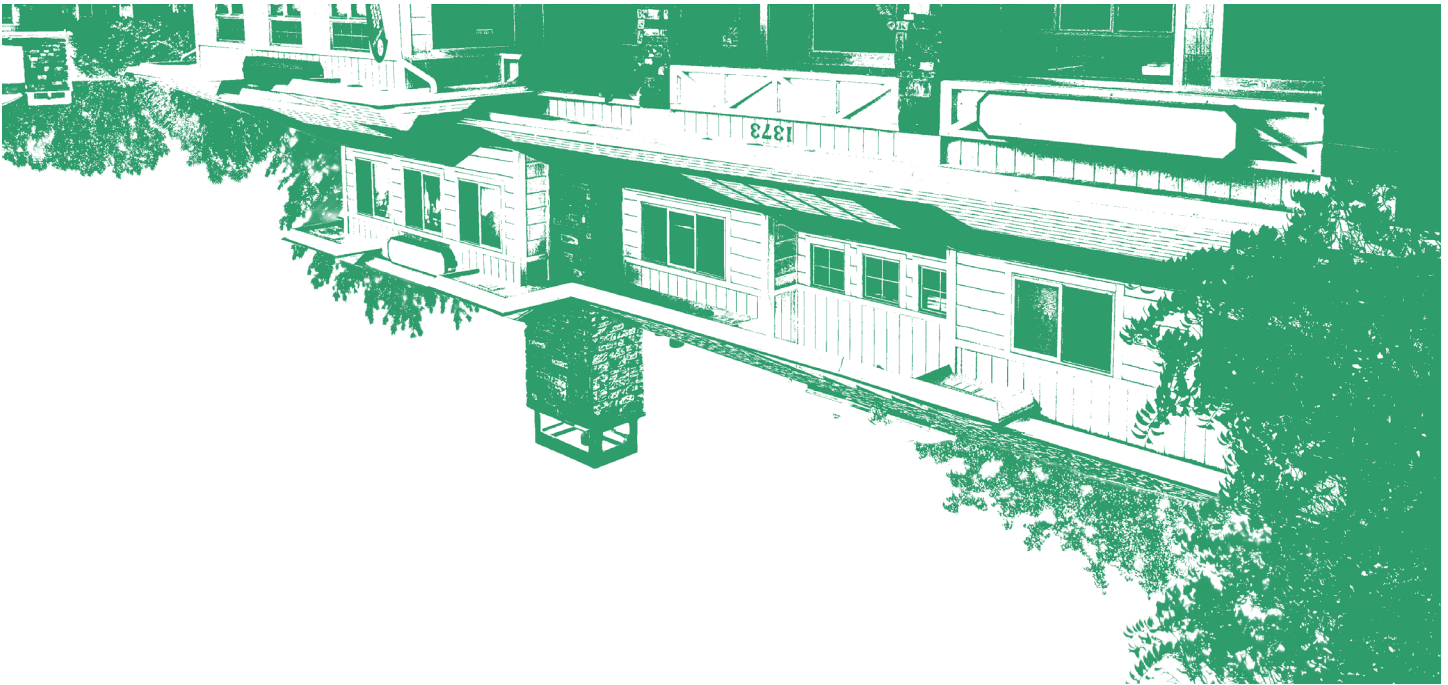
COST PROPOSAL

This cost proposal is as an estimate of hours and fee required for each phase of the project. We will work with the City to refine the tasks and budget as needed.

#	Task	ZoneCo			Hours totals by team member			Total Cost
	Task	PJM	Sr. Staff	Jr. Staff	City Arch.	Urban 3	OHM	
	Project Initiation and Kickoff	\$230	\$190	\$160	\$180	\$200	\$170	
0.1	Distribute ZoneCo survey; summarize responses for kick-off meeting.	1						\$230
0.2	Kick-off meeting to review zoning issues, scope, schedule, background, team dynamics, & survey.	12			6	14	6	\$7,870
0.3	Assess documents/data to include relevant past/current plans and codes.	3	3					\$1,260
0.4	Create Stakeholder & Community Engagement Plan for inclusive input and feedback.	2			5	8	2	\$3,430
0.5	Document kick-off notes on scope, deliverables, engagement, equity, preservation, sustainability.	2						\$460
	Module 1: Diagnose							
1	Use existing City website or create dedicated project website for updates.						15	\$2,475
1.1	Launch engagement with Council/Commission; set expectations and educate on project.	8						\$1,840
1.2	Review all background materials: zoning code, plans, studies, amendments, recommendations.	4	2	4				\$1,940
1.4	Analyze community character/development patterns with focus on sustainability/preservation.	5	2	5	13			\$4,490
1.5	Audit zoning code for Master Plan consistency, outdated sections, law compliance, modernization.	5	2	5				\$2,330
1.6	Audit residential types/densities, infill, missing middle, gentle density, tiny homes/ADUs/uses.	2	2	5	14			\$3,780
1.7	Evaluate Zoning Map boundaries, competitiveness, regional consistency, RFP-listed initiatives, develop conceptual map for zoning district changes.	2	2		4		20	\$4,720
1.8	Recommend streamlined review/admin/processes/forms/fees; align with fair housing.		5					\$950
1.9	Evaluate affordability, inclusionary zoning, supportive housing, compliance.	2	4					\$1,220
1.10	Assess subdivision regulations, recommend flexible/sustainable standards.	2	6					\$1,600
1.11	Compare and assess fees, parking, loading, landscaping, nonconforming use, and usability.	6		6				\$2,340

#	Task	ZoneCo			Hours totals by team member			Total Cost
	Task	PJM	Sr. Staff	Jr. Staff	City Arch.	Urban 3	OHM	
1.12	Review outstanding recommendations from key plans (including Sustainability Zoning, Master Plan, Climate Forward Plan—specifically conservation aspects), and document gaps			4				\$640
1.13	Research best practices/peer codes, monitor new legislation, focus on economic competitiveness.	2		6				\$1,420
1.14	Broad input: open houses, interviews, surveys, targeted sessions for all key stakeholder groups (virtual interviews)	6	6		6			\$3,600
1.15	Review worship place regs; conduct research and workshop for revised direction or early actions.		5					\$950
1.16	Compile/deliver findings report with build-out impact analysis & input summary.	6	20	20	8			\$9,540
Module 2: Calibrate								
2.1	Develop draft solutions for residential, infill, missing middle, affordability, simplification.	12	6	3	10			\$5,830
2.2	Lead workshops/open houses/focus groups (2 meetings) emphasize equity-priority and infill/property owners, communicate code project to residents	16	8		28	30		\$16,240
2.3	Align with parallel efforts (housing, landscape, overlays) for integrated calibration.		6			4		\$1,940
2.4	Use case studies/modeling/build-out analysis to inform and refine solutions.	1		4	6			\$2,070
2.5	Convene advisory committees/focus groups for underrepresented & business interests (virtual)	6		2	6	6		\$3,980
2.6	Present draft policy recommendations at a public meeting	8			8			\$3,440
2.7	Provide final, revised policy solutions	3		3				\$1,170
Module 3: Codify								
3.1	Draft zoning text/map changes, modernize, include input, equity, sustainability, best practices.	50	100	50	12		10	\$42,000
3.2	Discuss strategy with staff for code item drafting below, schedule 2-3 meetings.	3		3	3			\$1,605
3.2.1	Address residential diversity, infill, missing middle, gentle density, tiny homes, uses.	4		8	20			\$5,100
3.2.2	Draft inclusionary/supportive housing and fair housing mechanisms.	8						\$1,840
3.2.3	Form-based regulation, design guidelines, objective standards, improved format/graphics.	28		20	84			\$22,040
3.2.4	Parking/loading, nonconformities, admin streamlining, consistency check with subdivision code.	2	8	8				\$3,260
3.2.5	Put zoning code into InDesign format and develop code graphics.	2		5			50	\$9,510
3.2.6	Align code with law, best practices, adopted plans/initiatives.	4		2				\$1,240
3.3	Distribute draft for review, revise, prepare public review draft. OHM will create a map based tool to visualize what is changing and how.	4		4			20	\$4,860
3.4	Publicly release review draft; host meetings/feedback/open houses for input/concerns. OHM to create online tool for feedback.	10	20		48	20	24	\$23,020
3.5	Complete and present formal 25-year build-out and impact analysis for major zoning changes.	8			8			\$3,440

#	Task	ZoneCo			Hours totals by team member			Total Cost
	Task	PJM	Sr. Staff	Jr. Staff	City Arch.	Urban 3	OHM	
3.6	<i>Prepare optional user guide, infill handout, pilot tiny homes plan for review (Optional Tasks)</i>	2		15	20			\$5,760
3.7	Finalize code and make digital/GIS formats publish-ready and accessible.	4					6	\$1,910
3.8	Adoption meetings and preparation	18						\$4,140
3.9	Provide three hours of implementation assistance if needed.	3						\$690
	FINAL COST							\$216,410
	FINAL COST WITH OPTIONAL DELIVERABLES							\$222,170



STATEMENTS OF NON-DISCRIMINATION AND INCLUSION



MBE/WBE/VBE/DBE/ EDGE INCLUSION; PRE- VAILING WAGE AND LOCAL HIRING

ZoneCo fully complies with all requirements for prevailing wage standards, and local hiring practices as set forth in the Cleveland Heights 2026 Zoning Code Update RFP. The firm is committed to fostering an inclusive team, supporting diverse participation, prioritizing local labor and talent, and strictly adhering to all applicable wage and contracting regulations throughout the life of the project.

STATEMENT OF NON-DISCRIMINATION

ZoneCo is committed to a strict policy of non-discrimination in all aspects of its operations and employment practices. The firm does not discriminate on the basis of race, color, religion, sex, gender identity, sexual orientation, age, disability, national origin, veteran status, or any other protected category. ZoneCo actively fosters a culture of equity, respect, and inclusion, ensuring equal opportunity for all employees, clients, partners, and community members with whom we work.

Proposed: 12/15/2025

ORDINANCE NO. 262-2025(COTW), *First Reading*

By Council President Larson

An Ordinance declaring a vacancy on Cleveland Heights City Council effective January 1, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Charter of the City of Cleveland Heights provides for the creation and filling of vacancies in the office of Member of Council; and

WHEREAS, Jim Petras currently serves as a Member of Council of the City of Cleveland Heights, for a term expiring on December 31, 2027; and

WHEREAS, at the general election held on November 4, 2025, Jim Petras was duly elected to serve as Mayor of the City of Cleveland Heights for a term commencing January 1, 2026; and

WHEREAS, on November 25, 2025, the Cuyahoga County Board of Elections certified to the City Council the official canvass of the November 4, 2025 election; and

WHEREAS, upon assuming the office of Mayor on January 1, 2026, Jim Petras will no longer serve as a Member of Council, and a vacancy shall thereupon exist in the office of Member of Council pursuant to the Charter of the City of Cleveland Heights.

BE IT ORDAINED by the Council of the City of Cleveland Heights, State of Ohio, that:

SECTION 1. Council hereby declares that, effective January 1, 2026, a vacancy shall exist in the office of Member of Council of the City of Cleveland Heights, formerly held by Jim Petras, by reason of their assumption of the office of Mayor on that date.

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City of Cleveland Heights website.

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to

ORDINANCE NO. 262-2025(COTW)

declare the vacancy on City Council as of January 1, 2026. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDAS
Mayor



Date: 12/12/2025

To: Council

From: Mayor Cuda

Subject: Renewal of liability coverage with Public Entities Pool of Ohio for the calendar year 2026

Purpose Statement: To authorize the Mayor to renew the City's property, vehicle, law enforcement, general, employment practices, and public official liability coverage for the City and its employees with the Public Entities Pool of Ohio for the calendar year 2026.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why? The need to provide uninterrupted risk protection and liability coverage for the City and its employees for the calendar year 2026.

Is passage on first reading necessary: Yes: ☒ No: ☐

If yes, why? The need to provide uninterrupted risk protection and liability coverage for the City and its employees for the calendar year 2026.

If funding is required, is it already budgeted for? Yes: ☒ No: ☐

If not already budgeted for, where will funding come from?

Proposed: 12/15/2025

RESOLUTION NO. 263-2025(AS), *First Reading*

By Mayor Cuda

A Resolution authorizing the renewal of the City's property, vehicle, law enforcement, general, employment practices, and public official liability coverage for the City and its employees with the Public Entities Pool of Ohio for the calendar year 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ohio law authorizes political subdivisions to contract for the purpose of entering into a joint self-insurance pool; and

WHEREAS, the City of Cleveland Heights, after careful evaluation of its options, determined in 2022 that it would be in the best interests of the City to enter into an agreement with the Public Entities Pool of Ohio to join its risk-sharing and joint self-insurance pool, and for the provision of property, vehicle, law enforcement, general, employment practices and public official liability coverage for the City and its employees beginning December 31, 2022, which was renewed for calendar year 2025; and

WHEREAS, the renewal date for said insurance coverage is December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to execute any agreements or other documents necessary to renew property, vehicle, law enforcement, general, employment practices, and public officials liability insurance coverage for the City and its employees with the Public Entities Pool of Ohio for the calendar year 2026, in accordance with the terms and conditions set forth in the proposal from the Public Entities Pool of Ohio that is on file with the Clerk of Council. The agreement and related insurance policies and expenses shall be at a cost not to exceed One Million and Twenty Thousand Dollars (\$1,020,000.00), and shall contain such other terms as recommended by the Mayor and Director of Law.

SECTION 2. All documents and contracts necessary to effectuate the Program shall be approved as to form by the Director of Law.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

RESOLUTION NO. 263-2025(AS)

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 5. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to provide uninterrupted risk protection and liability coverage for the City and its employees. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Proposed: 12/15/2025

ORDINANCE NO. 264-2025(CRR), *First Reading*

By Mayor Cuda

An Ordinance authorizing the Mayor to enter into a concession agreement with Marybeth McCann in order to let space at the Cleveland Heights Recreation Center with the goal of providing safe, quality, and consistent exercise classes to members of the public; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City owns and operates the Cleveland Heights Recreation Center (the “Rec Center”) located at 1 Monticello Blvd, Cleveland Heights, Ohio 44118; and

WHEREAS, the City permits outside entities and individuals to rent specified areas of the Rec Center for a variety of public purposes; and

WHEREAS, Marybeth McCann is a Jazzercise instructor and has proposed to provide Jazzercise classes to members of the public in the Rec Center; and

WHEREAS, the City desires to provide such Jazzercise classes to members of the public and the Mayor has determined that such use of the rental space available in the Rec Center is appropriate and would be in the best interest of the City.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that

SECTION 1. The Mayor be, and he is hereby, authorized to execute an agreement with Marybeth McCann to rent space in the Rec Center, specifically within the Rec Center’s Senior Center, in order to provide Jazzercise exercise classes to members of the public for a period of One Year commencing upon January 1, 2026 and expiring upon December 31, 2026 with a one-year option to renew. The rental fee shall be no less than \$40 a class, or at an appropriate rate as to be determined by the Director of Parks and Recreation or their designee. The Agreement shall further provide for an appropriate concession fee and any related documents shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text to the City of Cleveland Heights website.

ORDINANCE NO. 264-2025(CRR)

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to provide continuity in the benefits of Jazzercise programing, upon which many residents have come to rely. Wherefore, provided it receives the affirmative vote of five (5) of more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor



Memorandum

Date: 12/1/25

To: City Council

From: Chief Britton

Subject: Traffic Safety Grant

Purpose Statement:

See attached letter dated Oct. 1. 2025 to Mayor.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

Traffic Enforcement hours have been scheduled in October-December 2025

Is passage on first reading necessary: Yes: ☒ No: ☐

If yes, why?

To allow for enforcement efforts to begin as scheduled for October- December; traffic enforcement saturation and visibility, .

If funding is required, is it already budgeted for? Yes: ☒ No: ☐

If not already budgeted for, where will funding come from?

Grant was discussed in budget hearings.

CITY OF
CLEVELAND
HEIGHTS

DEPARTMENT OF POLICE

CHRISTOPHER M. BRITTON, CHIEF

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 – Telephone 216-291-4974

October 1, 2025

To: Mayor Kahil Seren
From: Christopher M. Britton, Chief of Police
CC: Tara Schuster, Director of Finance

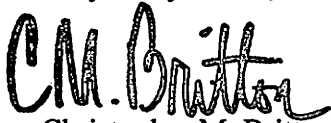
Mayor Seren,

The Police Department has applied and was awarded on October 1st a grant from the Ohio Department of Public Safety's ("ODPS"), Ohio Traffic Safety Office ("OTSO"), *High Visibility Enforcement Grant Program (HVE)*, *Impaired Driving Enforcement Program (IDEP)*, and *Selective Traffic Enforcement Program (STEP)* to support our cities traffic enforcement efforts.

The total award amount of this non-matching grant is Sixty-Seven Thousand Six Hundred Twenty-Three and 76/100 Dollars (\$67,623.76) which will be used only for police OT reimbursement. Please advise how Finance wishes to account for these reimbursable monies. The grant period is from October 2025 until September 2026. Approximately \$10,000.00 of the \$67,623.76 was budgeted in the FY25 budget with the remaining balance budgeted in the FY26 budget.

As you are aware, this grant will need to be presented to City Council. Therefore, to help expedite this process attached is a proposed resolution for your review to satisfy this requirement. Since enforcement efforts will commence starting in October, I am requesting this be presented to Council at the next meeting.

Very Truly Yours,



Christopher M. Britton
Chief of Police



Agency:	Cleveland Heights Police Department
Grant Number:	IDEP/STEP-2026-Cleveland Heights Police -00075

FFY 2026 Grant Information

Congratulations! Your Federal Fiscal Year (FFY) 2026 grant proposal has been approved!

The full PDF of the grant can be accessed on the GRANTS Plus online grant management system by clicking the "Management Tools" link and selecting "Create Full PDF Version." The GRANTS Plus System/PDF version, this letter and attached certificate comprise the entire executed agreement for this grant. Any concerns regarding modifications to your initial proposal must be addressed and resolved prior to the expenditure of grant funds.

Before proceeding with this agreement, a representative from your agency must complete the Pre-Claim online. Directions for completing the Pre-Claim begin on page 60 of the Grantee Manual located under the "My Training Materials" link in GRANTS Plus.

The OTSO representative assigned to this grant is Bama Davis and can be contacted at (614) 466-3250 or brdavis@dps.ohio.gov.

Please note the following **SPECIAL CONDITIONS** for FFY 2026:

- All FFY2026 grant requirements (Terms and Conditions, due dates, and individual grant requirements) will be enforced, and sub-recipients must complete the approved work plans (e.g., events, blitz enforcement hours, meetings, etc.). Failure to follow grant requirements could result in being placed in Sub-recipient on Notice status.

The staff of the OTSO looks forward to working with you to reduce traffic related fatal and serious injury crashes in Ohio.

Sincerely,

Emily Davidson

Emily Davidson, Director
Ohio Traffic Safety Office



Ohio Traffic
Safety Office

TRAFFIC SAFETY GRANT AWARD

PRESENTED TO:	
Cleveland Heights Police Department	
FFY2026 Grant #:	IDEP/STEP-2026-Cleveland Heights Police -00075
UEI Number:	EJGFSCF6VL55
Agency of Record:	City of Cleveland Heights

Funding of this agreement is dependent upon the availability of federal funds as appropriated and obligated by the US Department of Transportation for FFY2026. Should any change in federal funding adversely affect the Ohio Traffic Safety Office's (OTSO) ability to implement an approved agreement, the OTSO reserves the right to revise or terminate any approved grant in writing. The OTSO reserves the right to limit grant amounts at any time based on performance and/or available funding.

Program	Catalog of Federal Domestic Assistance (CFDA)	Description	Amount	FAIN Number
IDEP	20.608	Repeat Offenders for Driving While Intoxicated	\$33,061.88	69A375233000016400HA 69A375243000016400HA 69A375253000016400HA
STEP	20.600	State and Community Highway Safety	\$34,561.88	69A375243000040200H0 69A375253000040200H0

Authorized to Proceed Date: October 1, 2025

Agreement Termination Date: September 30, 2026

All Expenditure Reports (reimbursement claims and activity reports) for the grant must be accessed and submitted online through the GRANTS Plus system. The only costs eligible for reimbursement under this agreement are approved costs incurred within these dates.

Note: All sub-recipients must follow the Uniform Guidance, 2 C.F.R. Part 200. This agreement is to be funded under the federal grant program that begins October 1, 2025.

TOTAL GRANT AMOUNT
\$ 67,623.76

Emily Davidson

Director, Ohio Traffic Safety Office

Proposed: 12/15/2025

RESOLUTION NO. 265-2025(PSH), *First Reading*

By Mayor Cuda

A Resolution ratifying a grant agreement with the Ohio Traffic Safety Office to accept funding awarded through the *Impaired Driving and Selective Traffic Enforcement Programs*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Ohio Traffic Safety Office (“OTSO”) awarded a grant to the City of Cleveland Heights Police Department (FFY2026 Grant # IDEP/STEP-2026f-Cleveland Heights Police-00075) in the amount of Sixty-Seven Thousand, Six Hundred Twenty-Three and 76/100 Dollars (\$67,623.76) for the purpose of targeted enforcement of specified traffic safety violations in order to decrease the incidence of fatal motor vehicle-involved crashes; crashes where alcohol is a contributing factor; distracted driving/ texting while driving, and increase seat belt usage; and

WHEREAS, the grant agreement through which the City accepted the award was executed prior to obtaining authorization from this Council and so requires ratification by this Council; and

WHEREAS, this grant will aid in the City's efforts to promote traffic safety and be of benefit to the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby ratifies the executed grant agreement with OTSO identified herein, and that the Mayor is hereby authorized to execute any additional forms or documents necessary to accept the award.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the City of Cleveland Heights, or by posting the full

RESOLUTION NO. 265-2025(PSH)

text of this Ordinance on the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being to permit immediate acceptance of the grant award. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Proposed: 12/15/2025

ORDINANCE NO. 266-2025(F), *First Reading*

By Mayor Cuda

An Ordinance to amend certain subparagraphs of Ordinance No. 011-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council wishes to amend certain appropriations made through Ordinance No. 011-2025, in the manner more fully described herein,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, that:

SECTION 1. Certain subparagraphs of Ordinance No. 011-2025 relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025 be, and the same hereby are increased, decreased, and/or transferred in the amounts set forth in Exhibit A, attached hereto. All appropriations not so amended shall remain in full force and effect through the passage of this Ordinance.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2025, shall be made within appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the Mayor is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City of Cleveland Heights website.

SECTION 5. The prior version of Ordinance No. 011-2025, is hereby repealed in its entirety.

SECTION 6. It is necessary that this Ordinance become immediately effective as an emergency necessary for the preservation of public peace, health, and safety of the

ORDINANCE NO. 266-2025(F)

inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
101 - General	1101 - City Council	Personal Services	\$261,082.00		\$261,082.00
		O.T.P.S.	\$110,650.00		\$110,650.00
	1101 - City Council Total		\$371,732.00	\$0.00	\$371,732.00
	2101 - Mayor	Personal Services	\$977,557.00	(\$220,000.00)	\$757,557.00
		O.T.P.S.	\$120,450.00		\$120,450.00
	2101 - Mayor Total		\$1,098,007.00	(\$220,000.00)	\$878,007.00
	2106 - Civil Service Commission	Personal Services	\$3,507.00		\$3,507.00
		O.T.P.S.	\$35,000.00		\$35,000.00
	2106 - Civil Service Commission Total		\$38,507.00	\$0.00	\$38,507.00
	2107 - Landmark Commission	O.T.P.S.	\$29,215.00	(\$10,000.00)	\$19,215.00
	2107 - Landmark Commission Total		\$29,215.00	(\$10,000.00)	\$19,215.00
	2108 - General Operations	Personal Services	\$714,528.00	\$415,000.00	\$1,129,528.00
		O.T.P.S.	\$1,806,800.00	(\$127,000.00)	\$1,679,800.00
	2108 - General Operations Total		\$2,521,328.00	\$288,000.00	\$2,809,328.00
	2201 - Information Technology	Personal Services	\$470,708.00	(\$60,000.00)	\$410,708.00
		O.T.P.S.	\$420,442.00	(\$90,000.00)	\$330,442.00
		Capital	\$124,000.00	(\$80,000.00)	\$44,000.00
	2201 - Information Technology Total		\$1,015,150.00	(\$230,000.00)	\$785,150.00
	2501 - Community Relations	Personal Services	\$696,713.00	(\$110,000.00)	\$586,713.00
		O.T.P.S.	\$172,093.00		\$172,093.00
	2501 - Community Relations Total		\$868,806.00	(\$110,000.00)	\$758,806.00
	3101 - Finance	Personal Services	\$726,844.00		\$726,844.00
		O.T.P.S.	\$220,460.00	\$75,000.00	\$295,460.00
	3101 - Finance Total		\$947,304.00	\$75,000.00	\$1,022,304.00
	310Z - Transfers Out	Transfers Out	\$316,450.00		\$316,450.00
	310Z - Transfers Out		\$316,450.00	\$0.00	\$316,450.00
	3103 - County Auditors Deduction	O.T.P.S.	\$275,000.00		\$275,000.00
	3103 - County Auditors Deduction Total		\$275,000.00	\$0.00	\$275,000.00
	3201 - Income Tax	O.T.P.S.	\$1,177,750.00	\$30,000.00	\$1,207,750.00
	3201 - Income Tax Total		\$1,177,750.00	\$30,000.00	\$1,207,750.00
	3301 - Human Resources	Personal Services	\$297,776.00		\$297,776.00
		O.T.P.S.	\$172,500.00	(\$30,000.00)	\$142,500.00
	3301 - Human Resources Total		\$470,276.00	(\$30,000.00)	\$440,276.00
	4101 - Law	Personal Services	\$1,050,223.00		\$1,050,223.00
		O.T.P.S.	\$485,550.00	(\$25,000.00)	\$460,550.00
		Capital		\$0.00	\$0.00
	4101 - Law Total		\$1,535,773.00	(\$25,000.00)	\$1,510,773.00
	5101 - Planning	Personal Services	\$2,566,919.00	(\$80,000.00)	\$2,486,919.00
		O.T.P.S.	\$558,379.00	(\$15,000.00)	\$543,379.00
		Capital			\$0.00
	5101 - Planning Total		\$3,125,298.00	(\$95,000.00)	\$3,030,298.00
	5102 - Planning Commission	Personal Services	\$8,226.00	\$4,000.00	\$12,226.00
		O.T.P.S.	\$0.00	\$200.00	\$200.00
		Capital	\$5,450.00		\$5,450.00
		Non-Government			\$0.00
	5102 - Planning Commission Total		\$13,676.00	\$4,200.00	\$17,876.00
	5103 - Board Of Zoning Appeals	Personal Services	\$5,884.00		\$5,884.00
		O.T.P.S.	\$5,600.00		\$5,600.00
		Non-Government	\$0.00	\$600.00	\$600.00
	5103 - Board Of Zoning Appeals Total		\$11,484.00	\$600.00	\$12,084.00
	5104 - SID (Spec Impr District)	O.T.P.S.	\$498,998.00		\$498,998.00
	5104 - SID (Spec Impr District) Total		\$498,998.00	\$0.00	\$498,998.00
	5106 - Architect Bd of Review	Personal Services	\$5,985.00	\$4,000.00	\$9,985.00
		O.T.P.S.	\$5,650.00	\$300.00	\$5,950.00
		Non-Government	\$200.00	\$600.00	\$800.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
	5106 - Architect Bd of Review Total		\$11,835.00	\$4,900.00	\$16,735.00
	5303 - CDBG Housing Pres Office	O.T.P.S.	\$2,650,000.00		\$2,650,000.00
	5303 - CDBG Housing Pres Office Total		\$2,650,000.00	\$0.00	\$2,650,000.00
	5602 - SBA Performance Grants	O.T.P.S.	\$150,000.00		\$150,000.00
	5602 - SBA Performance Grants Total		\$150,000.00	\$0.00	\$150,000.00
	6201 - Service Admin	Personal Services	\$526,632.00	\$60,000.00	\$586,632.00
		O.T.P.S.	\$11,535.00		\$11,535.00
		Capital	\$1,100.00		\$1,100.00
	6201 - Service Admin Total		\$539,267.00	\$60,000.00	\$599,267.00
	6202 - Capital Projects Admin	O.T.P.S.	\$25,000.00		\$25,000.00
	6202 - Capital Projects Admin Total		\$25,000.00	\$0.00	\$25,000.00
	6207 - Vehicle Maintenance	Personal Services	\$1,322,745.00		\$1,322,745.00
		O.T.P.S.	\$1,432,605.00	\$35,000.00	\$1,467,605.00
		Capital	\$35,000.00		\$35,000.00
	6207 - Vehicle Maintenance Total		\$2,790,350.00	\$35,000.00	\$2,825,350.00
	6208 - Street Maintenance	Personal Services	\$1,941,542.00		\$1,941,542.00
		O.T.P.S.	\$356,730.00	\$42,000.00	\$398,730.00
		Capital			\$0.00
	6208 - Street Maintenance Total		\$2,298,272.00	\$42,000.00	\$2,340,272.00
	6211 - Traffic Signs & Signals	Personal Services	\$79,305.00		\$79,305.00
		O.T.P.S.	\$218,055.00	\$37,000.00	\$255,055.00
	6211 - Traffic Signs & Signals Total		\$297,360.00	\$37,000.00	\$334,360.00
	6225 - DPW Public Property	Personal Services			\$0.00
		O.T.P.S.			\$0.00
	6225 - DPW Public Property Total		\$0.00	\$0.00	\$0.00
	7201 - Police Admin	Personal Services	\$13,357,601.00	\$150,000.00	\$13,507,601.00
		O.T.P.S.	\$797,582.00	(\$100,000.00)	\$697,582.00
		Capital	\$85,924.00		\$85,924.00
	7201 - Police Admin Total		\$14,241,107.00	\$50,000.00	\$14,291,107.00
	7202 - Police Academy	Personal Services	\$246,397.00	(\$135,000.00)	\$111,397.00
		O.T.P.S.	\$76,790.00	\$5,000.00	\$81,790.00
	7202 - Police Academy Total		\$323,187.00	(\$130,000.00)	\$193,187.00
	7301 - Fire Admin	Personal Services	\$11,882,221.00	\$600,000.00	\$12,482,221.00
		O.T.P.S.	\$394,764.00		\$394,764.00
	7301 - Fire Admin Total		\$12,276,985.00	\$600,000.00	\$12,876,985.00
	7302 - Joint Dispatch Office	O.T.P.S.	\$1,381,905.00		\$1,381,905.00
	7302 - Joint Dispatch Office Total		\$1,381,905.00	\$0.00	\$1,381,905.00
	7303 - Fire Prevention	Personal Services	\$284,254.00		\$284,254.00
		O.T.P.S.	\$22,800.00		\$22,800.00
		Capital	\$3,000.00		\$3,000.00
	7303 - Fire Prevention Total		\$310,054.00	\$0.00	\$310,054.00
	7401 - Building Services	O.T.P.S.	\$426,168.00	(\$50,000.00)	\$376,168.00
		Non-Government	\$5,000.00		\$5,000.00
	7401 - Building Services Total		\$431,168.00	(\$50,000.00)	\$381,168.00
	7402 - Housing Inspections	Personal Services	\$3,800.00		\$3,800.00
		O.T.P.S.	\$136,500.00		\$136,500.00
		Capital	\$3,000.00		\$3,000.00
		Non-Government	\$4,000.00		\$4,000.00
	7402 - Housing Inspections Total		\$147,300.00	\$0.00	\$147,300.00
	8101 - Community Services Admin	O.T.P.S.	\$7,480.00		\$7,480.00
	8101 - Community Services Admin Total		\$7,480.00	\$0.00	\$7,480.00
	8201 - Public Prop/Park Maint	Personal Services	\$1,752,427.00		\$1,752,427.00
		O.T.P.S.	\$1,409,545.00	\$65,000.00	\$1,474,545.00
	8201 - Public Prop/Park Maint Total		\$3,161,972.00	\$65,000.00	\$3,226,972.00
	8401 - Parks & Recreation Admin	Personal Services	\$1,030,340.00	(\$40,000.00)	\$990,340.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
		O.T.P.S.	\$36,400.00	\$95,000.00	\$131,400.00
	8401 - Parks & Recreation Admin Total		\$1,066,740.00	\$55,000.00	\$1,121,740.00
	8402 - Playgrounds	O.T.P.S.	\$20,700.00		\$20,700.00
	8402 - Playgrounds Total		\$20,700.00	\$0.00	\$20,700.00
	8403 - Swimming Pools	Personal Services	\$379,800.00		\$379,800.00
		O.T.P.S.	\$193,000.00		\$193,000.00
	8403 - Swimming Pools Total		\$572,800.00	\$0.00	\$572,800.00
	8405 - Ice Programs	Personal Services	\$297,134.00	(\$5,000.00)	\$292,134.00
		O.T.P.S.	\$34,550.00	\$50,000.00	\$84,550.00
	8405 - Ice Programs Total		\$331,684.00	\$45,000.00	\$376,684.00
	8406 - General Recreation Prog	Personal Services	\$167,544.00		\$167,544.00
		O.T.P.S.	\$424,500.00	(\$140,000.00)	\$284,500.00
	8406 - General Recreation Prog Total		\$592,044.00	(\$140,000.00)	\$452,044.00
	8409 - Sports Programs	Personal Services	\$144,008.00		\$144,008.00
		O.T.P.S.	\$85,250.00		\$85,250.00
	8409 - Sports Programs Total		\$229,258.00	\$0.00	\$229,258.00
	8411 - Community Center Admin	Personal Services	\$683,269.00	\$140,000.00	\$823,269.00
		O.T.P.S.	\$416,500.00	\$50,000.00	\$466,500.00
		Non-Government	\$1,400.00		\$1,400.00
	8411 - Community Center Admin Total		\$1,101,169.00	\$190,000.00	\$1,291,169.00
	8501 - Office On Aging Admin	Personal Services	\$217,465.00		\$217,465.00
		O.T.P.S.	\$25,060.00		\$25,060.00
		Capital	\$0.00	\$1,300.00	\$1,300.00
	8501 - Office On Aging Admin Total		\$242,525.00	\$1,300.00	\$243,825.00
	8601 - Public Health Admin	O.T.P.S.	\$345,950.00	\$20,000.00	\$365,950.00
	8601 - Public Health Admin Total		\$345,950.00	\$20,000.00	\$365,950.00
	8701 - Animal Protection	O.T.P.S.	\$65,000.00		\$65,000.00
	8701 - Animal Protection Total		\$65,000.00		\$65,000.00
	9101 - Municipal Court	Personal Services	\$1,661,123.00	(\$185,000.00)	\$1,476,123.00
		O.T.P.S.	\$178,600.00	\$185,000.00	\$363,600.00
	9101 - Municipal Court Total		\$1,839,723.00	\$0.00	\$1,839,723.00
101 - General Total			\$61,765,589.00	\$563,000.00	\$62,328,589.00
201 - Street Constr, Maint	6201 - Maint,Service Admin	Personal Services	\$38,558.00	\$37,000.00	\$75,558.00
	6201 - Maint,Service Admin Total		\$38,558.00	\$37,000.00	\$75,558.00
	6208 - Maint,Street Maintenance	Personal Services	\$109,067.00	(\$37,000.00)	\$72,067.00
		Capital	\$40,000.00	\$100,000.00	\$140,000.00
	6208 - Maint,Street Maintenance Total		\$149,067.00	\$63,000.00	\$212,067.00
	6211 - Maint,Traffic Signs & Signals	Capital			\$0.00
	6211 - Maint,Traffic Signs & Signals Total		\$0.00	\$0.00	\$0.00
	6213 - Maint,Monticello Blvd	O.T.P.S.	\$37,802.00		\$37,802.00
	6213 - Maint,Monticello Blvd Total		\$37,802.00	\$0.00	\$37,802.00
	6215 - Maint,Road Repaving-State/Cnty	O.T.P.S.	\$20,480.00		\$20,480.00
	6215 - Maint,Road Repaving-State/Cnty Total		\$20,480.00	\$0.00	\$20,480.00
	6220 - Maint,Taylor Road	O.T.P.S.	\$63,799.00		\$63,799.00
	6220 - Maint,Taylor Road Total		\$63,799.00	\$0.00	\$63,799.00
	6236 - Maint,Annual Street Surface	Capital	\$3,552,456.00	(\$100,000.00)	\$3,452,456.00
	6236 - Maint,Annual Street Surface Total		\$3,552,456.00	(\$100,000.00)	\$3,452,456.00
	6312 - Maint,Meadowbrook Blvd Rehab	O.T.P.S.	\$118,922.00		\$118,922.00
	6312 - Maint,Meadowbrook Blvd Rehab Total		\$118,922.00	\$0.00	\$118,922.00
201 - Street Constr, Maint Total			\$3,981,084.00	\$0.00	\$3,981,084.00
205 - Public Building Maint	8201 - Public Building maint	O.T.P.S.	\$100,000.00		\$100,000.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
205 - Law Enforcement Total			\$100,000.00	\$0.00	\$100,000.00
206 - Law Enforcement	7205 - Law Enforcement	O.T.P.S.	\$110,600.00		\$110,600.00
	7205 - Law Enforcement Total		\$110,600.00	\$0.00	\$110,600.00
	7210 - Law Enforcement Grants	Capital	\$11,309.00		\$11,309.00
	7210 - Law Enforcement Grants Total		\$11,309.00	\$0.00	\$11,309.00
206 - Law Enforcement Total			\$121,909.00	\$0.00	\$121,909.00
207 - Drug Law Enforcement	7206 - Drug Law Enforcement	Personal Services	\$62,000.00	\$5,000.00	\$67,000.00
		O.T.P.S.	\$87,500.00	\$26,000.00	\$113,500.00
		Capital	\$45,000.00		\$45,000.00
	7206 - Drug Law Enforcement Total		\$194,500.00	\$31,000.00	\$225,500.00
207 - Drug Law Enforcement Total			\$194,500.00	\$31,000.00	\$225,500.00
208 - CDBG Resource	5201 - CDBG Financial Admin	Personal Services	\$5,844.00	\$5,000.00	\$10,844.00
	5201 - CDBG Financial Admin Total		\$5,844.00	\$5,000.00	\$10,844.00
	5203 - CDBG Admin Contracts	O.T.P.S.	\$461,005.00	(\$5,000.00)	\$456,005.00
		Capital	\$97,000.00		\$97,000.00
	5203 - CDBG Admin Contracts Total		\$558,005.00	(\$5,000.00)	\$553,005.00
	5220 - CDBG Office On Aging	Personal Services	\$40,531.00		\$40,531.00
	5220 - CDBG Office On Aging Total		\$40,531.00	\$0.00	\$40,531.00
	5222 - Economic Development	Personal Services	\$133,238.00	\$73,400.00	\$206,638.00
		O.T.P.S.	\$1,354,159.00	(\$790,000.00)	\$564,159.00
	5222 - Economic Development Total		\$1,487,397.00	(\$716,600.00)	\$770,797.00
	5224 - CDBG Admin	Personal Services	\$121,604.00	\$30,000.00	\$151,604.00
		O.T.P.S.	\$86,500.00		\$86,500.00
	5224 - CDBG Admin Total		\$208,104.00	\$30,000.00	\$238,104.00
	5225 - CDBG Parkland	O.T.P.S.			\$0.00
	5225 - CDBG Parkland Total		\$0.00	\$0.00	\$0.00
	5228 - CDBG Public Works	O.T.P.S.	\$404,235.00	(\$175,000.00)	\$229,235.00
		Capital	\$195,000.00		\$195,000.00
	5228 - CDBG Public Works Total		\$599,235.00	(\$175,000.00)	\$424,235.00
	5301 - CDBG Home Repair Resource	O.T.P.S.	\$355,121.00	\$56,200.00	\$411,321.00
	5301 - CDBG Home Repair Resource Total		\$355,121.00	\$56,200.00	\$411,321.00
	5303 - CDBG Housing Pres Office	Personal Services	\$292,726.00	\$65,000.00	\$357,726.00
		O.T.P.S.	\$697,500.00	(\$150,000.00)	\$547,500.00
	5303 - CDBG Housing Pres Office Total		\$990,226.00	(\$85,000.00)	\$905,226.00
	5304 - CDBG Code Enforcement	Personal Services	\$113,396.00		\$113,396.00
	5304 - CDBG Code Enforcement Total		\$113,396.00	\$0.00	\$113,396.00
	5306 - CDBG Neighborhood Relate	Personal Services	\$0.00	\$11,000.00	\$11,000.00
	5306 - CDBG Neighborhood Relate Total		\$0.00	\$11,000.00	\$11,000.00
	5309 - GIS	Personal Services	\$42,625.00	\$15,000.00	\$57,625.00
		Capital			\$0.00
	5309 - GIS Total		\$42,625.00	\$15,000.00	\$57,625.00
	8407 - Child Care/Summer Program	O.T.P.S.	\$19,500.00		\$19,500.00
	8407 - Child Care/Summer Program Total		\$19,500.00	\$0.00	\$19,500.00
208 - CDBG Resource Total			\$4,419,984.00	(\$864,400.00)	\$3,555,584.00
211 - Home Program	5503 - HOME Admin	O.T.P.S.	\$435,500.00	(\$200,000.00)	\$235,500.00
	5503 - HOME Admin Total		\$435,500.00	(\$200,000.00)	\$235,500.00
	5505 - Contingency-HOME	O.T.P.S.	\$189,000.00	(\$75,000.00)	\$114,000.00
	5505 - Contingency-HOME Total		\$189,000.00	(\$75,000.00)	\$114,000.00
211 - Home Program Total			\$624,500.00	(\$275,000.00)	\$349,500.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
213 - Police Facility Impr Fund	7201 - Police Admin	O.T.P.S.	\$18,000.00		\$18,000.00
	7201 - Police Admin Total		\$18,000.00	\$0.00	\$18,000.00
213 - Police Facility Impr Fund Total			\$18,000.00	\$0.00	\$18,000.00
214 - Local Programming	2108 - General Operations	O.T.P.S.	\$74,000.00	(\$50,000.00)	\$24,000.00
	2108 - General Operations Total		\$74,000.00	(\$50,000.00)	\$24,000.00
	2201 - Information Technology	Capital	\$25,000.00		\$25,000.00
	2201 - Information Technology Total		\$25,000.00	\$0.00	\$25,000.00
	2502 - Public Relations	Personal Services	\$15,450.00		\$15,450.00
	2502 - Public Relations Total		\$15,450.00	\$0.00	\$15,450.00
	2601 - Cable TV Admin	Personal Services			
		O.T.P.S.	\$217,400.00	(\$50,000.00)	\$167,400.00
		Capital	\$80,000.00		\$80,000.00
	2601 - Cable TV Admin Total		\$297,400.00	(\$50,000.00)	\$247,400.00
214 - Local Programming Total			\$411,850.00	(\$100,000.00)	\$311,850.00
215 - Cain Park Operating	8901 - Cain Park Admin/Start-Up	Personal Services	\$137,244.00	\$295,000.00	\$432,244.00
		O.T.P.S.	\$1,470,325.00	(\$265,000.00)	\$1,205,325.00
	8901 - Cain Park Admin/Start-Up Total		\$1,607,569.00	\$30,000.00	\$1,637,569.00
	8905 - Arts Festival/Art Gallery	O.T.P.S.	\$46,700.00		\$46,700.00
	8905 - Arts Festival/Art Gallery Total		\$46,700.00	\$0.00	\$46,700.00
	8906 - Theater	O.T.P.S.	\$164,750.00		\$164,750.00
	8906 - Theater Total		\$164,750.00	\$0.00	\$164,750.00
215 - Cain Park Operating Total			\$1,819,019.00	\$30,000.00	\$1,849,019.00
216 - Rec Fac Imp Fund	8301 - Park Maintenance Admin	O.T.P.S.	\$443,000.00		\$443,000.00
		Capital	\$1,035,000.00		\$1,035,000.00
	8301 - Park Maintenance Admin Total		\$1,478,000.00	\$0.00	\$1,478,000.00
216 - Rec Fac Imp Fund Total			\$1,478,000.00	\$0.00	\$1,478,000.00
221 - Indigent DUI Treatment	9101 - Municipal Court	O.T.P.S.	\$14,000.00		\$14,000.00
	9101 - Municipal Court Total		\$14,000.00	\$0.00	\$14,000.00
221 - Indigent DUI Treatment Total			\$14,000.00	\$0.00	\$14,000.00
222 - Muni Ct-Computerization	9101 - Municipal Court	Personal Services	\$9,816.00		\$9,816.00
		O.T.P.S.	\$25,000.00		\$25,000.00
		Capital	\$15,000.00		\$15,000.00
	9101 - Municipal Court Total		\$49,816.00	\$0.00	\$49,816.00
222 - Muni Ct-Computerization Total			\$49,816.00	\$0.00	\$49,816.00
224 - Muni Court Grant	9102 - Municipal Court Grant	Capital	\$0.00	\$40,000.00	\$40,000.00
	9102 - Municipal Court Grant Total		\$0.00	\$40,000.00	\$40,000.00
225 - Muni Court Grant Total			\$0.00	\$40,000.00	\$40,000.00
225 - Muni Ct Special Projects	9101 - Municipal Court	Personal Services	\$24,879.00		\$24,879.00
		O.T.P.S.	\$23,500.00		\$23,500.00
		Capital	\$34,000.00		\$34,000.00
	9101 - Municipal Court Total		\$82,379.00	\$0.00	\$82,379.00
225 - Muni Ct Special Projects Total			\$82,379.00	\$0.00	\$82,379.00
226 - Lead Safe Cuyahoga	5303 - CDBG Housing Pres Office	otps	\$365,000.00	\$705,000.00	\$1,070,000.00
	5303 - CDBG Housing Pres Office Total		\$365,000.00	\$705,000.00	\$1,070,000.00
	5701 - Housing Program Grants	Personal Services	\$32,285.00	\$13,000.00	\$45,285.00
		O.T.P.S.	\$445,300.00	(\$175,000.00)	\$270,300.00
		capital	\$8,100.00		\$8,100.00
	5701 - Housing Program Grants Total		\$485,685.00	(\$162,000.00)	\$323,685.00
226 - Lead Safe Cuyahoga Total			\$850,685.00	\$543,000.00	\$1,393,685.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
228 - CDBG-COVID	5203 - CDBG Admin Contracts	O.T.P.S.			\$0.00
	5203 - CDBG Admin Contracts Total		\$0.00	\$0.00	\$0.00
	5220 - CDBG Office On Aging	O.T.P.S.	\$1,752.00		\$1,752.00
	5220 - CDBG Office On Aging Total		\$1,752.00	\$0.00	\$1,752.00
	5224 - CDBG Admin	O.T.P.S.	\$12,460.00		\$12,460.00
	5224 - CDBG Admin Total		\$12,460.00	\$0.00	\$12,460.00
	5228 - CDBG Public Works	Capital	\$93,038.00		\$93,038.00
	5228 - CDBG Public Works Total		\$93,038.00	\$0.00	\$93,038.00
228 - CDBG-COVID Total			\$107,250.00	\$0.00	\$107,250.00
230 - Street Lighting	3101 - Finance	O.T.P.S.	\$11,000.00	\$7,000.00	\$18,000.00
	3101 - Finance Total		\$11,000.00	\$7,000.00	\$18,000.00
	6211 - Traffic Signs & Signals	O.T.P.S.	\$1,050,000.00		\$1,050,000.00
	6211 - Traffic Signs & Signals Total		\$1,050,000.00	\$0.00	\$1,050,000.00
230 - Street Lighting Total			\$1,061,000.00	\$7,000.00	\$1,068,000.00
231 - Tree	8801 - Forestry	Personal Services	\$962,798.00	(\$200,000.00)	\$762,798.00
		O.T.P.S.	\$323,570.00	\$40,000.00	\$363,570.00
		Capital	\$504,650.00	(\$45,000.00)	\$459,650.00
	8801 - Forestry Total		\$1,791,018.00	(\$205,000.00)	\$1,586,018.00
231 - Tree Total			\$1,791,018.00	(\$205,000.00)	\$1,586,018.00
232 - Police Pension	7201 - Police Admin	Personal Services	\$382,650.00	\$170,000.00	\$552,650.00
	7201 - Police Admin Total		\$382,650.00	\$170,000.00	\$552,650.00
232 - Police Pension Total			\$382,650.00	\$170,000.00	\$552,650.00
233 - Fire Pension	7301 - Fire Admin	Personal Services	\$382,650.00	\$280,000.00	\$662,650.00
	7301 - Fire Admin Total		\$382,650.00	\$280,000.00	\$662,650.00
233 - Fire Pension Total			\$382,650.00	\$280,000.00	\$662,650.00
234 - Earned Benefits	2101 - Mayor	Personal Services	\$0.00	\$17,000.00	\$17,000.00
	2101 - Mayor Total		\$0.00	\$17,000.00	\$17,000.00
	2108 - General Operations	Personal Services	\$300,000.00	(\$300,000.00)	\$0.00
	2108 - General Operations Total		\$300,000.00	(\$300,000.00)	\$0.00
	2501 - Communications	Personal Services	\$0.00	\$8,500.00	\$8,500.00
	3101 - Communications		\$0.00	\$8,500.00	\$8,500.00
	3101 - Finance	Personal Services	\$0.00	\$4,200.00	\$4,200.00
	3101 - Finance Total		\$0.00	\$4,200.00	\$4,200.00
	4101 - Law	Personal Services	\$0.00	\$7,300.00	\$7,300.00
	4101 - Law Total		\$0.00	\$7,300.00	\$7,300.00
	5101 - Planning	Personal Services	\$0.00	\$4,800.00	\$4,800.00
	5101 - Planning Total		\$0.00	\$4,800.00	\$4,800.00
	6205 - Sewer Maint	Personal Services	\$0.00	\$6,000.00	\$6,000.00
	6205 - Sewer Maint Total		\$0.00	\$6,000.00	\$6,000.00
	6207 - Vehicle Maint	Personal Services	\$0.00	\$18,000.00	\$18,000.00
	6207 - Vehicle Maint Total		\$0.00	\$18,000.00	\$18,000.00
	6208 - Street Maint	Personal Services	\$0.00	\$21,000.00	\$21,000.00
	6208 - Street Maint Total		\$0.00	\$21,000.00	\$21,000.00
	7201 - Police Admin	Personal Services	\$0.00	\$90,500.00	\$90,500.00
	7201 - Police Admin Total		\$0.00	\$90,500.00	\$90,500.00
	7301 - Fire Admin	Personal Services	\$0.00	\$136,000.00	\$136,000.00
	7301 - Fire Admin Total		\$0.00	\$136,000.00	\$136,000.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
	8201 - Public Property	Personal Services	\$0.00	\$21,000.00	\$21,000.00
	8201 - Public Property Total		\$0.00	\$21,000.00	\$21,000.00
	8401 - Parks	Personal Services	\$0.00	\$2,000.00	\$2,000.00
	8401 - Parks Total		\$0.00	\$2,000.00	\$2,000.00
	8801 - Forestry	Personal Services	\$0.00	\$17,500.00	\$17,500.00
	8801 - Forestry Total		\$0.00	\$17,500.00	\$17,500.00
	9101 - Muni Court	Personal Services	\$0.00	\$16,000.00	\$16,000.00
	9101 - Muni Court Total		\$0.00	\$16,000.00	\$16,000.00
234 - Earned Benefits Total			\$300,000.00	\$52,800.00	\$352,800.00
240 - Federal Miscellaneous Grants	5101 - Planning	O.T.P.S.	\$1,159,573.00	(\$900,000.00)	\$259,573.00
	5101 - Planning Total		\$1,159,573.00	(\$900,000.00)	\$259,573.00
	7201 - Police Admin	Personal Services	\$43,216.00	\$9,000.00	\$52,216.00
	7201 - Police Admin Total		\$43,216.00	\$9,000.00	\$52,216.00
	8401-Parks	Capital	\$390,000.00		\$390,000.00
	8401 - Parks Total		\$390,000.00	\$0.00	\$390,000.00
240 - Federal Miscellaneous Grants Total			\$1,592,789.00	(\$891,000.00)	\$701,789.00
241 - Local Fiscal Recovery	2108 Capital Improvement		\$474,840.00		\$474,840.00
	2108 - General Operations		\$474,840.00	\$0.00	\$474,840.00
	5110- ARPA NON-PROFIT	O.T.P.S.	\$0.00	\$902,190.00	\$902,190.00
	5110- ARPA NON-PROFIT Total		\$0.00	\$902,190.00	\$902,190.00
	5113- Housing Repair Resources	O.T.P.S.	\$0.00	\$250,000.00	\$250,000.00
	5113- Housing Repair Resources Total		\$0.00	\$250,000.00	\$250,000.00
	5222 - Economic Development	O.T.P.S.	\$0.00	\$300,000.00	\$300,000.00
	5222 - Economic Development Total		\$0.00	\$300,000.00	\$300,000.00
	8901 Cain Park Admin	Capital	\$0.00	\$3,500.00	\$3,500.00
	8901 Cain Park Admin Total		\$0.00	\$3,500.00	\$3,500.00
241 Local Fiscal Recovery			\$474,840.00	\$1,455,690.00	\$1,930,530.00
244 - NOPEC	2108 O.T.P.S.		\$200,000.00	(\$95,000.00)	\$105,000.00
	3101 - Finance Total		\$200,000.00	(\$95,000.00)	\$105,000.00
244 - NOPEC Total			\$200,000.00	(\$95,000.00)	\$105,000.00
260 - TOP OF THE HILL	3101 - Finance	O.T.P.S.	\$1,000,000.00	\$724,000.00	\$1,724,000.00
	3101 - Finance Total		\$1,000,000.00	\$724,000.00	\$1,724,000.00
301 - G.O. Bond Retirement Total			\$1,000,000.00	\$724,000.00	\$1,724,000.00
301 - G.O. Bond Retirement	3101 - Finance	O.T.P.S.	\$1,465,052.00	\$11,000.00	\$1,476,052.00
	3101 - Finance Total		\$1,465,052.00	\$11,000.00	\$1,476,052.00
301 - G.O. Bond Retirement Total			\$1,465,052.00	\$11,000.00	\$1,476,052.00
402 - Financed Capital Projects	1101 - City Council	Capital	\$0.00	\$1,000.00	\$1,000.00
	1101 - City Council Total		\$0.00	\$1,000.00	\$1,000.00
	2101 - Mayor	Capital	\$0.00	\$41,500.00	\$41,500.00
	2101 - Mayor Total		\$0.00	\$41,500.00	\$41,500.00
	2201 - Information Technology	Capital	\$0.00	\$7,300.00	\$7,300.00
	2201 - Information Technology Total		\$0.00	\$7,300.00	\$7,300.00
	5101 - Planning	Capital	\$746,450.00	\$250,000.00	\$996,450.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification	2025 Amended Budget		
	5101 - Planning Total		\$746,450.00	\$250,000.00	\$996,450.00
	6203 - Refuse Transfer	Capital	\$40,000.00		\$40,000.00
	6203 - Refuse Transfer		\$40,000.00	\$0.00	\$40,000.00
	6207 - Vehicle Maintenance	Capital	\$52,500.00		\$52,500.00
	6207 - Vehicle Maintenance		\$52,500.00	\$0.00	\$52,500.00
	6208 - Street Maintenance	Capital	\$81,000.00		\$81,000.00
	6208 - Street Maintenance		\$81,000.00	\$0.00	\$81,000.00
	7201 - Police Admin	Capital	\$1,304,804.00	(\$50,000.00)	\$1,254,804.00
	7201 - Police Admin Total		\$1,304,804.00	(\$50,000.00)	\$1,254,804.00
	7301 - Fire Admin	Capital	\$1,434,000.00	(\$100,000.00)	\$1,334,000.00
	7301 - Fire Admin Total		\$1,434,000.00	(\$100,000.00)	\$1,334,000.00
	7402 - Housing Inspections	Capital	\$3,000.00		\$3,000.00
	7402 - Housing Inspections Total		\$3,000.00	\$0.00	\$3,000.00
	8201 - Public Prop/Park Maint	Capital	\$1,385,713.00		\$1,385,713.00
	8201 - Public Prop/Park Maint Total		\$1,385,713.00	\$0.00	\$1,385,713.00
402 - Financed Capital Projects Total			\$5,047,467.00	\$149,800.00	\$5,197,267.00
411 - Economic Development	5101 - Planning	O.T.P.S.	\$232,850.00	(\$195,000.00)	\$37,850.00
		Capital	\$50,000.00		\$50,000.00
	5101 - Planning Total		\$282,850.00	(\$195,000.00)	\$87,850.00
411 - Economic Development Total			\$282,850.00	(\$195,000.00)	\$87,850.00
412 - City Hall Maint & Repair	2102 - City Hall Maint/Repair	O.T.P.S.	\$20,000.00		\$20,000.00
	2102 - City Hall Maint/Repair Total		\$20,000.00	\$0.00	\$20,000.00
412 - City Hall Maint & Repair Total			\$20,000.00	\$0.00	\$20,000.00
416 - Refuse Capital Fund	6203 - Refuse Coll/Transfer Sta	Capital	\$0.00	\$2,000.00	\$2,000.00
	6203 - Refuse Coll/Transfer Sta Total		\$0.00	\$2,000.00	\$2,000.00
416 - Refuse Capital Fund Total			\$0.00	\$2,000.00	\$2,000.00
601 - Water Administration	6301 - Water Admin	O.T.P.S.	\$0.00	\$2,000.00	\$2,000.00
	6301 - Water Admin Total		\$0.00	\$2,000.00	\$2,000.00
	6302 - Water Distribution	Capital	\$865,000.00	(\$650,000.00)	\$215,000.00
	6302 - Water Distribution Total		\$865,000.00	(\$650,000.00)	\$215,000.00
	6314 - Runnymede/Quilliams Wtr	O.T.P.S.	\$20,707.00		\$20,707.00
	6314 - Runnymede/Quilliams Wtr Total		\$20,707.00	\$0.00	\$20,707.00
601 - Water Administration Total			\$885,707.00	(\$648,000.00)	\$237,707.00
602 - Sewerage Disposal	6205 - Sewer Maintenance	Personal Services	\$1,619,391.00		\$1,619,391.00
		O.T.P.S.	\$733,850.00		\$733,850.00
		Capital	\$3,289,000.00		\$3,289,000.00
		Non-Government	\$12,000.00		\$12,000.00
	6205 - Sewer Maintenance Total		\$5,654,241.00	\$0.00	\$5,654,241.00
	6301 - Water Admin	O.T.P.S.	\$0.00	\$42,000.00	\$42,000.00
	6301 - Water Admin Total		\$0.00	\$42,000.00	\$42,000.00
602 - Sewerage Disposal Total			\$5,654,241.00	\$42,000.00	\$5,696,241.00
603 - Parking Fund	6210 - Parking Department	O.T.P.S.	\$816,700.00		\$816,700.00
		Non-Government	\$4,000.00		\$4,000.00
	6210 - Parking Department Total		\$820,700.00	\$0.00	\$820,700.00
603 - Parking Fund Total			\$820,700.00	\$0.00	\$820,700.00
605 - Refuse Fund	6203 - Refuse Coll/Transfer Sta	Personal Services	\$3,067,379.00	(\$22,000.00)	\$3,045,379.00
		O.T.P.S.	\$1,353,024.00		\$1,353,024.00
		Capital	\$0.00	\$22,000.00	\$22,000.00

Expenditures	(All)		2025 Amended Budget	2025 Year End Budget Amendments ORD 266-2025	2025 Final Amended Budget
Fund	Account Code & Category	Account Classification			
	6203 - Refuse Coll/Transfer Sta Total		\$4,420,403.00	\$0.00	\$4,420,403.00
605 - Refuse Fund Total			\$4,420,403.00	\$0.00	\$4,420,403.00
606 - ALS Ambulance Services	7304 - ALS Ambulance Services	Personal Services	\$659,898.00		\$659,898.00
		O.T.P.S.	\$485,560.00		\$485,560.00
		Capital	\$254,791.00	\$26,000.00	\$280,791.00
	7304 - ALS Ambulance Services Total		\$1,400,249.00	\$26,000.00	\$1,426,249.00
606 - ALS Ambulance Services Total			\$1,400,249.00	\$26,000.00	\$1,426,249.00
701 - Hospitalization Self-Ins	3101 - Finance	Personal Services	\$8,152,000.00	\$400,000.00	\$8,552,000.00
	3101 - Finance Total		\$8,152,000.00	\$400,000.00	\$8,552,000.00
701 - Hospitalization Self-Ins Total			\$8,152,000.00	\$400,000.00	\$8,552,000.00
804 - Off/Aging Donations	8501 - Office On Aging Admin	O.T.P.S.	\$1,750.00	\$50.00	\$1,800.00
	8501 - Office On Aging Admin Total		\$1,750.00	\$50.00	\$1,800.00
804 - Off/Aging Donations Total			\$1,750.00	\$50.00	\$1,800.00
808 - Youth Recreation Donation	8101 - Community Services Admin	Non-Government	\$5,000.00		\$5,000.00
	8101 - Community Services Admin Total		\$5,000.00	\$0.00	\$5,000.00
808 - Youth Recreation Donation Total			\$5,000.00	\$0.00	\$5,000.00
811 - Juvenile Diversion Prog	7209 - Juvenile Diversion Prog	O.T.P.S.	\$12,000.00	(\$10,000.00)	\$2,000.00
	7209 - Juvenile Diversion Prog Total		\$12,000.00	(\$10,000.00)	\$2,000.00
811 - Juvenile Diversion Prog Total			\$12,000.00	(\$10,000.00)	\$2,000.00
850 - Flexible Spending Account	3101 - Finance	Personal Services	\$150,000.00	\$27,000.00	\$177,000.00
	3101 - Finance Total		\$150,000.00	\$27,000.00	\$177,000.00
850 - Flexible Spending Account Total			\$150,000.00	\$27,000.00	\$177,000.00
857 - Sales Tax	3101 - Finance	Other Financing	\$50.00		\$50.00
	3101 - Finance Total		\$50.00	\$0.00	\$50.00
850 - Flexible Spending Account Total			\$50.00	\$0.00	\$50.00
858 - Miscellaneous Agency	7201 - Police Admin	O.T.P.S.	\$106,000.00	(\$60,000.00)	\$46,000.00
	7201 - Police Admin Total		\$106,000.00	(\$60,000.00)	\$46,000.00
	7301 - Fire Admin	O.T.P.S.	\$0.00	\$60,000.00	\$60,000.00
	7301 - Fire Admin Total		\$0.00	\$60,000.00	\$60,000.00
	7401 - Building Services	Non-Government	\$0.00	\$11,000.00	\$11,000.00
	7401 - Building Services Total		\$0.00	\$11,000.00	\$11,000.00
	7402 - Housing Services	Non-Government	\$0.00	\$240,000.00	\$240,000.00
	7401 - Housing Services Total		\$0.00	\$240,000.00	\$240,000.00
	8411 - Community Program	Non-Government	\$0.00	\$2,100.00	\$2,100.00
	8411 - Community Program Total		\$0.00	\$2,100.00	\$2,100.00
858 - Miscellaneous Agency Total			\$106,000.00	\$253,100.00	\$359,100.00
Grand Total			\$111,646,981.00	\$1,541,040.00	\$113,188,021.00

Memorandum

Date: 12/3/25

To: Mayor Cuda

From: Andy Unetic

Subject: 2025 Year-End Transfers

Purpose Statement:

At the end of each year the General Fund transfers money out of the General Fund to other funds to alleviate negative fund balances or to pay for projects in 2026. It is against the Ohio Revised Code for Funds to have negative fund balances.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

To alleviate any negative fund balances at the end of 2025 and to prevent funds from having a negative fund balance in 2026.

Is passage on first reading necessary: Yes: ☒ No: ☐

If yes, why?

To be in compliance with the Ohio Revised Code

If funding is required, is it already budgeted for? Yes: ☒ No: ☐

If not already budgeted for, where will funding come from?

Funding for this will come from the unencumbered General Fund balance.

City of Cleveland Heights 2025 Year End Transfers			Projected Unencumbered Fund Balance After Transfers 12/31/2025	
Fund	Transfer Out	Transfer In		
101 General Fund	16,360,000.00		20,054,386.91	
102 Budget Stabilization		600,000.00	2,000,000.00	To set aside money for emergencies
201 SCM&R		3,500,000.00	6,235,636.45	To supplement 2026 road paving projects
215 Cain Park		950,000.00	689,640.00	To eliminate a negative fund balance and to pay for future expenses.
226 Lead Safe		510,000.00	3,448.00	To eliminate a negative fund balance. Will be repaid with grant monies
234 Earned Benefits		400,000.00	350,388.00	To pay for future retirements
240 Federal Grants		800,000.00	20,333.00	To eliminate a negative fund balance. Will be repaid with grant monies
301 General Bond Retirement		3,000,000.00	3,918,063.00	To pay for future debt payments, including Leopardo debt
402 Financed Capital Projects		4,000,000.00	8,733,488.00	To pay for future capital expenses
416 Refuse Capital		1,000,000.00	2,236,415.00	To pay for future capital expenses
603 Parking Fund		600,000.00	738,167.45	To pay for future expenses
605 Refuse Fund		1,000,000.00	1,855,999.27	To pay for future expenses

Proposed: 12/15/2025

ORDINANCE NO. 267-2025(F), *First Reading*

By Mayor Cuda

An Ordinance to amend certain subparagraphs of Ordinance No. 011-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025 and declaring the necessity that this legislation become immediately effective as an emergency measure.

BE IT ORDAINED by the Council of the City of Cleveland Heights that:

SECTION 1. Certain subparagraphs of Ordinance No. 011-2025 and subsequent amending ordinances all relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025 be, and the same hereby are increased, decreased and/or transferred in the amounts set forth in Exhibit 1 incorporated herein.

SECTION 2. In order to provide funds for debt payments, capital expenses, future expenses, and to eliminate negative fund balances, the Mayor is hereby authorized to transfer monies from fund 101.310Z (In the General Fund) in amounts not to exceed those stated below:

FROM	AMOUNT	TO	PROJECTED 12/31/2025 UNENCMUBERED FUND BALANCE AFTER TRANSFER
101-GENERAL FUND	\$600,000	102-BUDGET STABILIZATION FUND	\$2,000,000
101-GENERAL FUND	\$3,500,000	201-SCM&R FUND	\$6,235,636
101-GENERAL FUND	\$950,000	215-CAIN PARK FUND	\$689,640
101-GENERAL FUND	\$510,000	226-LEAD SAFE FUND	\$3,448
101-GENERAL FUND	\$400,000	234-EARNED BENEFITS	\$350,338
101-GENERAL FUND	\$800,000	240-FEDERAL GRANTS FUND	\$20,333
101-GENERAL FUND	\$3,000,000	301-DEBT SERVICE FUND	\$3,918,063
101-GENERAL FUND	\$4,000,000	402-FINANCED CAPITAL PROJECTS FUND	\$8,733,488
101-GENERAL	\$1,000,000	416-REFUSE CAPITAL	\$2,236,415

ORDINANCE NO. 267-2025(F)

FUND		FUND	
101- GENERAL FUND	\$600,000	603 -PARKING FUND	\$738,167
101-GENERAL FUND	\$1,000,000	605 – REFUSE FUND	\$1,856,000
TOTAL TRANSFERS FROM FUNDS	\$16,360,000		

SECTION 3. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2025, shall be made within the appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the Mayor is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 5. Notice of the passage of this ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the city of Cleveland Heights, or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

ORDINANCE NO. 267-2025(F)

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Memorandum

To: Members of Cleveland Heights City Council

From: William R. Hanna, Director of Law

cc: Mayor Tony Cuda
Collette Clinkscale, Director of Public Works
Andres Gonzalez, Director of Parks & Recreation
Karen Knittel, Assistant Director of Planning

Date: December 12, 2025

Re: **Horseshoe Park/Doan Brook Restoration Contracts with
NEORSD, the City of Cleveland Heights and the City of Shaker Heights**

There are two agreements related to the Doan Brook Restoration at Horseshoe Park Project (the “Project”) upon which the Administration would request action either on December 15th or at the special Council meeting scheduled for December 17. The first relates to the *construction* of the amenities which have been designed for the Park pursuant to Resolution 157-2023 and the agreement between the three parties (Cleveland Heights, Shaker Heights, and NEORSD) dated March 2024. The other relates to the *future maintenance* of and possible additional improvements to the Park. These agreements have been discussed with Council at different times since the execution of the Amenities Design Agreement. Based upon the anticipated timing of the approvals of these documents Shaker Heights and NEORSD, passage by this Council in December will facilitate construction of the planned amenities.

The Doan Brook Restoration at Horseshoe Park Project

As Council is aware, although the City of Shaker Heights undertook emergency repairs to the Horseshoe Lake dam which included significantly lowering the lake’s water elevation, by 2021, Ohio Department of Natural Resources (“ODNR”) and NEORSD reports found that the dam and spillway structure were in active failure mode, causing Shaker Heights to conclude that a controlled breach of the dam was warranted. That work entailed removing a portion of the dam and creating a mechanism to convey water into the Doan Brook during rain events. ODNR supported the controlled breach approach.

At about the same time, it was determined that the Horseshoe Lake Dam had to be either completely reconstructed – rather than rehabilitated as previously planned – or decommissioned and removed. NEORSD recommended that the dam be removed and Doan Brook be restored to a more naturalized state, and indicated that that this would provide the best combination of flood relief, compliance with ODNR dam safety program, and long-term benefits.

In 2021, the Councils of the two Cities adopted legislation (Shaker Heights Council Resolution 21-92, adopted September 27, 2021, and Cleveland Heights Resolution 151-2021, adopted on November 22, 2021) stating that the Councils concurred with the NEORSD proposal to remove Horseshoe Lake Dam and to return the lake bed to its naturalized state, including streams, non-invasive vegetation, plantings, trees, and other amenities following a thorough and open public planning process undertaken in consultation with the two Cities, all at the cost of the NEORSD. The passage of Resolution 151-2021 by this Council followed the engagement, by Cleveland Heights, of Gannett-Fleming, an international engineering firm with a substantial water resources and hydrological engineering practice, to review

the findings and recommendations of NEORSD before the City determined whether to support NEORSD's recommendation.¹

On June 30, 2023, NEORSD and the two Cities entered into an amendment to the January 29, 2018 Stormwater Program Agreement between and among the parties. The Amendment was approved by Cleveland Heights City Council in Resolution 110-2023, enacted on June 20, 2023. The Amendment authorized NEORSD to decommission and remove Horseshoe Lake Dam and restore Doan Brook to a more naturalized state and reflected the parties' intention to enter into additional agreements in the future, first to design and then to construct the new Doan Brook Restoration at Horseshoe Park Project.

Next, in March 2024, pursuant to Resolution 157-2023, adopted by this Council on October 2, 2023, the City entered into an agreement with NEORSD and Shaker Heights authorizing NEORSD to proceed with the design of the Project, including certain amenities for the areas to be restored within Horseshoe Park. The contribution of the two cities to the design of the amenities was \$480,926.76, with Shaker Heights contributing 65% of the amount and Cleveland Heights contributing 35% of the cost of design.

Two Agreements Require Authorization:

(1) Agreement for the Construction of the Doan Brook Restoration at Horseshoe Park Project; and (2) Future Maintenance of Amenities and Additional Improvements

The design of the Project has now been completed and the Cities have determined the park amenities they want to be included in the Project, as well as the terms upon which the Cities will share the costs to construct the amenities. The two Cities have also developed an agreement for future maintenance of the amenities, the sharing of maintenance costs, and any agreed-upon improvements to the Park in the future.

1. The Doan Brook Restoration Construction Agreement between NEORSD and the two Cities includes the following terms:
 - NEORSD will perform the construction of the Project as shown in the attached Overall Park Site Plan, including the removal of Horseshoe Lake Dam and restoration of Doan Brook at the cost of NEORSD, and at the Cities' expense will install the agreed-upon park amenities designed, constructed and installed on behalf of the Cities.
 - The Cities will pay NEORSD up to \$7.1 million for constructing the amenities, with Shaker Heights contributing 65% and Cleveland Heights contributing 35% of the cost. The final cost of the amenities will be fixed at the time NEORSD accepts the bid of the contractor. At that point if the cost of the amenities exceeds \$7.1 million, the Cities will either seek additional authority from their respective Councils to amend the Agreement, or they will agree upon the removal of certain amenities from the Project scope.
 - NEORSD will bid out the contract and manage the construction, budget, schedules, and other deliverables of the Project.
 - NEORSD is required to, and agrees to, comply with all applicable state, federal and local statutes, policies, and regulations relating to equal opportunities, non-discrimination, environmental issues and historic preservation, and all applicable floodplain management codes. NEORSD is required to obtain all necessary federal, state, and local permits or other governmental regulatory approvals necessary to initiate and complete the Project.
 - NEORSD's contractors will provide insurance and name the Cities as additional insureds. The Cities will be third-party beneficiaries to the contracts, warranties, etc.

¹ Gannett Fleming in 2024 merged with Transystems, Inc., a large transportation engineering firm, and is now known as GFT.

- The Agreement delineates the maintenance responsibilities of the Parties as follows:
 - Cities:
 - a. Local Stormwater system
 - b. Bridge piers
 - c. Vegetation and invasive species control within the proposed lawn, planter bed, woodland, and meadow areas.
 - d. City amenities, including trails, boardwalks and bridges.
 - e. Section 106 historic preservation requirements except educational signage.
 - District:
 - a. Regional Stormwater system, including streambank erosion and maintaining conveyance at the mid-park crossing pedestrian bridge.
 - b. Bridge piers if damaged caused by streambank or stream channel erosion
 - c. Vegetation and invasive species control within the floodplain and wetland areas
 - d. East-West spine trail, except snow plowing, salting, or graffiti removal.
 - e. Section 106 historical educational signage
- The City of Cleveland and the Ohio EPA are working toward entering into an Environmental Covenant to maintain the natural state of the Doan Brook flood plain, and NEORSD will be the responsible party under the covenant.
- 2. The Shaker Heights-Cleveland Heights Agreement on Future Maintenance and Additional Improvements includes the following:

A provision to share costs for maintenance of the areas of the Park for which the Cities are responsible, as well as for additional improvements that the Cities may agree upon, using the same 65%-35% split utilized in the construction agreement.

Provisions specifying the manner in which maintenance will be accomplished, how decisions will be made and how any dispute will be handled.

Maintenance could be done by one city for the entire Park, which then would bill the other city for its share, or the Cities could each handle maintenance of the areas within their own boundaries and then reconcile their costs. Alternatively, a contractor could be hired to handle maintenance. These decisions will be made going forward and may change depending upon new or different circumstances which may develop, or expertise which may be required.

The two draft agreements are attached for Council's review in advance of the December 15th Council meeting. Shaker Heights City Council also has a meeting on December 15, and the NEORSD Board has a meeting on December 18. Shaker Heights City Council is anticipated to authorize both agreements on December 15, and NEORSD is expected to do so on December 18. The Administration requests that Cleveland Heights City Council consider adopting legislation to authorize execution of the agreements on December 15 on first reading, or at the special meeting set for December 17. The authorization of the construction agreement by all three entities in December will allow the Project construction to proceed without delay, and establishing arrangements for maintenance will ensure that the newly-installed amenities are well cared for on a going-forward basis.

Proposed: 12/15/2025

RESOLUTION NO. 268-2025(PD), *First Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to execute agreements with the City of Shaker Heights, Ohio and the Northeast Ohio Regional Sewer District to provide for the construction, cost sharing, and maintenance of amenities included as part of the Horseshoe Park Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, through the passage of Resolution No. 110-2023 on June 20, 2023, this Council approved an amendment to the Stormwater Program Agreement between and among the City of Cleveland Heights, Ohio ("City"), City of Shaker Heights, Ohio ("Shaker Heights"), and the Northeast Ohio Regional Sewer District ("NEORSD") for the purpose of authorizing NEORSD to decommission and remove Horseshoe Lake Dam, restore Doan Brook to a more naturalized state, and to reflect the parties' intention to enter additional agreements in the future

WHEREAS, through the passage of Resolution No. 157-2023 on October 2, 2023, this Council authorized, and the City subsequently entered, an agreement with NEORSD and Shaker Heights for the purpose of authorizing NEORSD to proceed with the design of the Horseshoe Park Project ("Project"), which provided for the inclusion of certain amenities at the cities' costs, 65% of which would be borne by Shaker Heights with the City contributing the remaining 35%.

WHEREAS, the design phase of the Project has been completed, the City and Shaker Heights have determined which amenities shall be included in the Project, and now wish to enter an agreement with NEORSD, substantially in accordance with the one attached hereto as Exhibit A, to provide for the Project's construction.

WHEREAS, the City and Shaker Heights have developed a separate agreement, attached hereto as Exhibit B, to provide for the cost sharing and maintenance of those amenities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor is hereby authorized to execute one (1) agreement with Shaker Heights and NEORSD, substantially in accordance with the draft attached hereto as Exhibit A, to provide for the construction of the Project, and one (1) agreement with Shaker Heights, substantially in accordance with the draft attached hereto as Exhibit B, to address the cost sharing, maintenance, and other matters necessary for the provision of the amenities.

RESOLUTION NO. 268-2025(PD)

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to the need to participate in the Community Share Program as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

STORMWATER PROJECT AGREEMENT

BY AND BETWEEN

THE NORTHEAST OHIO REGIONAL SEWER DISTRICT

AND

CITY OF CLEVELAND HEIGHTS

AND

CITY OF SHAKER HEIGHTS

FOR

**DOAN BROOK RESTORATION AT HORSESHOE PARK PROJECT
(DISTRICT PROJECT #1629)**

This Agreement (“Agreement”) is made and entered into this _____ day of _____, 202__ (“Effective Date”), by and between the Northeast Ohio Regional Sewer District (“District”) acting pursuant to Resolution No. ____-25, adopted by the Board of Trustees of the District on _____, 2025 (**Exhibit “A”**), the City of Cleveland Heights (“Cleveland Heights”) acting pursuant to Resolution No. ____-2025, passed by its City Council on _____, 2025 (**Exhibit “B”**), and the City of Shaker Heights (“Shaker Heights”) acting pursuant to Ordinance No. ____-25, passed by its City Council on _____, 2025 (**Exhibit “C”**). The Cities of Cleveland Heights and Shaker Heights may be referred to collectively herein as the “Cities.” The District and the Cities may be referred to collectively herein as the “Parties.”

RECITALS

WHEREAS, the District, pursuant to the authority of Ohio Revised Code Chapter 6119, and Title V Stormwater Management Code of the District’s Code of Regulations (“Title V”) is authorized to provide overall Stormwater Management of the Regional Stormwater System, including planning, financing, design, improvement, construction, inspection, monitoring, maintenance, operation, and regulation for the proper handling of stormwater runoff and the development and provision of technical support information and services to member communities; and

WHEREAS, to ensure the consistent and coordinated delivery of the District’s Regional Stormwater Management Program (“RSMP”) services within the City of Cleveland Heights, the District and such City entered into a RSMP Service Agreement dated September 15, 2016; and

WHEREAS, to ensure the consistent and coordinated delivery of the District’s RSMP services within the City of Shaker Heights, the District and such City entered into a RSMP Service Agreement dated September 5, 2013; and

WHEREAS, on January 19, 2018, the District and the Cities entered into a Regional Stormwater Project Agreement (District Agreement No. 3782) (the “2018 Agreement”) for the Shaker Lakes Dams Rehabilitation Project No. 1320, regarding Green Lake in the City of Shaker Heights, and Upper Shaker Lake (also known as “Horseshoe Lake”) and Lower Shaker Lake located partially in each of the Cities, to plan and implement the Shaker Lakes Dams Rehabilitation project (the “SLDR Project”) which consisted of aspects at each of the three lakes; and

WHEREAS, the Green Lake and Lower Shaker Lake aspects of the SLDR Project required under the 2018 Agreement were completed and no further work on the Green Lake and Lower Shaker Lake aspects remain to be performed under the 2018 Agreement; and

WHEREAS, upon further inspection, the condition of Upper Shaker (Horseshoe) Lake Dam (the “Horseshoe Lake Dam” or the “Dam”) was found to be in a greater state of deterioration than at the time of execution of the 2018 Agreement, thereby requiring that the Dam either be completely reconstructed, rather than rehabilitated as provided under the scope of the 2018 Agreement, or decommissioned; and

WHEREAS, subsequent to execution of the 2018 Agreement, the District’s Chagrin River/Lake Erie Tributaries (“CHALET”) Stormwater Master Plan determined that Upper Shaker (Horseshoe) Lake did not provide stormwater management or flood control benefits that could justify reconstruction of the Horseshoe Lake Dam with funds under the District’s Regional Stormwater Management Program; and

WHEREAS, because Horseshoe Lake Dam could only be reconstructed, beyond the scope of the 2018 Agreement, or decommissioned, and because of the findings of the CHALET study, the District recommended that removal of the Dam and restoration of Doan Brook to a more naturalized state in the area provided the best combination of flood relief, compliance with Ohio Department of Natural Resources (ODNR) dam safety program, and long-term benefits; and

WHEREAS, the City of Shaker Heights City Council, with the concurrence of the Mayor, adopted a resolution on September 27, 2021 (Res. No. 21-92) stating, in part: “this Council concurs with the proposal of the Northeast Ohio Regional Sewer District (NEORS), as a part of its regional stormwater management plan, and at its cost, to remove Horseshoe Lake Dam and to return the lake bed to its naturalized state, including streams, non-invasive vegetation, plantings, trees, and other amenities (Lake Bed Improvements) following a thorough and open public planning process undertaken in consultation with the cities of Shaker Heights and Cleveland Heights”; and

WHEREAS, the City of Cleveland Heights with the concurrence of the Mayor, adopted a resolution on November 22, 2021 (Res. No. 151-2021) stating, in part: “this Council concurs with the proposal of the Northeast Ohio Regional Sewer District (NEORS), as a part of its regional stormwater management plan, and at its sole cost, to remove Horseshoe Lake Dam and to return the lake bed to its naturalized state, including streams, non-invasive vegetation, plantings, trees, and other amenities (Lake Bed Improvements) following a thorough and open public planning process undertaken in consultation with the cities of Cleveland Heights and Shaker Heights”; and

WHEREAS, on March 29, 2023, ODNR performed a new inspection of Upper Shaker (Horseshoe) Lake Dam, and on May 1, 2023, ODNR issued a Dam Safety Inspection Report for Upper

Shaker Lake Dam (the “Report”), which states, in part, that “Due to the continued deterioration and extent of problems with the dam...The conditionally approved 2018 repair plan and specifications for Upper Shaker Lake Dam are no longer acceptable and if completed would not bring the dam into compliance” (said Report is attached hereto and incorporated herein as Exhibit 1; see, in particular, Report, Discussion Item 1, p. 6); and

WHEREAS, the ODNR Report further states that “In lieu of comprehensive reconstruction remediation of the dam, the dam may be decommissioned” (Report, Discussion Item 1, p. 6); and

WHEREAS, the Horseshoe Lake Dam repair aspect of the SLDR Project is now an impossibility under the District’s Regional Stormwater Management Program because: (a) the dam cannot be repaired or rehabilitated as described in the 2018 Agreement, due to its deteriorated condition, (b) repair would not bring the Dam into compliance with ODNR requirements, per the May 1, 2023 Inspection Report, and (c) the CHALET study determined that Horseshoe Lake Dam does not provide stormwater management or flood control benefit that could make it a proper expenditure under the NEORSD Regional Stormwater Management Program; and

WHEREAS, in light of the May 1, 2023 ODNR Inspection Report, and in lieu of comprehensive reconstruction of the Horseshoe Lake Dam, the Parties entered into an amendment (“Amendment #1”) to the 2018 Agreement to accept the District’s recommendation to non-perform the Upper Shaker (Horseshoe) Lake aspect of the SLDR Project and, instead, to decommission the Horseshoe Lake Dam and return the lake bed to its naturalized state, including streams, non-invasive vegetation, plantings, trees, and other amenities, renaming this aspect of the SLDR Project as the Doan Brook Restoration Near Horseshoe Lake Park Project, and later as the Doan Brook Restoration at Horseshoe Park Project (herein the “Project”); and

WHEREAS, at the time of Amendment #1, pre-design of the Project was nearing completion with full design of said project expected to commence in late 2023; and

WHEREAS, under Amendment #1, the Parties agreed that subsequent modification of the 2018 Agreement, or a separate agreement, would be necessary once additional design details of the Project had been developed and components may be more specifically agreed upon among the Parties; and

WHEREAS, Horseshoe Lake Dam remains a Class I dam in a state of deterioration that poses a threat to public health and safety in the event of catastrophic failure, and as such, the Parties agree that progress toward completion of the Project aspect of the SLDR Project must not be unreasonably delayed and all effort should be made to proceed as efficiently and responsibly as possible; and

WHEREAS, pursuant to Amendment #1, the Parties agreed to enter into further amendment(s) to the 2018 Agreement, or to enter into a new agreement, once additional design and cost component details of the Project have been developed, including the complete design of the removal of the existing Dam, restoration of the entire area of the former lake bed, and restoration of the Doan Brook branches through the site, as well as certain public amenities, and specifically agreed upon among the Parties prior to construction of the same; and

WHEREAS, once the design and cost components of the Project advanced to a stage where the Parties determined it appropriate and necessary to enter into a new agreement, the Parties entered into a Stormwater Project Agreement (“Agreement No. 3894”), to delineate and memorialize the responsibilities of the Parties as to such design and cost components of the Project; and

WHEREAS, the District included within the scope of the District’s Project design agreement with its consultant certain park amenities desired by the Cities beyond the scope of the District’s Project, the design costs of which the Cities agreed to be responsible for in accordance with Agreement No. 3894; and

WHEREAS, the Cities have determined which of the park amenities to include within the scope of the District’s Project construction specifications and the terms of the cost-sharing between the two Cities for all construction costs of any such park amenities; and

WHEREAS, the Parties desire to enter into this Agreement to delineate and memorialize the responsibilities of the Parties as to the construction and cost components of the Project;

NOW THEREFORE, in consideration of the foregoing, the payment and the mutual promises contained in this Agreement, the Parties agree as follows:

ARTICLE 1. OBLIGATIONS OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT

- 1.1 Project Performance. The District shall perform the construction of the Doan Brook Restoration at Horseshoe Park Project as further specified in this Agreement, the Overall Park Site Plan exhibit, and the Landscape Integration Plan exhibit (**Exhibits “D-1” and “D-2”, respectively**), to be performed by a contractor(s) (the “District Contractor”) engaged by the District, which generally consists of the removal of Horseshoe Lake Dam and the restoration of Doan Brook. The Project will also include certain park amenities designed, constructed and installed on behalf of the Cities at the Cities’ sole expense, all as further described in this Agreement.
- 1.2 Competitive Bidding. The District Contractor shall be awarded the public improvement contract(s) (the “Construction Contract”) to construct the Project following the District’s bidding processes as governed under ORC Chapters 6119 and 153, the policies and procedures of the District, and applicable state and federal law. The District shall have sole control of the bidding and contracting process.
- 1.3 Project Management. The District shall manage the construction, budget, schedules, and other deliverables of the Project.
- 1.4 Project Funding. The District shall fund all construction costs associated with the Project, except those park amenities as otherwise stated below and in the exhibits to this Agreement.
- 1.5 Prevailing Wage Requirements. The District shall require the payment of prevailing wages, as set forth in Chapter 4115 of the Ohio Revised Code, or federal Davis Bacon wage rates, if applicable, which shall be required for labor used in constructing the Project, and shall ensure compliance with any prevailing wage requirements in said Chapter.

- 1.6 Contractor Compensation. The District shall compensate directly the District Contractor under the Construction Contract for performance of the Project.
- 1.7 Compliance with Laws. The District shall comply with any applicable state, federal and local statutes, policies, and regulations relating to equal opportunities, non-discrimination, environmental, historic preservation, and all applicable floodplain management codes, except as provided in Section 2.4 of this Agreement.
- 1.8 Permits. Pursuant to Section 2.2 of this Agreement, the District shall obtain all necessary federal, state, and local permits or other governmental regulatory approvals necessary to initiate and complete the Project.
- 1.9 Additional Insureds. The District shall require the District Contractor to name the Cities as additional insureds on Project-related insurance policies for auto liability, general liability, and property liability, as applicable to the Project.
- 1.10 Third-Party Beneficiaries. The District shall include a statement in its Construction Contract designating the Cities as third-party beneficiaries of such contract as to the park amenities described in paragraph 3.1 below.
- 1.11 Project Scope. The District shall include within the scope of its Construction Contract certain park amenities to be entirely funded by the Cities, all as further defined in Articles 3 and 4 below.

ARTICLE 2. OBLIGATIONS OF THE CITIES OF CLEVELAND HEIGHTS AND SHAKER HEIGHTS

- 2.1 Use of Property. Pursuant to paragraph 4.05 of the Regional Stormwater Management Program agreements between the District and the Cities, the Cities hereby grant to the District and its employees, agents, consultants, subconsultants, contractors, and subcontractors such property and access rights to any portions of property leased by the Cities from the City of Cleveland, as needed for the purpose of constructing the Project. Should any additional property and access rights from the Cities become necessary for construction and ongoing operation and maintenance of the Project, the Cities shall grant such rights all pursuant to Project needs, the RSMP agreements, and all applicable permits, at no cost to the District.
- 2.2 Permits. The Cities shall assist the District to obtain all required federal, state, and local permits or other approvals necessary to commence and complete the construction of the Project. The Cities grant the District permission to obtain the foregoing permits on the Cities' behalf.
- 2.3 Permit Costs. Pursuant to the RSMP agreements between the District and the Cities, the Cities shall not charge permitting or other fees to the District related to performance of all aspects of the Project.
- 2.4 ODNR Requirements. The Cities acknowledge that the District does not own Horseshoe Lake Dam, nor does the District have any obligations with respect to any current or future ODNR requirements related to the Horseshoe Lake Dam, including, but not limited to, compliance with

the Emergency Action Plans and Operation, Maintenance, and Inspection Manuals prepared by the District.

- 2.5 Project Funding. The Cities shall entirely fund various park amenities as further defined in Articles 3 and 4 below and the District shall be responsible for all other Project costs.

ARTICLE 3. DESIGNED PARK AMENITIES DIRECTED BY THE CITIES

- 3.1 Project Scope. The scope of the District's Construction Contract shall include the construction of various park amenities (the "Designed Park Amenities") selected by the Cities and depicted on Exhibits "D-1 and "D-2." The Parties agree that the scope of the Project construction bid documents shall include all of the Designed Park Amenities that the Cities have selected for construction. All costs related to construction of any of the Designed Park Amenities shall be the responsibility of the Cities.
- 3.2 Changes in Scope. Any changes in scope to the Designed Park Amenities due to events which require such modification shall be made in writing and approved by all parties to this Agreement, prior to performance of the work. The Cities shall have the right to approve any change orders that affect the Designed Park Amenities and shall be responsible for any additional costs associated with changes in the scope of work for the Designed Park Amenities in accordance with their respective percentage contributions. The schedule for completion of the work may be adjusted as necessary to accommodate the change in scope so long as the Project Substantial Completion Date is not negatively affected, as determined by the District.
- 3.3 Construction Schedule. The District shall provide the Project construction schedule to the Cities, including any need to extend the schedule beyond the time frame designated in the Project scope.
- 3.4 Cities' Construction of Additional Designed Park Amenities. The Parties agree that, after completion of construction of the District Project, the Cities may construct additional improvements and amenities, solely at the Cities' expense, so long as such improvements and amenities do not violate any terms of the Environmental Covenant referenced in Article 4 herein or the permanent stormwater easement granted by the City of Cleveland to the District. The District shall have the right to review and must approve any construction by the Cities in the Project area prior to either of the Cities performing such construction. In addition, such construction shall not impact the District's Project or impede the conveyance of water through any part of Doan Brook without prior written approval of the District. If such construction disturbs the District's Project, repair of these impacts will be promptly completed by the Cities and the area will be returned by the Cities to the condition existing immediately prior to the Cities' construction.
- 3.5 Maintenance Responsibilities. The Parties shall be responsible for maintenance activities for those areas depicted on Exhibits "D-1" and "D-2."

Cities:

- a. Local Stormwater Assets: Maintenance and future replacement of all local stormwater system improvements including headwalls, pipes, and swales.

- b. Bridge Piers: Maintenance, repair and future replacement/reconstruction of the bridge piers within the streambank area, as shown in Exhibits “D-1” and “D-2”. The exception to this is outlined in paragraph 3.5(g) below.
- c. Vegetation and Invasive Species Control: Maintenance of all vegetation and invasive species control within the proposed lawn, planter bed, woodland, and meadow areas shown in Exhibit “D-1”.
- d. City Amenities: Maintenance and future replacement of all City Amenities and all proposed trails, including boardwalks and bridges shown in Exhibits “D-1” and “D-2”. The exception to this is outlined in paragraph 3.5(i) below.
- e. Section 106 Requirements: Maintenance of Section 106 requirements except for Section 106-related educational signage.

District:

- f. Regional Stormwater Assets: Maintenance of regional assets in accordance with the RSMP Service Agreements including addressing streambank erosion and maintaining conveyance at the Mid-Park Crossing Pedestrian Bridge.
- g. Bridge Piers: Repairs to the bridge piers within the streambank area, as shown in Exhibits D-1 and D-2, when such damages are caused by streambank or stream channel erosion and if the District’s failure to act within a reasonable time frame to abate such streambank or stream channel erosion caused the damage, as determined necessary in the District’s sole discretion.
- h. Vegetation and Invasive Species Control: Maintenance of all vegetation and invasive species control and functionality within the proposed floodplain and wetland areas as shown in Exhibit “D-1”.
- i. East-West Spine Trail: Maintenance, repair, reconstruction, and/or repaving of the East-West Spine Trail, but no other trails within the park, as determined necessary in the District’s sole discretion. Notwithstanding the foregoing, the District shall have no obligation to perform ongoing routine maintenance such as snow plowing, salting, or graffiti removal.
- j. Section 106 Educational Signage: Maintenance of Section 106-related educational signage.
- k. Documentation: The District will provide all warranty and shop drawing documentation on park amenities, as well as provide the Cities with the final record drawings after construction completion.
- l. Warranties: The District will assign or require coverage of the Cities by all warranties.

Supplemental maintenance needs and responsibilities identified after execution of this Agreement may be resolved by further written agreement of the parties pursuant to but without need for amendment to this Agreement.

ARTICLE 4. PERFORMANCE OF WORK

- 4.1 Changes to Designed Park Amenities. The Cities shall have the opportunity to review and approve in advance all changes proposed by the District’s contractor relative to the Designed Park Amenities.

- 4.2 City Inspector. The Cities shall have the opportunity to have an inspector present during the construction of the Designed Park Amenities to provide oversight of said work. The District shall have the final authority to direct the contractor and approve all work performed by the District's contractor.
- 4.3 Environmental Covenant. The City of Cleveland and the Ohio EPA are working toward entering into an Environmental Covenant to maintain the natural state of the portion of the Project area, as depicted in Exhibits "D-1" and "D-2." If and when completed, the District will be the holder of the Environmental Covenant. The Parties shall comply with all terms, requirements and restrictions contained in such Environmental Covenant.

ARTICLE 5. TERM

- 5.1 This Agreement shall begin on the Effective Date and shall continue until all obligations hereunder have been completed. This Agreement may be terminated at the mutual written agreement of the Parties.
- 5.2 Section 3.4 shall remain in effect in perpetuity.

ARTICLE 6. REIMBURSEMENT FOR CONSTRUCTION OF DESIGNED PARK AMENITIES

- 6.1 The Cities agree to pay the District, on a reimbursement basis, an amount not-to-exceed \$7,100,000.00 (the "City Funds") for all of the District's costs incurred under the Construction Contract for constructing the Designed Park Amenities, with Shaker Heights responsible for and contributing 65% of the City funds and Cleveland Heights responsible for and contributing 35% of the City funds.
- 6.2 The final cost of the Designed Park Amenities shall be fixed at the time the District accepts the bid of the District Contractor, or when the Cities agree to amend this Agreement to add costs or agree to descope Amenities, as set forth in this Section, whichever is later. In the event that the cost of the Designed Park Amenities exceeds \$7,100,000.00, the Cities shall either seek additional authority from their respective City Councils to enter into an amendment to this Agreement to pay such additional cost or inform the District of which Designed Park Amenities that the Cities desire to be removed from the scope of the Project. The Cities shall notify the District of such intent to seek additional Council authority and/or descope certain Designed Park Amenities within two (2) weeks after the bid opening. In no event shall the District be responsible for contributing funds toward any Designed Park Amenities.
- 6.3 Each City shall be individually liable for their respective contributions as set forth in paragraph 6.1 above and neither City shall be obligated to reimburse the District for the other City's contribution.
- 6.4 All pay applications to the Cities for reimbursement of construction costs relative to the Designed Park Amenities shall be submitted quarterly, unless otherwise agreed to by the parties, and include documentation by the District based on paid invoices demonstrating the degree of completion of construction work for the Designed Park Amenities included in the District's Construction Contract. The Cities shall pay the District within thirty (30) days of receipt of each pay application.

ARTICLE 7. DISPUTE RESOLUTION

7.1 The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.

7.2 The Parties shall first try to resolve the dispute at the level of the designated representatives as follows:

District's Representative(s) or Successors

Kimberly Colich, Stormwater Program
Manager
(216) 881-6600, ext.6451

Cities' Representatives or Successors

City of Cleveland Heights:

Collette Clinkscale, Director of Public Works
(216) 691-7300

City of Shaker Heights:

Ramona Lowery-Ferrell, Director of Public
Works
(216) 491-1490

If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the following level to resolve the dispute:

District Representative or Successor

Matthew Scharver, Director of Watershed
Programs
(216) 881-6600, ext. 6880

Cities' Representatives or Successors

City of Cleveland Heights:

City Administrator

City of Shaker Heights:

Matt Carroll, Chief Administrative Officer
(216) 491-1421

7.3 If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The Parties shall mutually select a mediator who is experienced in public utility infrastructure engagements. The mediator shall review all documents and written statements in order to accurately and effectively resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after the mediator appointment, which meeting shall be attended by at least the respective representatives in section 7.2 above. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator equally.

7.4 Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by all Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction as per Article 8, Remedies, below.

ARTICLE 8. REMEDIES

8.1 The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counterclaims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law.

ARTICLE 9. NOTIFICATIONS

9.1 The Parties hereby designate the following individuals to serve as the primary points of contact under this Agreement:

District Representative or Successor
Kimberly Colich, Stormwater Program
Manager
(216) 881-6600, ext.6451

Cities' Representatives or Successors
City of Cleveland Heights:
Collette Clinkscale, Director of Public Works
(216) 291-2209

City of Shaker Heights:
Ramona Lowery-Ferrell, Director of Public
Works
(216) 491-1490

ARTICLE 10. GOVERNING LAW

10.1 The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

ARTICLE 11. DISCLAIMER OF JOINT VENTURE

11.1 This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

ARTICLE 12. AUTHORITY TO EXECUTE

12.1 Each person executing this Agreement represents and warrants that they are duly authorized to execute this Agreement by the party on whose behalf they are so executing.

ARTICLE 13. MODIFICATION OF AGREEMENT

13.1 This Agreement may only be modified by written instrument executed by each party.

ARTICLE 14. RECITALS

14.1 The Recitals above constitute material and operative provisions in this Agreement and are incorporated herein by reference.

ARTICLE 15. MISCELLANEOUS

- 15.1 Execution in Counterparts. This Agreement may be executed in any number of counterparts. Each counterpart, when so executed, shall be deemed to be an original and all of which together shall constitute one and the same Agreement.
- 15.2 Severability. If any term or provision of this Agreement is determined to be illegal, unenforceable, or invalid, in whole or in part for any reason, such provision shall be stricken from this Agreement and such provision shall not affect the validity of the remainder of this Agreement.
- 15.3 Headings. The headings in this Agreement are included for convenience only and shall neither affect the construction nor the interpretation of any provision in this Agreement.
- 15.4 Relationship of Agreement to Exhibits. The exhibits to this Agreement are attached for reference purposes only. Nothing in this Agreement shall be construed to modify, alter, clarify, or give effect to the terms and conditions of the various exhibits attached to this Agreement.
- 15.5 No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, is intended to or shall confer upon any person other than the Parties hereto, any legal or equitable right, benefit, or remedy of any nature under or by reason of this Agreement.
- 15.6 Merger Clause. This Agreement, along with any exhibits attached hereto, encompasses the entire agreement of the parties, and supersedes all previous understandings and agreements between the parties, whether oral or written.

ARTICLE 16. EFFECT OF AGREEMENT NO. 3894

- 16.1 This Agreement shall supplement, not replace or supersede, Agreement No. 3894 entered into by and between the Parties on March 7, 2024. This Agreement and Agreement No. 3894 shall be read together and construed as compatible instruments. In the event of any conflict between this Agreement and Agreement No. 3894, the terms and conditions of this Agreement shall control.

ARTICLE 17. EXHIBITS

- 17.1 The following exhibits are attached hereto and incorporated herein:

Exhibit “A” – District Resolution

Exhibit “B” – Cleveland Heights Ordinance

Exhibit “C” – Shaker Heights Ordinance

Exhibit “D-1” – District Responsibilities Map

Exhibit “D-2” – Cities Responsibilities Map

[remainder of page intentionally left blank]

DRAFT

The parties hereto have executed and delivered this Agreement as of the date first above written. Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

By: _____
Kyle Dreyfuss-Wells
Chief Executive Officer

and: _____
Darnell Brown, President
Board of Trustees

The legal form and correctness
of this instrument is approved.

By: _____
Eric J. Luckage
Chief Legal Officer

Date: _____

This Instrument Prepared By: Katarina K. Waag Assistant General Counsel Northeast Ohio Regional Sewer District

[additional signature pages follow]

CITY OF CLEVELAND HEIGHTS

By: _____
Tony Cuda
Mayor

The legal form and correctness
of this instrument is approved.

By: _____
William R. Hanna
Director of Law

Date: _____

[additional signature page follows]

CITY OF SHAKER HEIGHTS

By: _____
David E. Weiss
Mayor

The legal form and correctness
of this instrument is approved.

By: _____
William M. Ondrey Gruber
Director of Law

Date: _____

DRAFT

AGREEMENT NO.

NORTHEAST OHIO REGIONAL SEWER
DISTRICT

WITH

CITY OF CLEVELAND HEIGHTS

AND

CITY OF SHAKER HEIGHTS

FOR

STORMWATER PROJECT AGREEMENT
FOR DOAN BROOK RESTORATION AT
HORSESHOE PARK PROJECT

ACKNOWLEDGMENT

It is hereby acknowledged that any funds
or receipt of revenue required to meet the
terms and conditions of the contract,
agreement, or obligations, for the above,
will be deposited into the Treasury and
directed for authorized purposes.

Total Approximate Cost: \$7,100,000.00

KENNETH J. DUPLAY
CHIEF FINANCIAL OFFICER

The legal form and correctness of the within
instrument are hereby approved.

Date

ERIC J. LUCKAGE
CHIEF LEGAL OFFICER

Date

**AGREEMENT
BETWEEN
THE CITY OF CLEVELAND HEIGHTS
AND
THE CITY OF SHAKER HEIGHTS
FOR
COST SHARING AT HORSESHOE PARK**

This Agreement between the City of Cleveland Heights, pursuant to Ordinance No. ___, passed _____, 202_, and the City of Shaker Heights, pursuant to Ordinance No. __-__, passed _____, 202_ (the Cities of Cleveland Heights and Shaker Heights may be referred to collectively herein as the “Cities,” or the “Parties”), is made and entered into this _____ day of _____, 202_ (“Effective Date”).

WHEREAS, the City of Cleveland owns certain property in the Cities of Cleveland Heights and Shaker Heights, located principally along Doan Brook, between approximately the intersection of North Park Boulevard and Martin Luther King Jr. Drive on the west, and Warrensville Center Road on the east (the “Doan Brook Parklands”), which property in each City is leased to each said City under long term leases that expire on April 1, 2041 (for the City of Cleveland Heights), and February 27, 2040 (for the City of Shaker Heights), and both leases are renewable for an additional 50 years at the discretion of each City (the “Leases”); and

WHEREAS, the Doan Brook Parklands Leases require the Cities to each operate such Parklands as public parks open to all persons at no cost, regardless of where they live, and to maintain and improve the Parklands, as necessary, at each City’s respective cost; and

WHEREAS, Horseshoe Park (“HSP”) is located within the Doan Brook Parklands, between Lee Road on the west, and Park Drive on the east, and between North Park Boulevard on the north, and South Park Boulevard on the south as depicted on **Exhibit A**, which is attached hereto and incorporated herein, and which, for the purposes of this Agreement, does not include the public right-of-way along and on the four boundary roadways or any underground utility infrastructure adjacent to or under HSP belonging to either City; and

WHEREAS, the Cities entered into a Storm Water Project Agreement for the Doan Brook Restoration Project (the “Project”) at HSP with the Northeast Ohio Regional Sewer District (“NEORSD”) on March 7, 2024, pursuant to Cleveland Heights Resolution 157-2023, enacted on October 2, 2023, and Shaker Heights Ordinance 23-78, enacted on September 26, 2023 (the “Project Agreement”); and

WHEREAS, under the Project Agreement, the Cities agreed that NEORSD will design the removal of the existing Horseshoe Lake Dam, the restoration of the entire area of the former lake bed, the restoration of the two branches of the Doan Brook through the Project site, and the addition of certain public amenities at HSP, all at the cost of NEORSD (the “NEORSD Project”), except that the Cities agreed that certain park amenities beyond the scope of the NEORSD Project should be included in the design, and that the Cities would pay the cost of the design of such additional amenities (the “Designed Park Amenities”), with Shaker Heights paying 65% of the cost of design and Cleveland Heights paying 35% of the cost of design; and

WHEREAS, the Cities intend to enter into a new or amended Storm Water Project Agreement (designated herein as the “Construction Project Agreement”) with NEORSD for the construction of (i) the

Project, at the cost of NEORSD, and (ii) all or certain of the Designed Park Amenities that the Cities agree should be constructed and paid for by the Cities, with Shaker Heights paying 65% of the cost of construction and Cleveland Heights paying 35% of the cost of construction, which will be set forth in that Agreement.

NOW THEREFORE, in consideration of the foregoing, the Parties to this Agreement have agreed, as follows:

A. Term and Termination

1. This Agreement shall be in effect for as long as each City is a party to a Lease of any portion of the land included in HSP from the City of Cleveland, or otherwise that each City has legal control over and responsibility for the operation and maintenance of HSP.
2. This Agreement may be terminated by either City upon the provision of written notice of termination to the mayor or other highest ranking official of the other City at least twelve (12) months prior to the date of termination, unless this Agreement is terminated for cause.
3. If either City fails to fulfill its responsibilities under this Agreement, the other City may send written notice to the defaulting City that if the defaulting City fails to correct the default within a specified time, which time shall be reasonable and shall not be less than thirty (30) days, except in an emergency, the non-defaulting City may do either of the following:
 - a. Correct the default at its cost, and bill the defaulting City its share of the cost as set forth in this Agreement, plus administrative costs; or
 - b. Submit the matter for Dispute Resolution as set forth in this Agreement.

The defaulting City may, within the time for correction of the default, do either of the following:

- a. Correct the default and give notice in writing to the other City; or
- b. Submit the matter for Dispute Resolution as set forth in this Agreement.

B. Construction of the Designed Park Amenities and Future Improvements in HSP

1. The Cities shall mutually determine in the Construction Project Agreement which of the Designed Park Amenities are to be constructed as a part of the construction of the Project, at the Cities' expense, with Shaker Heights paying 65% of the cost of construction and Cleveland Heights paying 35% of the cost of construction, which agreement is incorporated into and made a part of this Agreement by reference.
2. Upon the completion of the construction of the Project, including the Designed Park Amenities, the Cities may from time to time determine to design and construct any of the Designed Park Amenities not included in the Construction Project Agreement, and/or additional improvements at HSP, at the costs of the Cities ("Future HSP Improvements"), and such determination shall be memorialized in a written Memorandum of Understanding (MOU) to be identified and considered as an addendum to this Agreement (designated herein as "HSP Improvement Agreements"). The Cities shall be jointly responsible to pay for the design and construction of any Future HSP Improvements agreed upon pursuant to this paragraph, with Shaker Heights responsible for and contributing 65% of such cost and Cleveland Heights responsible for and contributing 35% of such cost. The design and/or construction of one or more such Future HSP Improvements may be administered and managed by one of the Cities, including the hiring of consultants, professional services and contractors, as agreed upon in each HSP Improvement Agreement. A City managing such work shall have the right to add a reasonable administrative fee to cover that City's additional

administrative costs incurred in handling the management of the activities, which shall be agreed and specified in each HSP Improvement Agreement. Notwithstanding the foregoing and the intention of the Cities to reach agreement regarding all Future HSP Improvements, if the Cities cannot reach agreement on any Future HSP Improvements, each City continues to have the right to make such improvement within its municipal boundaries in HSP but at such City's sole cost and expense.

C. Operation, Maintenance, Repair and Replacement of HSP, and Improvements to HSP, Including the Designed Park Amenities

1. The Cities agree to jointly pay for the operation, maintenance, repair and/or replacement of all human-made and natural features in HSP that are not the responsibility of NEORSD, except for internal city administrative costs to operate or authorize use of any facility in HSP and legal costs related to the Leases with Cleveland.
2. The shared costs of the operation, maintenance, repair and/or replacement of all human-made and natural features in HSP shall include, without limitation:
 - a. the costs of design, engineering, architecture, other necessary professional services, and labor, materials, and equipment, whether provided by internal City operations or through a contract with a non-City consultant, vendor or contractor;
 - b. electric service to any facility;
 - c. electric service for any private outdoor lighting;
 - d. water and sewer service to any facility;
 - e. legal costs related to the administration of facilities in HSP, and related to any claim made regarding the facilities or use of HSP; and
 - f. insurance for the facilities and grounds in HSP.
3. All shared costs of the operation, maintenance, repair and/or replacement of all human-made and natural features in HSP shall be paid for by the Cities, with Shaker Heights responsible for and contributing 65% of such cost and Cleveland Heights responsible for and contributing 35% of such cost.
4. The Cities may agree to have one of the Cities, or an outside contractor selected by the Cities, manage all or an agreed-upon portion of the operation, maintenance, repair and/or replacement activities for HSP. Such agreement shall be memorialized in a Memorandum of Understanding that shall be considered an addendum to this Agreement and incorporated herein. A City managing such work shall have the right to add a reasonable administrative fee to cover that City's internal administrative costs incurred in handling the management of the activities to the extent that such costs are increased by that City's sole management, and the fee shall be specified in the Memorandum of Understanding.
5. Each City (or the City managing the operation, maintenance, repair and/or replacement activities) shall provide to the other City an annual report by July 31 each year (the "Annual Report"), that details work and activities performed that are considered the joint responsibility of the Cities under this Agreement. Such reports shall provide a description of work performed, activities conducted, and costs incurred, with detailed cost information and identification of any emergency work, damage to amenities or natural features requiring repair or replacement, and claims made against the City during the reporting period, and other information necessary for the efficient and full implementation of this Agreement.

6. Each City (or the City managing the operation, maintenance, repair and/or replacement activities) shall annually develop a plan for the operation, maintenance, repair and/or replacement of all human-made and natural features in HSP located exclusively in such City, and not the responsibility of NEORSD, and shall conduct all such activities in accordance with such plan. To the extent practicable, the plans developed by the Cities will involve reasonable efforts to have the operation, maintenance, repair and/or replacement work appear uniform throughout HSP. In implementing its responsibilities under this paragraph, each City (or the City managing the operation, maintenance, repair and/or replacement activities) shall do the following:
 - a. Provide in the Annual Report documentation of routine maintenance and minor repair activities in HSP, and the cost of such maintenance activity.
 - b. Provide advance written notice and copies of the documents specified herein below, except in an emergency, sufficiently in advance of conducting any non-routine maintenance, major repair or the replacement of any amenity or feature so that the following may be reviewed by the receiving City prior to the documents being distributed publicly:
 - i. Any request for proposal (RFP) for professional or other services; or
 - ii. Any formal or informal bid invitation or request for quotation.
 - c. Provide advance written notice and copies of documents related to the planned work, if 6.b. above does not apply, sufficiently in advance of conducting any non-routine maintenance, major repair or the replacement of any amenity or feature, to include documents evidencing:
 - i. Whether the work will be performed by City staff or will be contracted out;
 - ii. Any plan, directive, or scope of work describing such work; and/or
 - iii. Any contract or purchase order for such work.
 - d. The City receiving such notice shall have the opportunity to comment upon the work proposed to be performed, the cost of the work, or the manner by which the work is to be performed. Any such comment, or any objection, must be provided to the City sending the notice within ten (10) days after receipt of the notice.
 - e. If any objection cannot be resolved, the City performing the work may do any of the following:
 - i. Proceed to perform the work, and the Cities shall use good faith efforts to resolve the differences regarding payment of the cost afterwards; or
 - ii. Submit the matter to Dispute Resolution as set forth in this Agreement.

The City objecting to the work, cost or manner of performing the work may submit the matter to Dispute Resolution at any time prior to the work being performed.
 - f. If emergency maintenance, repair or replacement of any human-made amenity or natural feature is determined to be necessary, the City responsible for such work shall proceed to perform the necessary work. That City shall provide notice to the other City as soon as possible after discovering the emergency situation, and after determining that emergency work is needed. Promptly after the work is completed, the City performing the emergency work shall provide written notice to the other City of the work performed and the cost, and provide any documentation that would otherwise have been provided in advance under this Agreement.
 - g. The City performing non-routine maintenance, major repair or the replacement of any amenity or feature shall provide a report of the work performed after completion and the cost in its next Annual Report provided pursuant to 5 above.

7. The Cities shall meet and work cooperatively each year prior to establishing each City's annual budget for the following year to discuss and jointly plan for needed or desired work to operate, maintain, repair and/or replace any human-made or natural features in HSP, or to add new Future HSP Improvements. A budget shall be agreed upon by December 1 each year for the following year (subject to each City's Council approval). If a budget is not agreed upon by December 1, then the prior year's budget shall be used as the agreed upon budget for operation, maintenance and repair and/or replacement work unless and until a new budget for the next year is agreed upon.
 8. Each City (or the City managing the operation, maintenance, repair and/or replacement activities) shall provide with its Annual Report of work performed in HSP detailed documentation of costs incurred for work incurred pursuant to this Agreement under this Agreement. The City of Shaker Heights shall prepare a report that lists the costs incurred by each City, the total amount incurred by each City for the previous six-month period, and each City's respective share of the costs pursuant to this Agreement. The City of Shaker Heights shall send the City of Cleveland Heights said Report and either payment to Cleveland Heights for any amount under paid or an invoice for any amount over paid by Shaker Heights that is owed by Cleveland Heights. Failure of either City to pay any amount due the other shall be considered a default under this Agreement.
 9. The Cities shall work cooperatively to seek grants and other sources of funds to cover costs of improving, operating, maintaining, and repairing or replacing human-made amenities and natural features in HSP and each City shall make the other aware of any such funding opportunities it seeks to pursue, in order to facilitate such cooperation.
 10. The Cities shall form a Joint HSP Task Force to periodically (but at least two times each year) meet to discuss the implementation of this Agreement, and particularly the plans and need for HSP Improvements, the ongoing operation, maintenance, repair and/or replacement of all human-made and natural features in HSP, and the implementation of this Agreement. The Public Works Directors of each City, or their designees, shall co-chair the Task Force, which shall include the directors of Recreation/Parks and Recreation, and Finance for each City or their designees, as well as other staff as selected by each City.
- D. License for Access to Each City's Owned or Leased Property
1. This Agreement will constitute a license for each City to have access to, over and through the other City's owned or leased property and right-of-way at and surrounding HSP that may be necessary to perform inspections, construction, operation, maintenance, repair or replacement of HSP amenities or natural features.
 2. If a City requires access to or through the other City's property or right-of-way, and if such access will or is likely to result in or require damaging or changing the other City's property or right-of-way, even temporarily, then the City requiring access shall, except in an emergency, notify the other City in writing before accessing the other City's property or right-of-way, and such notice shall describe the access needed, the purpose, and the method of access that will potentially lead to damage or changing that city's property or right-of-way. The City so notified shall have ten (10) days, except in an emergency, to respond to the City needing access. The City needing access shall refrain from accessing the other City's property during such period. If the City being accessed objects, then the dispute shall be submitted to Dispute Resolution as set forth in this Agreement. If after ten (10) days, the City being accessed does not object, then the City needing access may proceed. In an emergency, then the process in C.5.f. shall be followed.

3. Any damage or changes to a City's property or right-of-way by the other City shall be promptly repaired by the City using the property or right of way for access, bringing the property back to the state existing prior to the City using the property or right-of-way for access.

E. Liability

1. The Cities shall seek to provide insurance covering liability for the use and activities in HSP through a joint policy if feasible. Otherwise, each City shall be responsible for acquiring its own insurance or self-insurance to cover property and liability for the portions of HSP within such City, and the cost of such insurance shall be shared with other shared operational costs as set forth in this Agreement.
2. Except to the extent covered by joint insurance coverage, each City shall be responsible for any claims made by third parties against such City, and shall not be responsible for claims made against the other City by third parties; provided, however, that the Cities may cooperate in the defense of claims brought against both cities. Neither City shall make a claim or bring any demand, suit or action against the other City for any damage, loss or liability incurred by such City related to HSP, unless the damage, loss or liability was caused by the negligence, malfeasance or misfeasance of the other City.
3. Each City shall provide prompt notice to the other City of any claim, demand or suit filed by a third party related to HSP.
4. Neither City waives its rights to immunity under Ohio Revised Code Chapter 2744.

F. Notifications

1. Any notifications required by this Agreement, or that are necessary to implement this Agreement, shall be sent in writing to the respective Mayor, Public Works Director and Law Director of each City.
2. Any notification related to a possible default under this Agreement, or requiring any payment or action by the other City, shall be sent in physical form by overnight mail or hand delivery, and accompanied by email notice. Such notice, and any other notice not required to be sent in physical form, may be sent by email.

G. Dispute Resolution

1. The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.
2. The Parties shall first try to resolve the dispute at the Departmental level of each City. If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the City Administrator or Chief Administrative Officer (or such other person who serves in such or similar role) of each City to resolve the dispute.
3. If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The mediator shall review all

documents and written statements, in order to accurately and effectively resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after mediator appointment, which meeting shall be attended by a City representative. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator equally. Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential.

4. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by both Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction.

H. Remedies

The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counter-claims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law.

I. Counterpart Signatures

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which counterparts when taken together shall constitute one Agreement.

J. Governing Law

The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

K. Independent Contractor and Disclaimer of Joint Venture

1. Each City shall for the purposes of this Agreement as to the other City, as well as to the extent that it performs any work within the other City, be considered an independent contractor, and neither it nor its employees or agents shall be considered employees of the other City. Each City shall be responsible for the payment or withholding of any federal, state or local taxes, including, but not limited to, income, unemployment, and workers' compensation, and neither City will provide, or contribute to, any plan which provides for benefits to the employees of the other City, including but not limited to unemployment insurance, workers' compensation, retirement benefits, liability insurance or health insurance. All individuals employed by the each City who provide services under this Agreement are public employees under Ohio state law only of the City by which they are employed.
2. This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

L. Severability

If any term or provision of this Agreement is determined to be illegal, unenforceable, or invalid, in whole or in part for any reason, such provision shall be stricken from this Agreement and such provision shall not affect the validity of the remainder of this Agreement.

M. Modification of Agreement

This Agreement may only be modified by written instrument executed by each party.

N. Authority to Execute

Each person executing this Agreement represents and warrants that it is duly authorized to execute this Agreement by the party on whose behalf it is so executing.

The Parties hereto have executed and delivered this Agreement as of the date first above written.

CITY OF CLEVELAND HEIGHTS

By: _____
Tony Cuda
Mayor

The legal form and correctness
of this instrument is approved.

By: _____
William R. Hanna
Director of Law
City of Cleveland Heights

Date: _____

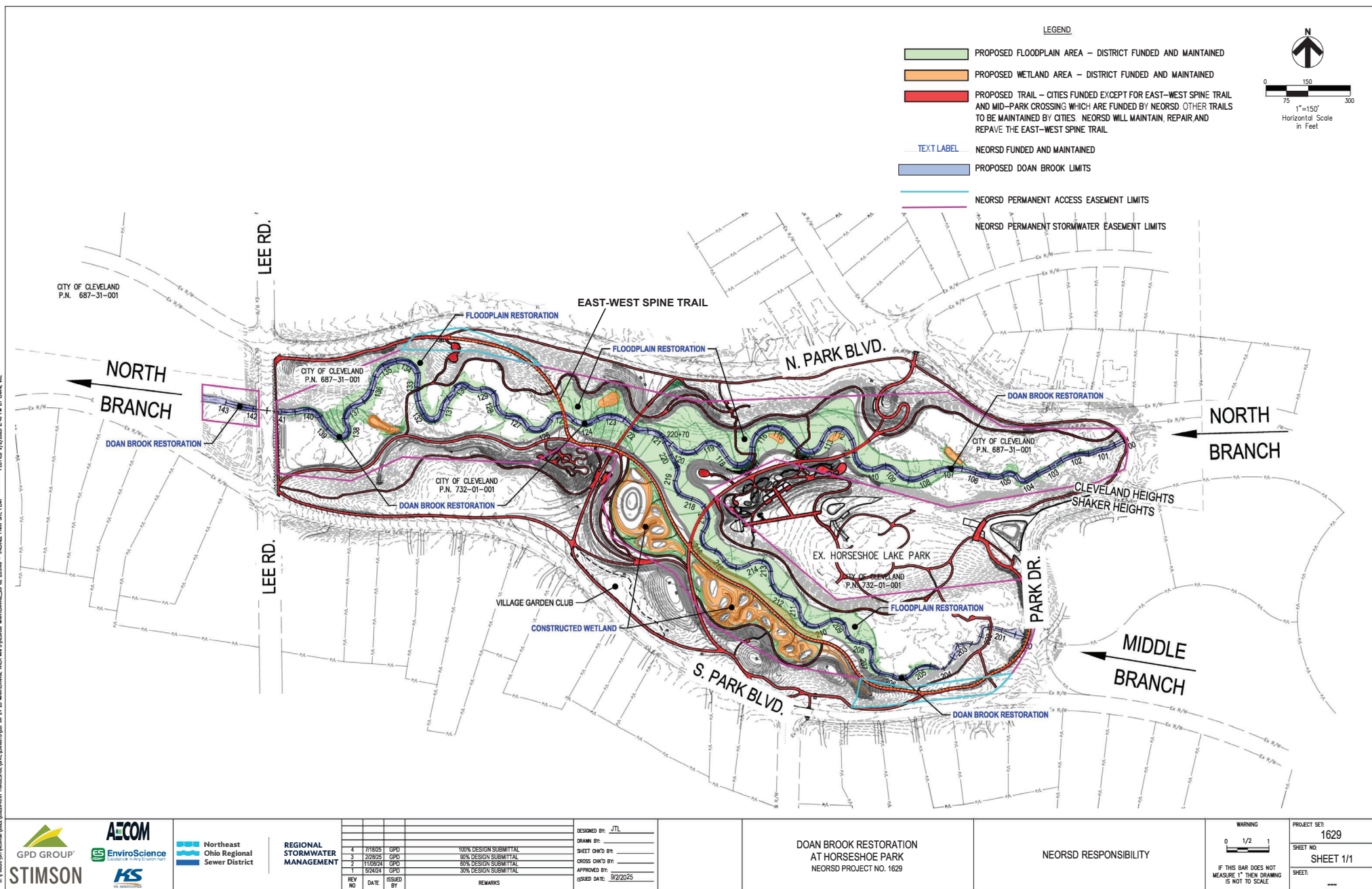
CITY OF SHAKER HEIGHTS

By: _____
David E. Weiss
Mayor

The legal form and correctness
of this instrument is approved.

By: _____
William M. Ondrey Gruber
Director of Law
City of Shaker Heights

Date: _____





Date: 11/26/2025

To: City Council

From: City Administrator, Sharon Dumas

CC: Mayor Cuda, Interim Finance Director Rachun Caldwell

Subject: Resolution Requesting the County to Advance 2025 Property Tax Funds Collected by the County in 2026

Introduction: Pursuant to ORC 321.34, Council each year adopts a resolution to request the County Fiscal Office to make periodic advance payments to the City of property taxes, as the taxes are collected by the County. Without this request, the County would remit the tax revenue only twice a year. Requesting the advances provides the City with multiple payments spread throughout the year and improves the City's cash flow by providing quicker access to property tax revenue.

Discussion: Each year, the ORC and County Fiscal Office require the City to adopt a resolution to request to participate in the County Fiscal Office tax advance program for the following year. Under this program, the County Fiscal Officer will make periodic advances of the property taxes collected on the City's behalf. Usually, the City would receive five periodic distributions under this program; absent the request, the County holds all of the City's funds until final settlement, so the City receives only two lump-sum distributions a year. This resolution is presented to Council annually for approval.

Timing of Advances: The Tax Advance Schedule from the Budget Commission typically occurs as indicated below:

- First Half Advance #1 Deposit Date: January
- First Half Advance #2 Deposit Date: February
- First Half Settlement Deposit Date: March
- Second Half Advance #1 Deposit Date: July
- Second Half Settlement Deposit Date: August

Summary: The Administration requests that Council adopt the proposed resolution on first reading as an emergency so the resolution and request can be sent to the County Fiscal Office at the earliest possible time.

Is this legislation recurring: Yes: X No:

Is emergency language necessary: Yes: X No:

If yes, why? So the request can be sent to the County Fiscal Office at the earliest possible time.

Is passage on first reading necessary: Yes: X No:

If yes, why? So the request can be sent to the County Fiscal Office at the earliest possible time.

If funding is required, is it already budgeted for? Yes: No: N/a: X

If not already budgeted for, where will funding come from?

Proposed: 12/01/2025

RESOLUTION NO. 251-2025(F), *Second Reading*

By Mayor Cuda

A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2025 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The County Fiscal Officer be, and is hereby, authorized and directed to pay to the Director of Finance of the City of Cleveland Heights, Ohio, all monies now in the hands, and that may hereafter come into the hands, of the County Fiscal Officer which are payable to the City of Cleveland Heights from the proceeds of the 2025 tax year collection including, without limitation, revenues from personal property taxes, real property taxes, and special assessments.

SECTION 2. The Director of Finance is hereby authorized and directed to furnish a copy of this Resolution to the County Fiscal Officer.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution on the City of Cleveland Heights website.

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to enable the City to meet its fiscal obligations and to preserve the credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 251-2025(F)

GAIL L. LARSON
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved by Mayor: _____

TONY CUDA
Mayor



Memorandum

Date: 11/20/25

To: Legislative Review Team

From: Justin Hines

Subject: County BoH Agreement

Purpose Statement:

To authorize the renewal of the agreement with the Cuyahoga County Board of Health-General Health District for the provision of public health services to the City.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

Legislation needs to be approved by County deadline of 12/31/2025.

Is passage on first reading necessary: Yes: ☐ No: ☒

If yes, why?

If funding is required, is it already budgeted for? Yes: ☒ No: ☐

If not already budgeted for, where will funding come from?

Proposed: 12/01/25

ORDINANCE NO. 252-2025(PSH), *Second Reading*

By Mayor Cuda

An Ordinance authorizing the renewal of an agreement with the Cuyahoga County General Health District for the provision of public health services to the City and its residents; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ohio Revised Code Section 3709.08 authorizes cities to enter into contracts with general health districts for public health services; and

WHEREAS, this Council has authorized such agreements with the Cuyahoga County General Health District for such health services in previous years; and

WHEREAS, it is in the best interest of the City and its residents to renew this agreement for the calendar years 2026 and 2027.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to enter into any and all agreements, and to execute any related documents, with the Cuyahoga County General Health District (hereafter the "District") for the provision of certain public health services to the City and its residents which are required to be provided under State law including, without limitation, school health services, community health services, family health services, and environmental health and sanitation services. The agreement shall be for a period of two years, commencing January 1, 2026. The fee for the mandated services shall not exceed the sum of Four Hundred Five Thousand Nine Hundred Ninety Dollars (\$405,996.00) for calendar year 2026 and Three Hundred Sixty-two Thousand Four Hundred Ninety-six Dollars (\$454,932.00) for calendar year 2027. The agreement and any related documents shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance to the City of Cleveland Heights website.

ORDINANCE NO. 252-2025(PSH)

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet County deadlines and continue providing residents essential health services without interruption. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

PUBLIC HEALTH SERVICES AGREEMENT

(City with a General Health District - Authority--Sec. 3709.08 O.R.C.)

This Agreement is entered into on the **1st day of January, 2026** ("Effective Date") by and between the **Cuyahoga County Board of Health** (the "Board"), a separate political subdivision of the State of Ohio organized under the Constitution and Laws of the State of Ohio, and the **City of Cleveland Heights**, a political subdivision, with its principal office located at 40 Severance Circle Cleveland Heights, Ohio 44118 (the "City"), for and in consideration of the promises, covenants, and conditions hereinafter set forth.

WHEREAS, Cuyahoga County Board of Health is a general health district as defined under Ohio Revised Code (ORC) Section 3709.01 and is endowed with all of the statutory and other authority granted to it by reason of the Ohio Statutes as amended from time to time by the State Legislature; and

WHEREAS, the City has continued to have a city public health district as required by Ohio law; and

WHEREAS, pursuant to ORC Section 3709.01, each city in the State constitutes a health district and each county is a "general health district," and as provided for in ORC Sections 3709.051, 3709.07, and 3709.10, there may be a union of a general health district and a city health district; and

WHEREAS, ORC Section 3709.08 authorizes cities and villages in Cuyahoga County to enter into an Agreement with the Cuyahoga County General Health District on certain terms and conditions; and

WHEREAS, the District Advisory Council of the Cuyahoga County General Health District, created by ORC 3709.03, after giving due notice by publication as required by law, held a public meeting on March 30, 2023 at which by a majority vote of members representing the townships and villages of said county, did vote affirmatively on the question of providing public health services to the cities in Cuyahoga County, and did authorize the Chairman of the District Advisory Council to enter into an Agreement with the Mayor of the City for providing public health services therein; and

WHEREAS, the Board is engaged in the governance of providing public health services as described in this Agreement, has the knowledge, skill, and resources to provide such services, and desires to perform such services for or on behalf of the Board for the City; and

WHEREAS, the City is willing to enter into an Agreement with the Board to provide such services in accordance with the terms and conditions of Ohio law and this Agreement.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. EFFECTIVE DATE, TERM AND TERMINATION.

- (a) **Effective Date, Term.** This Agreement shall commence on the Effective Date first stated above and shall continue through **December 31, 2027**, unless earlier terminated pursuant to Section 1(b).
- (b) **Termination.** This Agreement may be terminated upon the occurrence of one of the following events:
 - (i) Failure for any reason of the either party to fulfill its obligations under this Agreement, after written notice is provided by the non-breaching party of such failure providing at least ninety (90) days for the breaching party to correct any such failure, and if such failure is not corrected within said period, the non-breaching party may give written notice of immediate termination;

- (ii) Upon nine (9) months written notice, or on or before April 1 of the year prior to termination by either party for any reason.

1. THE SERVICES.

- (a) **Scope of Services.** Subject to the terms and conditions contained in this Agreement and its exhibits, the Board will provide to the City and, as applicable, to all persons receiving the direct services provided for herein, the Services that are set forth and described in the Scope of Work (SOW) attached as **Exhibit A**, which Exhibit is incorporated herein.
- (b) Unless otherwise agreed by the Parties in writing, all transactions for Services through Board will be provided in accordance with the provisions of Ohio law and/or this Agreement, including any revisions of the same, as both Parties may from time to time execute to document the addition, revision, or enhancement of Services.
- (c) **Standard of Performance of Services.** The Board will devote such time and will use its best efforts as necessary to perform the Services in a professional manner that: (i) is consistent with the standards of its industry and in a good and workmanlike manner, and (ii) utilizes the care, skill, and diligence normally applied by other similar boards of health in the performance of services similar to the Services.
- (d) The City shall provide suitable space for the Board employees who make regular visits to the City on a daily or weekly basis.

2. PAYMENT.

- (a) **Compensation.** Compensation is based on the ten (10) year census population estimate for the City and a per capita rate established by the Board. The per capita rate is the same rate applied to all Villages, Townships in the general health district as well as for all cities that enter into a Public Health Services Agreement with the Board. The most recent ten (10) year census for population in the City dated September 2021, is 45,312 residents. The current per capita rate established by the Board is \$8.96 per capita for calendar year 2026 and \$10.04 per capita for calendar year 2027. The total amount due based on the per capita rate will be Four hundred and five thousand nine hundred and ninety-six dollars (\$405,996.00) for calendar year 2026 and be Four hundred and fifty-four thousand, nine hundred and thirty-two dollars (\$454,932.00) for calendar year 2027. The Board reserves the right to change its per capita rate, as considered on an annual basis, based on current economic conditions and public health needs. In the event that the Board votes to make a change in the per capita rate, said change shall be limited to annual rates effective on January 1 for the following calendar year. The Board shall provide notice of the change in the per capita rate for the coming calendar year on or before October 31st of the current calendar year.
- (b) In consideration for the health services described in Exhibit A, which will be provided by the Board to and within the City, the City shall pay to the Board the total annual sum Four hundred and five thousand nine hundred and ninety-six dollars (\$405,996.00) for calendar year 2026 and the total annual sum of Four hundred and fifty-four thousand, nine hundred and thirty-two dollars (\$454,932.00) for calendar year 2027. The City hereby directs the Fiscal Officer of Cuyahoga County to place to the credit of the Board and the Fiscal Office of Cuyahoga County is hereby authorized and directed to deduct the sum stated above in equal, semi-annual installments of Two hundred and two thousand, nine hundred and ninety-eight dollars (\$202,998.00) from the regular property tax settlement to be made for said City for calendar year 2026 and Two hundred and twenty-seven thousand, four hundred and sixty-six dollars (\$227,466.00) from the regular property tax settlement to be made for said City for calendar year 2027.

4. RECORDS.

- (a) The Board shall maintain copies of all records created or received by the Board in the performance of the work under this Agreement as required by Ohio's public records law. Any records created or received as a part of this Agreement shall be made available to the City upon request subject to exceptions listed below.
- (b) Any non-private health information in confidential records or information in the records created by the Board or that come into the possession of the Board under this Agreement shall, if provided to the City, be kept confidential by the City.
- (c) The Board is prohibited by State and Federal law from sharing protected health information and said records will not be shared with the City unless there is compliance with the proper method for release of said information.

5. NO ASSIGNMENT, TRANSFER, OR SUBAGREEMENT.

In performing the services specified under the terms of this Agreement, the Board shall not assign, transfer, or delegate any of the work or services, nor subcontract the work out to any other entity, nor shall any subcontractor commence performance of any part of the work or services included in this Agreement, unless such subcontracting is specified in this Agreement or its Exhibits, or unless prior written consent is provided by the City.

6. INDEPENDENT AGREEMENT.

- (a) The Board hereby acknowledges that it is an independent contractor and neither it nor its employees or agents are employees of the City. The Board shall be responsible for the payment or withholding of any federal, state or local taxes, including, but not limited to, income, unemployment, and workers' compensation for its employees, and the City will not provide, or contribute to any plan which provides for benefits, including but not limited to unemployment insurance, workers' compensation, retirement benefits, liability insurance or health insurance. All individuals employed by the Board provide personal services to the City are not public employees of the City under Ohio state law.
- (b) No agency, employment, joint venture or partnership has been or will be created between the parties pursuant to the terms and conditions of this Agreement. Inasmuch as the City is interested in the Board's end product, the City does not control the manner in which the Board performs this Agreement.

7. NOTICES.

All notices, invoices and correspondence which may be necessary or proper for either party shall be addressed as follows:

TO THE BOARD:

Cuyahoga County Board of Health
Attention: Roderick Harris, Health Commissioner
5550 Venture Drive
Parma, Ohio 44130

TO THE CITY:

City of Cleveland Heights
Attention: Mayor Tony Cuda
40 Severance Circle Cleveland
Heights, Ohio 44118

And

City of Cleveland Heights
Attention: Director of Law
40 Severance Circle
Cleveland Heights, Ohio 44118

5. EFFECT OF ELECTRONIC SIGNATURE

By entering into this Agreement, the parties agree that this transaction may be conducted by electronic means, including, without limitation, that all documents requiring signatures by the parties may be executed by electronic means, and that the electronic signatures affixed by the authorized representatives of the parties shall have the same legal effect as if the signatures were manually affixed to a paper version of the documents. The parties also agree to be bound by the provisions of Chapter 1306 of the Ohio Revised Code as it pertains to electronic transactions.

6. APPLICABLE LAW AND VENUE

Any and all matters of dispute between the Parties to this Agreement whether arising from the Agreement itself or arising from alleged extra contractual facts prior to, during, or subsequent to the Agreement, including without limitation, fraud, misrepresentation, negligence, or any other alleged tort or violation of the Agreement, will be governed by, construed, and enforced in accordance with the Laws of the State of Ohio, without regard to the conflict of laws or the legal theory upon which such matter is asserted.

7. SEVERABILITY.

If any provision hereof shall be determined to be invalid or unenforceable, such determination shall not affect the validity of the other provisions of this Agreement. Moreover, any provisions that should survive the expiration or termination will survive the expiration or termination of this Agreement.

8. AMENDMENT

This Agreement shall not be modified except by the express written consent by both parties hereto.

9. WAIVER.

Waiver by either party or the failure by either party to claim a breach of any provision of this Agreement shall not be deemed to constitute a waiver or estoppel with respect to any subsequent breach of any provision hereof.

10. FORCE MAJEURE.

Neither party shall be liable for any delay or failure to perform any duty or obligation it may have pursuant to this Agreement where such delay or failure has been occasioned by any act of God, fire, strike, inevitable accident, war or any cause outside the party's reasonable control.

11. COUNTERPARTS

This Agreement may be executed in several counterparts, each of which shall be deemed to be an original copy, and all of which together shall constitute one Agreement binding on all parties hereto, notwithstanding that all the parties shall not have signed the same counterpart.

5. ENTIRE AGREEMENT.

This Agreement constitutes the entire agreement of the parties with respect to its subject matter, and supersedes all prior and contemporaneous agreements, representations or understandings, whether written or oral, as to the same.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representative to be effective as of the Effective Date as specified in Section 1 of this Agreement.

FOR THE BOARD:

Mayor David Smith
President District Advisory Council

Date: _____

Approved as to form.
Cuyahoga County Board of Health
Office of General Counsel

By: _____

Date: _____

FOR THE CITY:

Mayor Tony Cuda

Date: _____

Approved as to form.

By: _____
Director of Law

Date: _____

EXHIBIT A

SCOPE OF WORK

The General Health District of Cuyahoga County, Ohio, hereby agrees to provide health services for the **City of Cleveland Heights** for the calendar years 2026 and 2027 as set forth below (“Services”).

- The Board shall have full authority to be and act as the public health authority for the City.
- The Services described in the schedule listed below in this Exhibit will be provided by the District Board of Health of Cuyahoga County (“Board”) to the City.
- The Services will include all necessary medical, nursing, sanitary, laboratory and such other health services as are required by the Statutes of the State of Ohio.
- Air pollution enforcement services, as described in Chapter 3704 of the Ohio Revised Code (“ORC”), will be conducted through the designated agent, the Cleveland Division of Air Pollution Control, not by the Board. This authorization is contingent upon renewal of the Agreement between the Ohio EPA and the City of Cleveland and satisfactory performance of the Agreement terms and conditions regarding air pollution control in Cuyahoga County. The Board of Health reserves the right to alter, modify or amend this Agreement provision with notice to the City.
- The following specific services shall be a part of the Services provided under this Agreement:

List of Functions, Programs and Services

Animal Control and Shelter:
Rabies Surveillance – Animal bite follow up
Environmental Health - State Programs:
Food Service Operation Licensing/ Inspection/Education
Retail Food Establishment Licensing & Inspection.
School Facilities Inspection
Smoke Free Workplace Enforcement
Public Swimming Pool & Spa Licensing & Inspection
Tattoo & Body Piercing Enforcement
Temporary Park Camp Licensing/Inspection/Enforcement
Clean Indoor Air Regulation - complaint based response
Home Day Care Inspections - USDA Inspections Only/Fee for Service
Nuisance & Vector Control
Residential Housing/Commercial Building Inspection - complaint based response
Solid Waste Enforcement
West Nile Virus Prevention/Mosquito Control
Animal Venue Licensing/Inspection/Enforcement
Emergency Preparedness:
Public Health Emergency Preparedness (PHEP)
Planning and Cities' Readiness Initiative activities
Emergency Management Committee - participation

Development of Local Emergency Response Plan - participation
Community Outreach and Education
Northeast Ohio Regional Public Health Partnership - participation
Epidemiology, Surveillance, Investigation Services:
Reportable Infectious Disease investigation and follow-up (excluding HIV/AIDS; STD; TB)
Disease Outbreak Management
Regional Infection Control Committee – participation
NEO Regional. Epidemiology Response Team – participation
Health Promotion: (As Appropriate)
Immunization Program:
Childhood and Adult Vaccine Administration Services - Fee for Service. Most insurance accepted, by appointment. Charges may be waived for inability to pay.
Seasonal Influenza vaccine clinics - Fee for Service, most insurance accepted.
Immunize Ohio- participation
Jail Inmate Health Services:
Jail Inspection - provided once annually
Lead Poisoning Prevention:
Pediatric blood lead testing - Fee for Service. Charges may be waived for inability to pay
Case management
Environmental Assessment - Limited fee for service
Community Education and Outreach
Greater Cleveland Healthy Homes Advisory Council
Occupational Health:
Immunizations and Tuberculosis screenings - Fee for Service
Bureau for Children with Medical Handicaps (BCMh) Public Health Nursing Services
Administrative Services:
Administration
Grant Writing & Management
Budget
Records Management
Accounts Payable, Accounts Receivable
Data Entry & Program Management
Reports - Financial & Statistical
Payroll

The Board maintains a range of grant funded programs for citizens throughout the County who are income qualified.

THE BOARD RESERVES THE RIGHT TO AMEND THIS EXHIBIT AT ANYTIME.



Memorandum

Date: 11/20/25

To: City Council

From: Ryan Prosser

Subject: Cybersecurity Program

Purpose Statement:

The State of Ohio requires local government legislators adopt a cybersecurity program pursuant to RC 9.64C. The City of Cleveland Heights Administration and IT Department has approved and implemented a Cybersecurity protocol in compliance with the State Law.

Is this legislation recurring: Yes: ☐ No: ☒

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

The deadline to adopt a cybersecurity program is December 31, 2025

Is passage on first reading necessary: Yes: ☐ No: ☒

If yes, why?

If funding is required, is it already budgeted for? Yes: ☐ No: ☐

If not already budgeted for, where will funding come from?

OHIO AUDITOR OF STATE KEITH FABER



Auditor of State Bulletin 2025-007

DATE ISSUED: August 27, 2025

TO: All Public Offices
Independent Public Accountants

FROM: Keith Faber
Ohio Auditor of State

SUBJECT: Adoption of Cybersecurity Program

Background

Ohio Rev. Code § 9.64, enacted through House Bill 96, requires political subdivisions to set and adopt standards safeguarding against cybersecurity threats and ransomware attacks. This bulletin details the requirements of Ohio Rev. Code § 9.64, which are effective September 30, 2025.

Local governments, typically defined as “political subdivisions”¹, have increasingly become targets for cybercriminals. They are vulnerable to cyber-attack schemes because of limited cybersecurity budgets, outdated systems and a range of accessible electronic and digital services. Cyber-attacks—such as ransomware, phishing, social engineering, and data breaches—disrupt government services, expose personal and financial information, incur significant costs, and reduce public trust.

Cybersecurity Program Compliance Requirements

Under this new law, each political subdivision’s legislative authority **shall** adopt a “cybersecurity program” that safeguards the entity’s data, information technology, and information technology resources to ensure availability, confidentiality, and integrity. *See* Ohio Rev. Code § 9.64 (C).

¹ Political subdivision is defined as a county, township, municipal corporation, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.

The program shall be consistent with generally accepted best practices for cybersecurity² and may include, but are not limited to the following:

- Identify and address the critical functions and cybersecurity risks of the political subdivision.
- Identify the potential impacts of a cybersecurity breach.
- Specify mechanisms to detect potential threats and cybersecurity events.
- Specify procedures for the political subdivision to establish communication channels, analyze incidents, and take actions to contain cybersecurity incidents.
- Establish procedures for the repair of infrastructure impacted by a cybersecurity incident, and the maintenance of security after the incident.
- Establish cybersecurity training requirements for all employees. The frequency, duration, and detail of which shall correspond to the duties of each employee. Annual training provided by the state and the Ohio Persistent Cyber Initiative (O-PCI) program of the Ohio Cyber Range Institute, satisfies the training requirements. The O-PCI program delivered by the Ohio Cyber Range Institute (<https://www.ohiocyberrangeinstitute.org/opci>) and the Ohio Cyber Reserve (<https://homelandsecurity.ohio.gov/ohio-cyber-integration-center/overview>) includes online, hybrid and in person modules tailored to various types of organizations, from small to large, rural to urban and is funded by the State and Local Cybersecurity Grant Program.

Political subdivisions should adopt a cybersecurity program/policy that is tailored to the unique environment/needs of their entity.

Cyber Security Program Implementation Due Dates

<u>Entity Type</u>	<u>Due Date</u>
County	January 1, 2026
City	January 1, 2026
All Other Entity Types	July 1, 2026

Reporting Requirements after Discovery of Cybersecurity or Ransomware Incident

Upon discovering a cybersecurity incident or ransomware incident, the legislative authority of a political subdivision shall notify both:

- The Executive Director of Ohio Homeland Security within the Ohio Department of Public Safety as soon as possible but not later than 7 days after discovering the incident. Incidents can be reported to Homeland Security's Ohio Cyber Integration Center (OCIC)

² Examples of generally accepted cybersecurity standards that entities use to build best practices for cybersecurity include, but are not limited to, the National Institute of Standards and Technology (NIST) cybersecurity framework and the Center for Internet Security (CIS) cybersecurity best practices.

at: <https://homelandsecurity.ohio.gov/ohio-cyber-integration-center>, OCIC@dps.ohio.gov or 614-387-1089.

- The Ohio Auditor of State as soon as possible but not later than thirty (30) days after discovering the incident. Incidents can be reported to the Ohio Auditor of State via email to Cyber@ohioauditor.gov using the form located at: <https://ohioauditor.gov/fraud/cybersecurity.html>

Cybersecurity Incident Defined

A cybersecurity incident includes *any* of the following:

- A substantial loss of confidentiality, integrity, or availability of a covered entity's information system or network.
- A serious impact on the safety and resiliency of a covered entity's operation systems and processes.
- A disruption of a covered entity's ability to engage in business or industrial operations or deliver goods or services.
 - A disruption could include payment re-direct, payroll re-direct, spear phishing. Refer to AOS Audit Bulletin [2024-003](#) for additional examples.
- Unauthorized access to an entity's information system or network, or nonpublic information contained therein, that is facilitated or is caused by:
 - A compromise of a cloud service provider, managed service provider, or other third-party data hosting provider; or
 - A supply chain compromise.

A cybersecurity incident does not include mere threats of disruption as extortion; events perpetrated in good faith in response to a request by the system owner or operator; or lawfully authorized activity of a United States, state, local, tribal, or territorial government entity.

Ransomware Incident Defined

Ransomware incident is defined as a malicious cybersecurity incident in which a person or entity introduces software that gains unauthorized access to or encrypts, modifies, or otherwise renders unavailable a political subdivision's information technology systems or data and thereafter the person or entity demands a ransom to prevent the publication of the data, restore access to the data, or otherwise remediate the impact of the software.

Ransomware Payment Only Permitted after Public Vote by Legislative Authority

A political subdivision experiencing a ransomware incident shall not pay or otherwise comply with a ransom demand unless the political subdivision's legislative authority formally approves the payment or compliance with the ransom demand in a resolution or ordinance that specifically states why the payment or compliance with the ransom demand is in the best interest of the political subdivision.

Public Records Exemption

Records, documents, or reports related to the cybersecurity program and framework, and reports of a cybersecurity incident or ransomware incident are not public records under Ohio Rev. Code § 9.64. Records identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by a political subdivision, including vendor name, product name, project name, or project description constitute “security records” and are exempt from the requirements to produce those records in response to a public records request.

Testing Compliance Requirements

Compliance procedures will be developed and incorporated into the Ohio Compliance Supplement.

Guidance

Additional cybersecurity resources, including incident response tips and free training are available on the Auditor of State’s website at <https://ohioauditor.gov/fraud/cybersecurity.html>.

Questions

If you have any questions regarding the information presented in the Bulletin, please contact the Special Investigations Unit at the Auditor of State’s Office at 800-282-0370.

A handwritten signature in black ink that reads "Keith Faber". The signature is written in a cursive, flowing style.

Keith Faber
Ohio Auditor of State

Proposed: 12/01/2025

RESOLUTION NO. 253-2025(PSH), *Second Reading*

By Mayor Cuda

A Resolution adopting the City of Cleveland Heights Cybersecurity Program in accordance with Ohio Revised Code Section 9.64(C); and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ohio House Bill 96, which took effect on September 30, 2025, enacted Section 9.64(C) of the Ohio Revised Code, establishing compliance requirements for political subdivisions cybersecurity programs, including safeguarding data, information technology, and information technology resources, consistent with generally accepted best practices and requires that political subdivision legislative authorize a cybersecurity program for their purposes; and

WHEREAS, the Auditor of State (AOS) issued Bulletin 2025-007, which requires the legislative authority of a city to adopt a formal cybersecurity program by January 1, 2026; and

WHEREAS, the City of Cleveland Heights has developed a cybersecurity program in accordance with ORC 9.64(C); and

WHEREAS, records and documents related to the cybersecurity program are not subject to public records disclosure under current law; and

WHEREAS, Council wishes to adopt the City of Cleveland Heights Cybersecurity Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, OH that:

SECTION 1. Council hereby adopts the City of Cleveland Heights Cybersecurity Program, consistent with the requirements of ORC 9.64(C) and Auditor of State Bulletin 2025-007, copy attached.

SECTION 2. The Mayor be, and is hereby authorized to implement, maintain, and update the cybersecurity program to ensure continued compliance with state law and generally accepted cybersecurity best practices.

SECTION 3. All records and documents related to the cybersecurity program are exempt from public records disclosure, consistent with ORC 9.64(E).

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such

RESOLUTION NO. 253-2025(PSH)

formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution on the City of Cleveland Heights website.

SECTION 6. It is necessary that this Resolution become immediately effective as an emergency necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to comply with State Law. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor



Ohio Revised Code

Section 9.64 Political subdivision cybersecurity.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

(A) As used in this section:

(1) "Cybersecurity incident" means any of the following:

(a) A substantial loss of confidentiality, integrity, or availability of a covered entity's information system or network;

(b) A serious impact on the safety and resiliency of a covered entity's operational systems and processes;

(c) A disruption of a covered entity's ability to engage in business or industrial operations, or deliver goods or services;

(d) Unauthorized access to an entity's information system or network, or nonpublic information contained therein, that is facilitated through or is caused by:

(i) A compromise of a cloud service provider, managed service provider, or other third-party data hosting provider; or

(ii) A supply chain compromise.

"Cybersecurity incident" does not include mere threats of disruption as extortion; events perpetrated in good faith in response to a request by the system owner or operator; or lawfully authorized activity of a United States, state, local, tribal, or territorial government entity.

(2) "Political subdivision" means a county, township, municipal corporation, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.



(3) "Ransomware incident" means a malicious cybersecurity incident in which a person or entity introduces software that gains unauthorized access to or encrypts, modifies, or otherwise renders unavailable a political subdivision's information technology systems or data and thereafter the person or entity demands a ransom to prevent the publication of the data, restore access to the data, or otherwise remediate the impact of the software.

(B) A political subdivision experiencing a ransomware incident shall not pay or otherwise comply with a ransom demand unless the political subdivision's legislative authority formally approves the payment or compliance with the ransom demand in a resolution or ordinance that specifically states why the payment or compliance with the ransom demand is in the best interest of the political subdivision.

(C) The legislative authority of a political subdivision shall adopt a cybersecurity program that safeguards the political subdivision's data, information technology, and information technology resources to ensure availability, confidentiality, and integrity. The program shall be consistent with generally accepted best practices for cybersecurity, such as the national institute of standards and technology cybersecurity framework, and the center for internet security cybersecurity best practices, and may include, but are not limited to, the following:

(1) Identify and address the critical functions and cybersecurity risks of the political subdivision.

(2) Identify the potential impacts of a cybersecurity breach.

(3) Specify mechanisms to detect potential threats and cybersecurity events.

(4) Specify procedures for the political subdivision to establish communication channels, analyze incidents, and take actions to contain cybersecurity incidents.

(5) Establish procedures for the repair of infrastructure impacted by a cybersecurity incident, and the maintenance of security after the incident.

(6) Establish cybersecurity training requirements for all employees of the political subdivision; the frequency, duration, and detail of which shall correspond to the duties of each employee. Annual



cybersecurity training provided by the state, and training provided for local governments by the Ohio persistent cyber initiative program of the Ohio cyber range institute, satisfy the requirements of this division.

(D) The legislative authority of a political subdivision, following each cybersecurity incident or ransomware incident, shall notify both of the following:

(1) The executive director of the division of homeland security within the department of public safety, in a manner prescribed by the executive director, as soon as possible but not later than seven days after the political subdivision discovers the incident;

(2) The auditor of state, in a manner prescribed by the auditor of state, as soon as possible but not later than thirty days after the political subdivision discovers the incident.

(E) Any records, documents, or reports related to the cybersecurity program and framework in division (C) of this section, and the reports of a cybersecurity incident or ransomware incident under division (D) of this section, are not public records under section 149.43 of the Revised Code.

(F) A record identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by a political subdivision, including the vendor name, product name, project name, or project description, is a security record under section 149.433 of the Revised Code.



Date: 11.19.25

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: AMENDING ORDINANCE CHAPTER 142 ARTS COMMISSION

Purpose Statement: To amend Chapter 142 to assign some appointment powers to City Council.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: _____ No: X

If yes, why?

Is passage on first reading necessary: Yes: _____ No: X

If yes, why?

If funding is required, is it already budgeted for? Yes: _____ No: _____ N/a: X

If not already budgeted for, where will funding come from?

PROPOSED: 12/01/2025

ORDINANCE NO. 254-2025(COTW), *Second Reading*

By All City Councilmembers and Mayor Cuda

An Ordinance amending Chapter 142 of the Codified Ordinances of Cleveland Heights, Ohio, "Arts Commission" and repealing its prior inconsistent provisions.

WHEREAS, City Council has authority under the Charter and Codified Ordinances to appoint members to many boards, commissions and committees; and

WHEREAS, the current Chapter 142 vests appointment power for the members of the Arts Commission solely with the Mayor which is inconsistent with most other boards, commissions and committees existing under the Codified Ordinances in Cleveland Heights; and

WHEREAS, assigning some appointment powers to City Council would improve consistency, accountability, and transparency in appointments to boards, commissions, and committees.

THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Chapter 142 of the Codified Ordinances is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. Current Chapter 142 of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance shall be, and is hereby, repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 5. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

GAIL L. LARSON
President of Council

ORDINANCE NO. 254-2025(COTW)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

EXHIBIT A

142.01 ESTABLISHMENT, COMPOSITION, TERM, REMOVAL, AND VACANCY.

—
(a) There is hereby established in the City an Arts Commission.

—
(b) The Commission shall consist of not less than seven (7) nor more than eleven (11) members, three (3) of whom shall be appointed by the Mayor, and the remainder by Council, all subject to confirmation by a majority of Council, none of whom shall hold other municipal office or employment with the City.

—
(c) Members of the Commission shall be residents of the City of Cleveland Heights, appointed on the basis of training and experience in the arts, including but not limited to presenting, producing, funding, managing, advocating, and promoting arts creation. As much as is practicable, members should represent the diversity of arts disciplines as they exist in the community.

—
(d) The Mayor and Council shall seek to appoint to the Arts Commission members whose education, training, work or profession, or other volunteer or life experiences will enable them to make meaningful contributions to the work of the Commission. Further, in making appointments to the Commission, the Mayor and Council shall make a good faith effort to ensure that the Commission is broadly reflective of the diversity of the City, taking into account considerations including but not limited to diversity of race, ethnicity, age, sex, gender identify and expression, sexual orientation, economic status, and geography of residence.

—
(e) The initially appointed Mmembers of the Commission may be removed by shall serve for a term expiring on the Mayor, subject to Council confirmation last day of December 2027, and subsequent appointments shall be for three (3) year terms.

—
(f) Vacancies on the Arts Commission shall be filled for the remainder of unexpired terms in the same manner as the original appointments are made (i.e., by Mayor or Council).

ORDINANCE NO. 254-2025(COTW)

142.02 PURPOSE, DUTIES.

—
(a) The purpose of the Cleveland Heights Arts Commission is to act in an advisory capacity to the Council and the Mayor related to arts policies, programs, and projects in order to help facilitate improved funding, creation, and enjoyment of the arts in the City.

—
(b) To fulfill the above purpose, the Commission shall provide recommendations to the Mayor and Council for public art projects, and arts programming; and shall provide legislative and budgetary recommendations to the Mayor and the Council in support of the arts in the City.

142.03 COMPENSATION.

(a) No compensation shall be paid to any member of the Arts Commission for services performed on this Commission.

142.04 ORGANIZATION, MEETINGS, OFFICERS.

—
(a) The Commission shall hold an organizational meeting annually in January ~~October~~ to determine a schedule of regular meetings and to select officers.

—
(b) The members of the Commission shall choose one member to serve as Chairperson for a period of one (1) year or until a successor has been chosen. The Chairperson shall preside over meetings of the Commission. In the absence of the Chairperson, a temporary Chairperson shall be elected by those present to preside over the specific meeting during which the temporary Chairperson was elected.

—
(c) The members of the Commission shall choose one member to serve as Secretary for a period of one (1) year or until a successor has been chosen. The Secretary shall keep or cause to be kept a record of the meetings and actions of the Commission. The Secretary shall also provide notice or cause notice to be provided for public meetings of the Commission.



Date: 11/19/2025

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: Expanding Climate and Environmental Sustainability Committee (CESC)
Appointments from 7 to 9 by amending 140.02

Purpose Statement: To add 2 additional resident members to the Committee because of the interest in this Committee and better utilize the wealth of talent in the City with expertise in the Committee's mission and work.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? There is an immediate need to have a member to fill 1 of 2 current vacancies.

Is passage on first reading necessary: Yes: _____ No: X

If yes, why?

If funding is required, is it already budgeted for? Yes: _____ No: _____ N/a: X

If not already budgeted for, where will funding come from?

Proposed: 12/01/2025

ORDINANCE NO. 255-2025(COTW), *Second Reading*

By All City Councilmembers

An Ordinance amending Section 140.02, “Members,” of Chapter 140, “Cleveland Heights Climate and Environmental Sustainability Committee,” of the Codified Ordinances of Cleveland Heights to expand the resident membership of the Committee from seven (7) to nine (9) members to allow for greater resident participation.

WHEREAS, the City of Cleveland Heights established a Climate and Environmental Sustainability Committee (“the Committee”) under Chapter 140 to advise Council and the Administration on policies and initiatives promoting environmental sustainability and climate resilience; and

WHEREAS, since its formation, the Committee has served as a vital forum for residents and stakeholders to contribute to the City’s environmental and sustainability goals; and

WHEREAS, the City Council recognizes the strong community interest in environmental policy and the need to provide additional opportunities for resident engagement and representation in the City’s sustainability efforts; and

WHEREAS, the Council finds that expanding the membership of the Committee from seven (7) to nine (9) members will enhance the Committee’s capacity, diversity of expertise, and community participation, thereby strengthening its advisory role.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Section 140.02, “Members” of Chapter 140, “Cleveland Heights Climate and Environmental Sustainability Committee” of the Codified Ordinances of the City of Cleveland Heights shall be and is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. Current Section 140.02 of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance shall be, and is hereby, repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

ORDINANCE NO. 255-2025(COTW)

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 5. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

EXHIBIT A

140.02 MEMBERS.

(a) The Committee shall consist of ~~eight (8)~~ten (10) members. ~~Seven (7)~~Nine (9) shall be appointed by City Council. The ~~eighth~~tenth member shall be the City's Climate Resiliency and Sustainability Coordinator or Mayor's designee who shall be a non-voting member and shall serve as the Committee's Co-Chair. Voting members shall be residents of Cleveland Heights with a demonstrated interest in and/or knowledge of environmental sustainability. A good faith effort shall be made to have the appointments reflect the City's goal of racial, social and geographic diversity. Each person appointed shall first have submitted an application to serve on the Committee. Any such applicant may be asked to participate in an interview with the Council prior to appointment.

(b) Members shall serve for a two (2)-year term. Terms shall expire on the last day of December 2025 and each two (2) years thereafter.

(c) City Council, by majority vote, may remove an appointed member who misses a majority of the Committee's meetings in a calendar year and declare that member's position vacant.

(d) Vacancies shall be filled by appointment for the remainder of the unexpired term.

(e) No compensation shall be paid to any appointed member of the Committee for services performed.

(f) Subject to approval by the President of City Council, the Chair of the Municipal Services Committee shall serve as a non-voting liaison between Council and the Committee.

Proposed: 12/01/2025

ORDINANCE NO. 256-2025(F), *Second Reading*

By Mayor Cuda

An Ordinance authorizing the Mayor to enter into an agreement with the Coventry Village Special Improvement District, Inc. ("Coventry SID") for an advance of Forty Thousand Dollars (\$40,000) at zero percent (0%) interest; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Coventry Village SID is a duly established special improvement district under Ohio Revised Code Chapter 1710; and.

WHEREAS, the SID plans for public services within the district have been approved by City Council under the authority of Ohio Revised Code § 1710.06; and

WHEREAS, the SID's operating budget and service delivery require collection of the special assessment from property owners in the district; and

WHEREAS, a cash-flow shortfall has arisen because the Cuyahoga County Treasurer's Office has changed its disbursement date for payment of the assessment proceeds to the City, resulting in a timing mismatch between the SID's immediate expenditures and the later assessment receipt; and

WHEREAS, it is in the public interest for the City to assist the SID, because the SID's public services enhance safety, maintenance, vibrancy, and economic vitality within Coventry Village, thereby benefitting not only the SID but the broader community; and

WHEREAS, advancing these funds as a 0% interest loan will minimize the burden on the SID while preserving the City's interests, provided the loan is repaid from the future assessment revenues.

BE IT ORDAINED by the Council of the City Of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor is hereby authorized to enter into an agreement with Coventry Village Special Improvement District, Inc., to advance the amount of Forty Thousand Dollars (\$40,000) (the "Loan") to the SID.

SECTION 2. The Loan shall be zero percent (0%) interest, shall be unsecured except for the SID's obligation to repay from its special assessment collections, and shall be repaid in full as soon as feasible after the City receives the special assessment revenues from the County Treasurer anticipated to occur.

SECTION 3. The SID shall use the advanced funds solely for the purposes authorized in its public services plan, including but not limited to the ongoing services for which the SID was formed (e.g., maintenance, security, cleaning, marketing).

ORDINANCE NO. 256-2025(F)

SECTION 4. All assessment proceeds collected from the participating property owners within the Coventry SID shall be applied first to repay this Loan, consistent with the City's obligations and the expectations of the SID and its members.

SECTION 5. The City encourages the SID to align its budget and spending patterns to conform to the previously described County disbursement schedule to avoid future shortfalls.

SECTION 6. The City Finance Director shall establish a separate internal fund or account for the advanced funds, to clearly track the advance and repayment, ensuring transparency.

SECTION 7. The Loan Agreement shall contain such provisions as the Director of Law deems necessary or desirable to protect the best interests of the City

SECTION 8. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 9. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents once in a newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 10. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to provide immediate cash flow support to the Coventry SID and avoid disruption of its vital services, and shall take effect immediately upon passage provided it receives the affirmative vote of not less than five (5) members of this Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

ORDINANCE NO. 256-2025(F)

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Dear Mayor and Members of City Council,

I am writing on behalf of Coventry Village and Artful to request some city assistance for the upcoming Winter Wonder Festival and Lantern Parade. Our annual Holiday Fest takes place this year on Saturday, December 13, from 11 a.m. - 6 p.m. In past years, both the CVSID and Artful have self-financed this wonderful community event. Unfortunately, we find ourselves short this year, and believe this would be a great opportunity to partner with the City of Cleveland Heights. In the past, Future Heights has generously provided mini-grants to assist with both events; however, that program has been temporarily put on hold.

Event Highlights and History

The Holiday Festival has been happening on Coventry Road for as long as I can remember, in many shapes and forms. We have featured specials throughout the district at all retail stores and restaurants, photos with Santa, caroling and holiday storytelling, crafts, Coventry cash incentives, hot cocoa and treats, gingerbread house workshops, ice sculpting, and for the past 10 years, the Jingle Bell Shop at Grog Shop and B Side – a makers' market featuring over 40 local artisans. Five years ago, we collaborated with Artful to present the spectacular Lantern Parade curated by Robin VanLear of Parade the Circle and the Cleveland Museum of Art, as the finale to this festive community event. As part of this year's festivities, we will once again offer free lantern-making workshops for all ages in one of our vacant spaces and decorate for Santa's workshop photo opportunities.

Community Impact

This family-friendly day of shopping, music, and fun brings residents and attendees from outside of Cleveland Heights to Coventry Village. By introducing new faces to the district and garnering positive press pieces and promotions, the Winter Wonderland and Lantern Parade highlight our city in a complimentary light. We estimate that between 1500-2000 people have attended in years past, and we hope to push that number even higher with the City's support.

Financials

We humbly request \$3700 payable to Artful to offset the costs of the lantern parade, lantern-making workshops, supplies, Santa's Workshop, marketing, and promotions. Located below is the projected budget, based on the past few years. The CVSID will cover the remainder of the costs. We will need the street do be shut down for 90-120 minutes, similar to past years. We will reach out directly to Chief Britton and compensate the officers for their time if neccesary. Please let us kow what the next steps are for this process.

Breakdown of Costs

Performers	\$1000.00 – 10 people including stilt walkers, artists, and characters
Robin VanLear	\$400 – Lead organizer, artist
Jacqui Brown	\$300 - Lantern workshops leader and giant lantern at Pekar Park
Supplies	\$200 - Lantern-making raw materials
Santa Workshop -	\$750 – Design, set up, props, and photographer
Marketing -	\$650 – Banners, lawn signs, cards, posters, social media
Drummers -	\$400 – 30-minute performance in Pekar Park and following parade



Thank you for your consideration,

Kathy Blackman, CVSID Board VP

Matt Moore, CVSID Executive Director

Brady Dindia, Artful Board President

Proposed: 12/01/2025

RESOLUTION NO. 257-2025(COTW), *Second Reading*

By Council President Larson

A Resolution providing for a contribution to the 2025 Coventry Winter Festival and Lantern Parade, and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the 2025 Coventry Winter Festival and Lantern Parade will be held on December 13, from 11 am – 6 pm; and

WHEREAS, the Coventry Winter Festival and Lantern Parade has brought many families together to enjoy memorable activities, including a Lantern Parade, for many years, with annual attendance between 1500-2000 people; and

WHEREAS, this Council would like to support the event with a contribution of up to Three Thousand Seven Hundred Dollars (\$3,700.00) to cover various expenses including Performers, Lantern Workshops, a Santa Workshop and Drummers, to be paid to Artful Cleveland Inc., a 501 (c)(3), as a reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

Section 1: This Council hereby allocates the sum of up to Three-Thousand, Seven Hundred Dollars (\$3,700.00) and authorizes the contribution of such amount from City Council's 2025 budget to the organization Artful Cleveland Inc., a 501 (c)(3), as reimbursement for some costs of the Coventry Winter Festival and Lantern Parade, upon receipt of a written request for same and such reasonable evidence of expenses as the Director of Finance may require.

Section 2: Artful Cleveland Inc. will provide to the City within 30 days following the event, a report of the actual expenses incurred as well as a general summary of the event's successes and any concerns.

Section 3: It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4: Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

RESOLUTION NO. 257-2025(COTW)

Section 5: It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to make the contribution on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and become immediately effective upon its passage: otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. Larson
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Proposed: 12/01/2025

ORDINANCE NO. 258-2025(PD), *Second Reading*

By Mayor Cuda

An Ordinance authorizing the Mayor to execute a property transfer and indemnification agreement with RP Derbyshire LLC concerning the real property located at 2450 Derbyshire Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, RP Derbyshire LLC (the "Owner"), owner of the real property located at 2450 Derbyshire Road, Cleveland Heights, OH 44106 (the "Property") has requested that the City temporarily take ownership of the Property prior to transferring the same back to the Owner for the purpose of potentially pursuing a real property tax exemption pursuant to Section 5704.41 of the Ohio Revised Code, under which provision City ownership for some period of time is a prerequisite; and

WHEREAS, the City desires to undertake the aforementioned transactions, but only subject to a Transfer and Indemnification Agreement (the "Agreement") whereby the transactions are set forth in detail, all costs of the transactions are mandated to be the responsibility of the Owner, and the Owner shall agree to indemnify the City against any claims brought against the City concerning any environmental conditions of the Property, substantially in accordance with the Agreement attached hereto as Exhibit A; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to authorize the Mayor to execute the Agreement to facilitate the aforementioned transactions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor is hereby authorized to execute the Agreement and any and all other related documents, and take any other actions necessary, to facilitate the transfer of the Property from the Owner to the City and the subsequent transfer of the Property from the City back to the Owner. The Agreement shall be substantially in accordance with the form attached hereto as Exhibit A. The Agreement shall contain such further terms as recommended by the Mayor and Director of Law and shall be subject to approval as to form by the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

ORDINANCE NO. 258-2025(PD)

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City's website.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the transactions to occur prior to the end of calendar year 2025. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take immediate effect and be force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Exhibit A

See attached.

TRANSFER AND INDEMNITY AGREEMENT

This Transfer and Indemnity (the “Agreement”) is being entered into as of _____, 2025 by **RP DERBYSHIRE LLC**, an Ohio limited liability company (the “Developer”), in favor of **THE CITY OF CLEVELAND HEIGHTS, OHIO**, an Ohio municipal corporation (the “City”).

I. DEFINITIONS

The following terms, except where the context indicates otherwise, shall have the meanings in this Agreement set forth below:

(a) The term “Environmental Law” or “Environmental Laws” means any federal, state, local, municipal law, or other administrative order, constitution, law, ordinance, common law, regulation, or statute, that requires or relates to: (a) human health and safety and worker/occupational health and safety, (b) pollution or protection of the environment or natural resources or (c) the presence, use, manufacturing, production, generation, handling, transportation, treatment, recycling, storage, disposal, distribution, importing, labeling, testing, processing, discharge, release, threatened release, control or cleanup of any hazardous substance or harmful or deleterious substance, including, but not limited liability for remediation of a release of Hazardous Substances.

(b) The term “Hazardous Substances” means any material, substance or waste which is regulated by, or which is subject to liability or standards of conduct under, any Environmental and Safety Requirement, including any material, substance or waste which is defined or classified as a “hazardous material”, “hazardous substance”, “hazardous waste”, “solid waste”, “toxic waste”, “toxic substance”, “pollutant”, “contaminant” or words of similar import under any Environmental and Safety Requirements, and including petroleum or any fraction thereof, petroleum-derived products or byproducts, natural gas, natural gas liquids, radon, toxic mold, radioactive materials or wastes, asbestos or asbestos-containing materials, lead or lead-containing materials, polychlorinated biphenyls, noise, odors, urea formaldehyde, per- or polyfluoroalkyl substances, and 1,4-dioxane.

(c) The term “Property” shall mean all real property located at 2450 Derbyshire Road, Cleveland Heights, OH 44106, having the Cuyahoga County Parcel Number 68516040, as further described in the attached **Exhibit A** and includes all surface water, groundwater, land surface, subsurface strata, soils, sewers, buildings, foundations, piping, fill and other materials and improvements, on, in or under such real property.

(d) The terms “Storage,” “Treatment,” and “Disposal” shall have the same meanings as those terms are defined by the Resource Conservation and Recovery Act as amended 42 U.S.C. §6901 et seq. or regulations promulgated thereunder (collectively “RCRA”).

(e) The term “Release” shall mean the spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant).

II. TRANSFER OF THE PROPERTY

(a) On or before December 29, 2025, the Developer shall transfer the Property to the City, via quit-claim deed, for the consideration of \$10.00 and such other valuable consideration, the receipt and sufficiency of which is hereby recognized by the City and Developer.

(b) Immediately upon receipt of the Property, the City shall transfer the Property to the Developer, via quit-claim deed, for the consideration of \$10.00 and such other valuable consideration, the receipt and sufficiency of which is hereby recognized by the City and Developer.

(c) Kingdom Title Solutions of Akron, Ohio (the "Escrow Agent") shall serve as the escrow agent for the transfers set forth in Sections II(a) and (b), above. The quit-claim deeds and any other documents necessary to effectuate the aforementioned transfers of the Property shall be deposited by the City and Developer with the Escrow Agent.

(d) The Developer shall be responsible for all costs, fees and taxes related to the aforementioned transfers of the Property and shall deposit with the Escrow Agent all necessary funds to provide for payment of the same.

(e) For the avoidance of doubt, the City and Developer intend to undertake and complete the transfers set forth in Sections II(a) and (b) on the same calendar day, as close to immediately consecutive, or back-to-back, as practicable.

III. ENVIRONMENTAL INDEMNITY - RELEASE, HOLD HARMLESS, INDEMNITY

(a) The Developer hereby agrees to release, hold harmless, defend and indemnify the City from, for and against all actual or threatened claims, costs (including but not limited to the cost of investigation, removal, remediation and other cleanup of Hazardous Substances, and reasonable fees of attorneys and other professionals, experts and consultants retained by the City) demands, orders, losses, lawsuits, liabilities, damages (including without limitation all consequential damages) and expenses whether brought by the Developer, a governmental authority or any other third party (all the foregoing hereinafter collectively referred to as "Losses") arising from or related to any of the following:

(i) The past, present or future Release, threatened Release, Storage, Treatment, accumulation, generation, utilization, Disposal, transportation or other handling or migration of any Hazardous Substance on, in, onto, or from the Property.

(ii) The violation or alleged violation of Environmental Laws occurring on or related to the Property.

(iii) Any action taken by the City in accordance with this Agreement to eliminate, prevent, or mitigate the potential adverse impact on the Property or the City as a result of or in anticipation of any actual, suspected or threatened violation of Environmental Laws or Release or threatened Release of a Hazardous Substance on, in or from or otherwise affecting the Property.

(iv) The costs of any required or necessary repair, investigation, monitoring, cleanup, or detoxification of the Property and the preparation and implementation of any closure, remedial, or other required plans.

Clauses III(a)(i), III(a)(ii), III(a)(iii) and III(a)(iv) above are hereinafter referred to collectively as “Environmental Matters.”

(b) The Developer hereby agrees that the City shall be reimbursed directly by the Developer and all of its legally available assets and revenues, and if a sale of all or part of the Property occurs, from the Property or proceeds thereof for any Losses suffered or sustained by the City as a result of Environmental Matters, until such time as the City have been reimbursed in full.

IV. ENVIRONMENTAL INDEMNITY-COVENANTS REGARDING ENVIRONMENTAL COMPLIANCE

(a) The Developer hereby separately and independently covenants that it has not used, generated, manufactured, produced, Stored, Released, discharged, or Disposed of on, under or about the Property, or transported to or from the Property, any Hazardous Substance or allowed any other person or entity to do so except in Minor Amounts under conditions permitted by and in compliance with applicable laws, including Environmental Laws. “Minor Amounts” shall mean those amounts reasonably necessary in connection with the construction, maintenance, repair, and operation of the Property.

(b) At all times pertinent to this Agreement, the Developer shall independently keep and maintain the Property in compliance with, and shall not cause or permit such Property to be in violation of, any Environmental Laws.

(c) The Developer shall give prompt written notice to the City of the following to the extent that the following apply to such Developer:

(i) any proceeding or inquiry by any governmental authority with respect to the presence of any Hazardous Substance on the Property relating to the Developer or the migration thereof from or to other property:

(ii) all claims made or threatened by any third party against the Developer or associated with the Property, which claim relating to any loss or injury resulting from any Hazardous Substance; and

(iii) the discovery by the Developer of any occurrence or condition on any real property adjoining or in the vicinity of the Property that could have an adverse environmental impact on such Property or cause such Property or any part thereof to be subject to any restrictions on the ownership, occupancy, transferability or use of such Property under any Environmental Law.

(d) The City shall have the right to join and participate in, as a party if it so elects, any legal proceedings or actions initiated with respect to the Property in connection with any Environmental Law and have its reasonable attorneys’ fees in connection therewith paid by the

Developer.

(e) Subject to Section II(b) and II(d), in the event that any investigation, site monitoring, containment, cleanup, removal, restoration, or other remedial work of any kind or nature (the "Remedial Work") is required under Environmental Laws, judicial order, or by any governmental or nongovernmental entity or person because of, or in connection with, the presence, suspected presence, Release or suspected Release of a Hazardous Substance in or into the air, soil, ground water, surface water or soil vapor, about, under or within the Property (or any portion thereof), the Developer shall within thirty (30) days after written notice of demand for performance thereof by the City (or such shorter period of time as may be required under any applicable law, regulation, order or agreement, or to protect human health and the environment), commence and thereafter diligently prosecute to completion, all such Remedial Work. In the event the Developer shall fail to timely commence, or cause to be commenced, or fail to diligently prosecute to completion, such Remedial Work, City may, but shall not be required to, cause such Remedial Work to be performed and all costs and expenses thereof, or incurred in connection therewith, shall be reimbursed to the City.

V. GENERAL INDEMNITY

(a) To the extent provided by applicable Law, the Developer shall indemnify, protect, hold harmless, save and keep harmless the City (other than for actions or omissions resulting from the willful misconduct of the City) from and against any and all liabilities, obligations, losses, claims and damages whatsoever, regardless of cause thereof, and expenses in connection therewith, including, without limitation, counsel fees and expenses, penalties and interest arising out of or as the City's ownership of the Property, The indemnification by the Developer hereunder shall include any indemnification for any federal, State or local taxes which may be incurred by City as a result of the consummation of the transactions contemplated by the Development Agreement, unless otherwise agreed in writing.

(b) To the extent provided by applicable law, the Developer (i) releases the City from, (ii) covenants and agrees that City will not be liable for, and (iii) covenants and agrees to indemnify the City for and to hold the City harmless against all liabilities, claims, costs, losses and expenses (including without limitation, to the extent permitted by law, reasonable attorneys' fees and expenses), joint or several, imposed upon or asserted against the City on account of:

(i) any injury to, death of or loss by any Person, or loss of or damage to property, that may be occasioned by any cause whatsoever pertaining to the Property, or any part thereof, or occurring otherwise on or about such Property, or any part thereof, or the adjoining sidewalks, curbs, vaults and vault space, if any;

(ii) any use, nonuse or condition of the Property, or any part thereof, or the adjoining sidewalks, curbs, vaults and vault space, if any;

(iii) any breach or Event of Default on the part of the Developer in the observance or performance of any covenant, agreement or obligation of the Developer under or arising from the transaction contemplated by the Development Agreement or any act or failure to act by the Developer or any of its agents, contractors, servants, employees

or licensees;

(iv) ownership of any interest in the Property, or any part thereof;

(v) the performance of any labor or services or the furnishing of any materials or other property in respect of the Property, or any part thereof;

(vi) any action, claim or proceeding brought in connection with any of the foregoing; and

(vii) to the extent of the aggregate amount paid in settlement of any action, claim or proceeding commenced or threatened based upon any of the foregoing, if the settlement is effected with the written consent of the Developer (which consent shall not be withheld unreasonably);

(viii) and will reimburse any legal or other expenses incurred reasonably by the City in connection with investigating or defending any liability, claim, cost, loss, expense, action or proceeding described above.

(c) The Developer covenants and agrees further (a) to assume the cost of, and to indemnify the City and to hold them harmless against, all liabilities, claims, costs, losses and expenses, to which the City may become subject under law, and (b) to reimburse the City for any out-of-pocket, legal and other expenses (including without limitation, to the extent permitted by law, reasonable attorneys' fees) incurred by the City in connection therewith with investigating any of those liabilities, claims, costs, losses or expenses, or with defending against any actions, claims or proceedings, except in each case to the extent related to solely information furnished by the respective City which was not provided by or in the name or on behalf of the Developer.

(d) At the request and the expense of the Developer, the City shall cooperate in making any investigation and defense of any action, claim or proceeding and shall assert appropriately the rights, privileges and defenses which are liable to City, but solely at the expense of the Developer.

(e) In case any action, claim or proceeding is brought or asserted against the City with respect to which indemnification may be sought under this Section, the City (as applicable) shall give written notice thereof promptly to the Developer and the Developer shall have the obligation and the right, upon receipt of that notice, to assume the defense of the action or proceeding with legal counsel reasonably acceptable to the City (as applicable). No failure of the City to give, and no delay in giving, that notice shall relieve the Developer to any extent from any of its covenants, agreements, or obligations under this Section, unless that failure or delay materially prejudices the defense by the Developer of the action, claim or proceeding, and only to the extent of the prejudice. The failure to give that notice shall not relieve the Developer from any obligation which it may have to the City otherwise than under this Section. If the Developer shall not actively and diligently pursue such defense, or if the counsel so selected and approved shall be unable by reason of any conflict of interest or other reason, including without limitation, the availability of defenses for one party that are not available to other parties, to represent the interests of the City, the City (as applicable) shall have the right to engage separate legal counsel

as may be necessary and separately participate in the defense of any such matter at the reasonable cost and expense of the Developer. Without limiting the obligations of the Developer as set forth in the preceding sentence, the City may employ separate legal counsel at their own expense and participate in the defense.

(f) The release and indemnification pursuant to this Section are intended to and shall include the release and indemnification of all affected officials, contractors, directors, officers, and employees of the City, to the same extent and subject to the same terms as are the release and indemnification of the City, respectively. The release and indemnification are intended to and shall be enforceable by each indemnified person to the full extent permitted by law. All amounts payable under this Section, together with interest thereon from the date of any payment of any amount by the indemnified person, shall be paid by the Developer on demand by the indemnified person. In any action brought to collect those amounts, the indemnified person shall be entitled to the recovery of the amounts, except as limited by law or judicial order or decision.

The independent covenants, agreements, and obligations of the Developer under this Section shall survive the termination of the Development Agreement.

VI. BINDING ON SUCCESSORS

The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereunder.

VII. NOTICES

All notices, certificates, requests, demands and other communications hereunder shall be in writing and may be personally served or sent by telefax or certified or registered mail. All such notices, certificates, requests, demands and other communications shall be delivered to the party to receive the same at the addresses indicated below (or at such other address(es) as a party may specify in a written notice):

To the City: City of Cleveland Heights, Ohio
 40 Severance Circle
 Cleveland Heights, OH 44118
 Attention: Mayor

With a copy to: City of Cleveland Heights, Ohio
 40 Severance Circle
 Cleveland Heights, OH 44118
 Attention: Law Director

To: RP Derbyshire LLC

Attention: _____

With a copy to: _____

Attention: _____

VIII. ACKNOWLEDGEMENT

The Developer hereby acknowledges that the City has not created, caused or contributed to the presence, Release or threatened Release of Hazardous Substances on, in or from the Property and further that the City shall not function as an owner or operator of such Property. The Developer further acknowledges that the release, hold harmless, and indemnity as provided to the City herein, are being provided in exchange for good and valuable consideration.

IX. APPLICABLE LAW

This Agreement shall be interpreted pursuant to the laws of the State of Ohio. If any provisions contained herein are ultimately declared or held by a court of law to be in violation of law, the remaining provisions herein not so declared or held shall remain in full force and effect.

X. COUNTERPARTS

This Agreement may be executed in multiple copies counterparts, which, when taken together, shall constitute a completely executed document.

[Remainder of page intentionally left blank; signature pages follow]

IN WITNESS WHEREOF, the parties have executed this instrument on the dates of their respective acknowledgments but as of the date first written hereinabove.

DEVELOPER:

RP DERBYSHIRE LLC

By: _____
Its: _____

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by _____, _____ of **RP DERBYSHIRE, LLC**, an Ohio limited liability company, on behalf of the limited liability company.

Notary Public

CITY:

CITY OF CLEVELAND HEIGHTS, OHIO

By: Tony Cuda
Its: Mayor

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Tony Cuda, the Mayor of the **CITY OF CLEVELAND HEIGHTS, OHIO**, an Ohio municipal corporation, on behalf of the City

Notary Public

EXHIBIT A
[PROPERTY- LEGAL DESCRIPTION]

Proposed: 12/01/2025

ORDINANCE NO. 259-2025(PD), *Second Reading*

By Mayor Cuda

An Ordinance amending Ordinance 12-2020, passed on February 18, 2020, to extend the term of that certain Tax Increment Financing exemption under Ordinance 12-2020 for an additional thirty years, pursuant to Ohio Revised Code Section 5709.51; and authorizing additional instruments, agreements, certificates, and other documents deemed necessary in connection therewith; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance 12-2020, passed by this Council on February 18, 2020, pursuant to Ohio Revised Code ("ORC") Section 5709.41 (the "Top of the Hill TIF Ordinance"), declared Improvements (as defined in the Top of the Hill TIF Ordinance) to certain parcels of real property that are part of the Top of the Hill development, as identified and described in Exhibit A to the Top of the Hill TIF Ordinance and subsequently consolidated into Cuyahoga County Fiscal Office Parcel Number 685-18-042 (as such real property exists from time to time, the "TIF Development Parcels") to be a public purpose, required payment of service payments in lieu of real property taxes (as further described and defined therein, the "Service Payments") and minimum service payment obligations imposed from time to time pursuant to the Top of the Hill TIF Ordinance, the Development Agreement (as defined in the Top of the Hill TIF Ordinance) and agreements pertaining to the payment of costs of constructing and financing the Development (as defined in the Top of the Hill TIF Ordinance), all to be paid by the owners from time to time of the TIF Development Parcels (collectively, exclusive of the City, the "Owners") as a covenant running with and constituting a lien on the land pursuant to ORC Section 5709.91; and

WHEREAS, pursuant to ORC Section 5709.51 this Council may amend the Top of the Hill TIF Ordinance to extend, for up to 30 additional years, the period of exemption from taxation of the Improvements to the TIF Development Parcels granted pursuant to the Top of the Hill TIF Ordinance (the "TIF Exemption") if certain conditions are met; and

WHEREAS, the City desires to extend the period of exemption from taxation of the Improvements to the TIF Development Parcels granted pursuant to the Top of the Hill TIF Ordinance pursuant to ORC Section 5709.51 for the purposes set forth in the Top of the Hill TIF Ordinance and in Section 3, below, for the welfare and benefit of the citizens of the City; and

WHEREAS, notice has been provided to the Board of Education of the Cleveland Heights-University Heights City School District (the "School District") of the City's intent to pass this Ordinance and extend the TIF Exemption for an additional 30 years, provided, however, that ORC Section 5709.51 provides that during such additional 30 years, the City shall pay to the School District, from the Service Payments, an amount equal in value

to the amount of taxes that would be payable to the School District if the Improvements had not been exempted from taxation for the additional 30 years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. As required by ORC Section 5709.51, this Council finds and determines that Service Payments made by Owners of the TIF Development Parcels pursuant to the Top of the Hill TIF Ordinance exceeded one million five hundred thousand dollars (\$1,500,000) in calendar year 2024.

SECTION 2. The Top of the Hill TIF Ordinance is hereby amended to extend the exemption from taxation of Improvements to the TIF Development Parcels for a period of thirty (30) years from the end of the TIF Exemption as determined pursuant to the Top of the Hill TIF Ordinance (the "Extension Period").

SECTION 3. The Top of the Hill TIF Ordinance is hereby further amended to provide that, during the Extension Period, the net Service Payments, after the compensation to the School District provided for in Section 4, below, shall be used exclusively for:

- (i) Payment or reimbursement of all costs associated with the construction of the Development, including costs incurred by the City or other governmental entity, and including debt service and related costs or obligations or loans issued by the City, the State of Ohio or other governmental entity;
- (ii) Construction, operation and maintenance of public improvements and publicly-owned facilities directly benefiting and/or on the Parcels, including, but not limited to, streets, storm and sanitary sewers, water treatment facilities and water transmission lines, sidewalks, curbs, street trees and furniture, transitway improvements, off-street parking facilities, street lighting and signalization, pedestrian walkways, and public parks and plazas, whether owned by the City or other governmental entity by agreement with the City, and associated land acquisition and demolition, planning and engineering costs;
- (iii) Land and building acquisition, demolition, site preparation, and relocation expenses related to the Development;
- (iv) Any other expenditures made with respect to the Parcels in accordance with the Development Agreement or other agreements entered into in connection with development of the Parcels provided such expenditures are otherwise permitted by law; and
- (v) Any other expenditures made for any lawful economic development purpose, including but not limited to, public infrastructure improvements, site preparation, development of economic and development opportunities, and other costs that promote job creation, private investment, and community redevelopment within the City.

SECTION 4. Pursuant to ORC 5709.51(A)(3), during the Extension Period, the School District shall receive compensation, but only from Service Payments, if any, received by the City, equal in value to the amount of taxes that would be payable to the School District if the Improvements to the TIF Development Parcels had not been exempted from taxation for the Extension Period.

SECTION 5. This Council hereby authorizes the execution and delivery by the Mayor, on behalf of City, of such agreements and other documents as may be necessary and appropriate to provide for the purposes of this Ordinance. This Council further authorizes the execution and delivery by the Mayor, on behalf of the City, of the necessary DTE24 form to the Cuyahoga County Fiscal Officer.

SECTION 6. Pursuant to ORC Section 5709.51, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage.

SECTION 7. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 8. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City's website.

SECTION 9. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the timely adoption of this Ordinance within the timeframe established by ORC Section 5709.51. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take immediate effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor



Date: November 3, 2025

To: City Council

From: Eric Zamft, Director of Planning, Neighborhoods & Development

Subject: Legislation related to rezoning Severance Town Center:

- *Zoning Text Amendments* – An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone (SOZ)
- *Zoning Map Change* – An Ordinance amending the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road

Purpose Statement:

Background

Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City. The current Master Developer of Severance Town Center, MPACT Collective (“MPACT” or the “Applicant”), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement. The vision for Severance Town Center is encapsulated in the Recommended Action Plan (RAP), prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood. The City has created a project webpage as a central repository: <https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>; MPACT has done that as well: <https://www.severanceclevelandheights.com/about>

Local ordinances are “living and breathing” documents that can be amended from time-to-time in order to keep up with changes in the social and economic environments. The City has followed this practice by constantly and consistently reviewing its Codified Ordinances and – when appropriate and necessary – making changes to those Ordinances. This is particularly the case with Part Eleven – Zoning Code. Beyond that internal review, it is important to hear from and receive petitions for zoning changes from the private sector in order to ensure that the City’s Zoning Code can facilitate

development, redevelopment, and investment within the City. To that end, MPACT, working collaboratively with City staff and the community, has identified that in order to effectuate and incentivize the shared vision for Severance Town Center, new zoning is necessary. MPACT has supplied a memorandum on how zoning reform can impact development potential, which is included as part of this agenda item. In addition, a summary of the stakeholder and community engagement is included in this agenda item. This will be updated.

Zoning text amendments and zoning map changes must follow the procedures put forth in Chapter 1119, including, but not limited to Council referral to the Planning Commission, Planning Commission review and recommendation, and Council public hearing. The full process will be discussed below. Pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, zoning text amendments may be introduced by Council upon its own initiative, upon recommendation by the Planning Commission, or by petition. A petition to amend the Zoning Code and the Zoning Map was received by MPACT on October 28, 2025 and is included as part of this agenda item. That new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”. This agenda item starts the formal zoning text amendment/zoning map change process.

What is Form-Based Zoning and Why Should the City Consider it?

Form-based zoning represents a change in the way that the built environment is regulated. This shift is necessary because the traditional, “Euclidean” zoning is focused on the use of land. This traditional approach to zoning has been shown to be ineffective for regulating diverse, walkable, mixed-use environments like we have or desire in Cleveland Heights, particularly Severance Town Center.

Form-based zoning fosters predictable built results and a high-quality public realm. Unlike traditional zoning, form-based zoning use the intended form and character of a place as the organizing principle, or framework, of the code, rather than focusing predominantly on use. This is done through the regulation of a series of important form elements to create high-quality spaces, such as: streets and frontages; civic spaces; Build-to-Lines; height, street walls and stepbacks; yards; active edges and edging elements; architectural design standards.

It is also important to note that while form-based zoning emphasizes an intended physical form and character of a place, it also regulates use. Form-based zoning often allows a range of uses that are carefully chosen to maximize compatibility between uses and the intended physical form of the area.

As part of the review and approval process, City staff will provide further education on form-based zoning. The following video does a nice job of providing an introduction to form-based codes: <https://www.youtube.com/watch?v=644gz7maHdM>

Description of the Legislation

Two (2) pieces of legislation are necessary:

- 1) An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone (SOZ) (along with the proposed zoning text amendments as Exhibit A)
- 2) An Ordinance amending the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road (along with a) the proposed zoning map changes as Exhibit A and the affected parcels as Exhibit B)

Zoning issues can be complicated (and sometimes contentious). The ordinances are long and technical. In order to assist both Council and the public, a summary of the proposed changes is included in this agenda item.

Process for Zoning Text Amendments/Zoning Map Changes

Chapter 1119 of the Zoning Code provides the regulations and process for amending the Zoning Code. What follows is a summary of the process.

1. Introduction of amending ordinance to Council (Section 1119.02) – ***Subject of this agenda item***
2. Referral to Planning Commission for consideration and recommendation. The Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days for its consideration and recommendations (Section 1119.03) – ***Subject of this agenda item***
3. Planning Commission consideration and recommendation at regularly-scheduled meeting or special meeting or workshop – all open to the public to watch (Section 1119.04)
4. [Not required by Code] Joint meeting of the Committee of the Whole/Planning & Development Committee of Council.
5. Public hearing by Council, including appropriate noticing (Section 1119.05).
6. Action by Council. After the public hearing Council shall either adopt or deny the recommendation of the Planning Commission (Section 1119.06).

An anticipated timeline of the review and approval process, including public comment opportunities is included as part of this agenda item.

Where to Find More Information

All of this information has been posted to the project webpage (<https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>). This webpage will be updated as the legislation proceeds.

Summary of Agenda Item Contents (will be updated as legislation proceeds)

- Agenda Cover Memorandum
- MPACT petition for Zoning Text Amendment and Zoning Map Change
- Zoning Text Amendment Ordinance, including exhibit with detailed proposed changes
- Zoning Map Change Ordinance, including exhibits identifying properties
- Summary of Ordinances
- MPACT Zoning Reform memorandum
- Summary of stakeholder and community engagement
- Zoning Text/Map Change Process and Anticipated Timeline

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: _____ No: X

If yes, why?

Is passage on first reading necessary: Yes: _____ No: X

If yes, why?

If funding is required, is it already budgeted for? Yes: NA No: NA

If not already budgeted for, where will funding come from?

Proposed: 11/3/2025

ORDINANCE NO. 226-2025(PD), *Third Reading*

By Mayor Cuda

An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance introduce amendments to the Zoning Code; and

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, such amending Ordinance may be introduced upon petition; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such amendments by Council, they shall be transmitted to the Planning Commission for its consideration and recommendations; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the Planning Commission may recommend to Council that the amendments be approved as submitted to the Planning Commission, or that they be modified, or that they be denied; and

WHEREAS, Council must hold a public hearing on proposed amendments to the Zoning Code; and

WHEREAS, Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City; and

WHEREAS, the current Master Developer of Severance Town Center, MPACT Collective ("MPACT" or the "Applicant"), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement; and

WHEREAS, the vision for Severance Town Center is encapsulated in the Recommended Action Plan, prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood; and

WHEREAS, in order to effectuate and incentivize that vision, new zoning is necessary; and

ORDINANCE NO. 226-2025(PD)

WHEREAS, that new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”; and

WHEREAS, a petition to amend the Zoning Code was received from MPACT on October 28, 2025; and

WHEREAS, on November 3, 2025, Council introduced this Ordinance to amend certain sections of Park Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights, transmitted the same to the Planning Commission for 30 days pursuant to Cleveland Heights Codified Ordinances Chapter 1119.03, and set the date, time, and location for a public hearing to be held December 15, 2025 at 5:00 PM in Council Chambers; and

WHEREAS, Planning Commission held public hearings and discussed this Ordinance at its November 12, 2025 and December 10, 2025 meetings; and

WHEREAS, at the conclusion of its November 12, 2025 meeting, the Planning Commission recommended that the proposed zoning amendments be adopted by Council; and

WHEREAS, this Council held a public hearing concerning this Ordinance and the Planning Commission’s recommendation on December 15, 2025; and

WHEREAS, this Council has determined to adopt the Planning Commission’s recommendation as set forth herein.

BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. The amendments to Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights set forth in Exhibits A and B attached hereto and incorporated herein by reference, with the language of the new provisions underlined and the provisions to be deleted struck out or otherwise noted, shall be and are hereby adopted.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:
Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

In order to keep the Council Packet for December 1, 2025 condensed, please use the following link to find all documentation relating to the ORD 226-2025 – Severance Overlay Zoning Text Amendments and ORD 227-2025 – Severance Overlay Zoning Map Amendments.

<https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>

Proposed: 11/3/2025

ORDINANCE NO. 227-2025(PD), *Third Reading*

By Mayor Cuda

An Ordinance changing the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance introduce changes to the Zoning Map of the City of Cleveland Heights; and

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, such amending Ordinance may be introduced upon petition; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such zoning map changes by Council, they shall be transmitted to the Planning Commission for its consideration and recommendations; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the Planning Commission may recommend to Council that the zoning map changes be approved as submitted to the Planning Commission, or that they be modified, or that they be denied; and

WHEREAS, Council must hold a public hearing on proposed zoning map changes; and

WHEREAS, Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City; and

WHEREAS, the current Master Developer of Severance Town Center, MPACT Collective ("MPACT" or the "Applicant"), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement; and

WHEREAS, the vision for Severance Town Center is encapsulated in the Recommended Action Plan, prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood; and

WHEREAS, in order to effectuate and incentivize that vision, new zoning is necessary; and

ORDINANCE NO. 227-2025(PD)

WHEREAS, that new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”; and

WHEREAS, on November 3, 2025, Council introduced this Ordinance to change the Zoning Map of the City of Cleveland Heights, transmitted the same to the Planning Commission for 30 days pursuant to Cleveland Heights Codified Ordinance Chapter 1119.03, and set the date, time, and location for a public hearing to be held December 15, 2025 at 5:00 PM in Council Chambers; and

WHEREAS, Planning Commission held a public hearing and discussed this Ordinance at its November 12, 2025 and December 10, 2025 meetings; and

WHEREAS, at the conclusion of its November 12, 2025 meeting, the Planning Commission recommended that the proposed zoning map changes be adopted by Council; and

WHEREAS, this Council held a public hearing concerning this Ordinance and the Planning Commission’s recommendation on December 15, 2025; and

WHEREAS, this Council has determined to adopt the Planning Commission’s recommendation as set forth herein.

BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. The changes to the Zoning Map of the City of Cleveland Heights set forth in Exhibits A and B attached hereto and incorporated herein by reference, shall be and are hereby adopted.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

GAIL L. LARSON
President of Council

ORDINANCE NO. 227-2025(PD)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

In order to keep the Council Packet for December 1, 2025 condensed, please use the following link to find all documentation relating to the ORD 226-2025 – Severance Overlay Zoning Text Amendments and ORD 227-2025 – Severance Overlay Zoning Map Amendments.

<https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>

Memo

To: Mayor Tony Cuda
From: Andy Unetic
Date: December 11, 2025
Re: 2026 Budget Amendment

The Administration is requesting the following amendments to be made to the 2026 Budget:

1. An additional employee to the Law Department (Asst. Prosecutor).
 - a. This will increase Personal Services category in the Law Department in the General Fund by \$154,000.
 - b. This will be funded through the unencumbered General Fund Balance.
2. An additional \$230,000 in Fund 244, NOPEC Fund.
 - a. This will have a net effect of \$0 because the City is receiving \$230,000 from NOPEC for energy efficiency projects.
 - b. Funded through a NOPEC grant.
3. An additional \$1.5 million in Fund 260, Top-Of-Hill TIF Fund.
 - a. This will have a net effect of \$0 because the City is receiving \$1.5 million in TIF proceeds in this Fund.
 - b. Funded through the TIF Fund, the City acts as a pass through for this debt payment.
4. An additional \$1.1 million to fund the Transfer Station for the Department of Public Works, out of Fund 416, Refuse Capital Fund.
 - a. This project was previously funded by Council but not encumbered.
 - b. This project will be funded by the following funding sources:
 - i. The DPW will redirect some 2026 Capital Equipment requests of a Blower, a new SUV, and a front loader, for a total cost of \$117,500. (These projects were being funded in Funds 402 & 416.)
 - ii. There were an additional \$100,000 in revenues that Fund 416, Refuse Capital Fund, received that were not expected.
 - iii. The remaining balance will be funded through the 2025 transfers out from the General Fund.

Council is requesting the following amendments to be made to the 2026 Budget:

5. An additional \$150,000 to fund Council's Youth Recreation Program.
 - a. This will increase the O.T.P.S. in the Community Relations Department in the General Fund.

- b. This will be funded through the unencumbered General Fund balance.
- 6. An additional \$100,000 to fund the arts assessments in the Noble and Taylor Business Districts.
 - a. This will increase the O.T.P.S. in the Planning Department in the General Fund.
 - b. This will be funded through the unencumbered General Fund Balance.
- 7. An additional \$1.5 million to pave the roads in 2026.
 - a. This will increase the Capital category in the Street Construction, Maintenance & Repair Fund (Fund 201).
 - b. This will be funded through the 2025 transfers out from the General Fund.

Proposed: 11/17/2025

ORDINANCE NO. 241-2025(F), *Third Reading*

By Mayor Cuda

An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2026 through December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

BE IT ORDAINED by the Council of the City of Cleveland Heights that:

SECTION 1. To provide for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, during the fiscal year ending December 31, 2026 the following sums in Exhibit 1 be and they are hereby appropriated.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2026, shall be made within the appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the City's Chief Executive, the Mayor, is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City of Cleveland Heights website.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

ORDINANCE NO. 241-2025(F)

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

Expenditures	(All)				
Fund	Account Code & Category	Account Classification	2026 Original	Adjustments	2026 Amended Budget
101 - General	1101 - City Council	Personal Services	\$229,421.00		\$229,421.00
		O.T.P.S.	\$152,300.00		\$152,300.00
	1101 - City Council Total		\$381,721.00	\$0.00	\$381,721.00
2101 - Mayor		Personal Services	\$681,399.00		\$681,399.00
		O.T.P.S.	\$204,250.00		\$204,250.00
	2101 - Mayor Total		\$885,649.00	\$0.00	\$885,649.00
2106 - Civil Service Commission		Personal Services	\$2,680.00		\$2,680.00
		O.T.P.S.	\$37,000.00		\$37,000.00
	2106 - Civil Service Commission Total		\$39,680.00	\$0.00	\$39,680.00
2107 - Landmark Commission		O.T.P.S.	\$34,465.00		\$34,465.00
	2107 - Landmark Commission Total		\$34,465.00	\$0.00	\$34,465.00
2108 - General Operations		Personal Services	\$572,940.00		\$572,940.00
		O.T.P.S.	\$1,770,700.00		\$1,770,700.00
	2108 - General Operations Total		\$2,343,640.00	\$0.00	\$2,343,640.00
2201 - Information Technology		Personal Services	\$554,888.00		\$554,888.00
		O.T.P.S.	\$381,194.00		\$381,194.00
		Capital	\$106,433.00		\$106,433.00
	2201 - Information Technology Total		\$1,042,515.00	\$0.00	\$1,042,515.00
2501 - Community Relations		Personal Services	\$686,294.00		\$686,294.00
		O.T.P.S.	\$172,093.00	\$150,000.00	\$322,093.00
	2501 - Community Relations Total		\$858,387.00	\$150,000.00	\$1,008,387.00
3101 - Finance		Personal Services	\$970,843.00		\$970,843.00
		O.T.P.S.	\$346,560.00		\$346,560.00
	3101 - Finance Total		\$1,317,403.00	\$0.00	\$1,317,403.00
3103 - County Auditors Deduction		O.T.P.S.	\$250,000.00		\$250,000.00
	3103 - County Auditors Deduction Total		\$250,000.00	\$0.00	\$250,000.00
3201 - Income Tax		O.T.P.S.	\$1,176,750.00		\$1,176,750.00
	3201 - Income Tax Total		\$1,176,750.00	\$0.00	\$1,176,750.00
3301 - Human Resources		Personal Services	\$401,055.00		\$401,055.00
		O.T.P.S.	\$103,500.00		\$103,500.00
	3301 - Human Resources Total		\$504,555.00	\$0.00	\$504,555.00
4101 - Law		Personal Services	\$1,118,337.00	\$154,000.00	\$1,272,337.00
		O.T.P.S.	\$566,550.00		\$566,550.00
		Capital	\$15,000.00		\$15,000.00
	4101 - Law Total		\$1,699,887.00	\$154,000.00	\$1,853,887.00
5101 - Planning		Personal Services	\$2,814,116.00		\$2,814,116.00
		O.T.P.S.	\$488,910.00	\$100,000.00	\$588,910.00
		Capital	\$21,000.00		\$21,000.00
	5101 - Planning Total		\$3,324,026.00	\$100,000.00	\$3,424,026.00
5102 - Planning Commission		Personal Services	\$7,870.00		\$7,870.00
		O.T.P.S.	\$200.00		\$200.00
		Capital	\$5,350.00		\$5,350.00
		Non-Government	\$100.00		\$100.00
	5102 - Planning Commission Total		\$13,520.00	\$0.00	\$13,520.00
5103 - Board Of Zoning Appeals		Personal Services	\$5,475.00		\$5,475.00
		O.T.P.S.	\$5,600.00		\$5,600.00
		Non-Government	\$350.00		\$350.00
	5103 - Board Of Zoning Appeals Total		\$11,425.00	\$0.00	\$11,425.00
5104 - SID (Spec Impr District)		O.T.P.S.	\$524,262.00		\$524,262.00
	5104 - SID (Spec Impr District) Total		\$524,262.00	\$0.00	\$524,262.00
5106 - Architect Bd of Review		Personal Services	\$5,985.00		\$5,985.00
		O.T.P.S.	\$5,750.00		\$5,750.00
		Non-Government	\$750.00		\$750.00
	5106 - Architect Bd of Review Total		\$12,485.00	\$0.00	\$12,485.00
5303 - CDBG Housing Pres Office		O.T.P.S.	\$900,000.00		\$900,000.00
	5303 - CDBG Housing Pres Office Total		\$900,000.00	\$0.00	\$900,000.00
5602 - SBA Performance Grants		O.T.P.S.	\$150,000.00		\$150,000.00
	5602 - SBA Performance Grants Total		\$150,000.00	\$0.00	\$150,000.00
6201 - Service Admin		Personal Services	\$546,512.00		\$546,512.00
		O.T.P.S.	\$15,085.00		\$15,085.00
		Capital	\$11,200.00		\$11,200.00
	6201 - Service Admin Total		\$572,797.00	\$0.00	\$572,797.00
6202 - Capital Projects Admin		O.T.P.S.	\$50,000.00		\$50,000.00
	6202 - Capital Projects Admin Total		\$50,000.00	\$0.00	\$50,000.00
6207 - Vehicle Maintenance		Personal Services	\$1,426,723.00		\$1,426,723.00
		O.T.P.S.	\$1,497,690.00		\$1,497,690.00
		Capital	\$32,000.00		\$32,000.00
	6207 - Vehicle Maintenance Total		\$2,956,413.00	\$0.00	\$2,956,413.00
6208 - Street Maintenance		Personal Services	\$1,933,887.00		\$1,933,887.00

Expenditures

(All)

Fund	Account Code & Category	Account Classification	2026 Original	Adjustments	2026
					Amended Budget
		O.T.P.S.	\$713,975.00		\$713,975.00
		Capital	\$21,500.00		\$21,500.00
	6208 - Street Maintenance Total		\$2,669,362.00	\$0.00	\$2,669,362.00
	6211 - Traffic Signs & Signals	Personal Services	\$77,700.00		\$77,700.00
		O.T.P.S.	\$233,225.00		\$233,225.00
	6211 - Traffic Signs & Signals Total		\$310,925.00	\$0.00	\$310,925.00
	6225 - DPW Public Property	Personal Services	\$852,500.00		\$852,500.00
		O.T.P.S.	\$1,296,000.00		\$1,296,000.00
	6225 - DPW Public Property Total		\$2,148,500.00	\$0.00	\$2,148,500.00
	7201 - Police Admin	Personal Services	\$14,388,162.00		\$14,388,162.00
		O.T.P.S.	\$733,441.00		\$733,441.00
	7201 - Police Admin Total		\$15,121,603.00	\$0.00	\$15,121,603.00
	7202 - Police Academy	Personal Services	\$221,500.00		\$221,500.00
		O.T.P.S.	\$84,000.00		\$84,000.00
	7202 - Police Academy Total		\$305,500.00	\$0.00	\$305,500.00
	7301 - Fire Admin	Personal Services	\$12,668,564.00		\$12,668,564.00
		O.T.P.S.	\$507,995.00		\$507,995.00
	7301 - Fire Admin Total		\$13,176,559.00	\$0.00	\$13,176,559.00
	7302 - Joint Dispatch Office	O.T.P.S.	\$1,194,309.00		\$1,194,309.00
	7302 - Joint Dispatch Office Total		\$1,194,309.00	\$0.00	\$1,194,309.00
	7303 - Fire Prevention	Personal Services	\$262,269.00		\$262,269.00
		O.T.P.S.	\$26,451.00		\$26,451.00
		Capital	\$3,000.00		\$3,000.00
	7303 - Fire Prevention Total		\$291,720.00	\$0.00	\$291,720.00
	7401 - Building Services	O.T.P.S.	\$154,300.00		\$154,300.00
		Non-Government	\$5,000.00		\$5,000.00
	7401 - Building Services Total		\$159,300.00	\$0.00	\$159,300.00
	7402 - Housing Inspections	Personal Services	\$3,215.00		\$3,215.00
		O.T.P.S.	\$160,900.00		\$160,900.00
		Non-Government	\$4,000.00		\$4,000.00
	7402 - Housing Inspections Total		\$168,115.00	\$0.00	\$168,115.00
	8101 - Community Services Admin	O.T.P.S.	\$7,480.00		\$7,480.00
	8101 - Community Services Admin Total		\$7,480.00	\$0.00	\$7,480.00
	8201 - Public Prop/Park Maint	Personal Services	\$1,053,810.00		\$1,053,810.00
		O.T.P.S.	\$226,000.00		\$226,000.00
	8201 - Public Prop/Park Maint Total		\$1,279,810.00	\$0.00	\$1,279,810.00
	8401 - Parks & Recreation Admin	Personal Services	\$1,180,627.00		\$1,180,627.00
		O.T.P.S.	\$51,500.00		\$51,500.00
	8401 - Parks & Recreation Admin Total		\$1,232,127.00	\$0.00	\$1,232,127.00
	8402 - Playgrounds	O.T.P.S.	\$76,200.00		\$76,200.00
	8402 - Playgrounds Total		\$76,200.00	\$0.00	\$76,200.00
	8403 - Swimming Pools	Personal Services	\$407,200.00		\$407,200.00
		O.T.P.S.	\$230,300.00		\$230,300.00
	8403 - Swimming Pools Total		\$637,500.00	\$0.00	\$637,500.00
	8405 - Ice Programs	Personal Services	\$311,000.00		\$311,000.00
		O.T.P.S.	\$40,250.00		\$40,250.00
	8405 - Ice Programs Total		\$351,250.00	\$0.00	\$351,250.00
	8406 - General Recreation Prog	Personal Services	\$156,152.00		\$156,152.00
		O.T.P.S.	\$243,400.00		\$243,400.00
	8406 - General Recreation Prog Total		\$399,552.00	\$0.00	\$399,552.00
	8409 - Sports Programs	Personal Services	\$145,600.00		\$145,600.00
		O.T.P.S.	\$119,750.00		\$119,750.00
	8409 - Sports Programs Total		\$265,350.00	\$0.00	\$265,350.00
	8411 - Community Center Admin	Personal Services	\$699,097.00		\$699,097.00
		O.T.P.S.	\$424,100.00		\$424,100.00
		Non-Government	\$1,400.00		\$1,400.00
	8411 - Community Center Admin Total		\$1,124,597.00	\$0.00	\$1,124,597.00
	8501 - Office On Aging Admin	Personal Services	\$214,965.00		\$214,965.00
		O.T.P.S.	\$40,110.00		\$40,110.00
	8501 - Office On Aging Admin Total		\$255,075.00	\$0.00	\$255,075.00
	8601 - Public Health Admin	O.T.P.S.	\$375,000.00		\$375,000.00
	8601 - Public Health Admin Total		\$375,000.00	\$0.00	\$375,000.00
	8701 - Animal Protection	O.T.P.S.	\$75,000.00		\$75,000.00
	8701 - Animal Protection Total		\$75,000.00	\$0.00	\$75,000.00
	9101 - Municipal Court	Personal Services	\$1,374,379.00		\$1,374,379.00
		O.T.P.S.	\$182,500.00		\$182,500.00
	9101 - Municipal Court Total		\$1,556,879.00	\$0.00	\$1,556,879.00
101 - General Total			\$62,231,293.00	\$404,000.00	\$62,635,293.00

Expenditures	(All)				
Fund	Account Code & Category	Account Classification	2026 Original	Adjustments	2026 Amended Budget
201 - Street Constr, Maint	6201 - Maint,Service Admin	Personal Services	\$42,335.00		\$42,335.00
	6201 - Maint,Service Admin Total		\$42,335.00	\$0.00	\$42,335.00
	6208 - Maint,Street Maintenance	Personal Services	\$102,444.00		\$102,444.00
		O.T.P.S.	\$500.00		\$500.00
	6208 - Maint,Street Maintenance Total		\$102,944.00	\$0.00	\$102,944.00
	6211 - Maint,Traffic Signs & Signals	Capital	\$40,000.00		\$40,000.00
	6211 - Maint,Traffic Signs & Signals Total		\$40,000.00	\$0.00	\$40,000.00
	6213 - Maint,Monticello Blvd	O.T.P.S.	\$37,801.00		\$37,801.00
	6213 - Maint,Monticello Blvd Total		\$37,801.00	\$0.00	\$37,801.00
	6215 - Maint,Road Repaving-State/Cnty	O.T.P.S.	\$1,992.00		\$1,992.00
	6215 - Maint,Road Repaving-State/Cnty Total		\$1,992.00	\$0.00	\$1,992.00
	6220 - Maint,Taylor Road	O.T.P.S.	\$63,800.00		\$63,800.00
	6220 - Maint,Taylor Road Total		\$63,800.00	\$0.00	\$63,800.00
	6236 - Maint,Annual Street Surface	Capital	\$4,000,000.00	\$1,500,000.00	\$5,500,000.00
	6236 - Maint,Annual Street Surface Total		\$4,000,000.00	\$1,500,000.00	\$5,500,000.00
	6312 - Maint,Meadowbrook Blvd Rehab	O.T.P.S.	\$118,921.00		\$118,921.00
	6312 - Maint,Meadowbrook Blvd Rehab Total		\$118,921.00	\$0.00	\$118,921.00
201 - Street Constr, Maint Total			\$4,407,793.00	\$1,500,000.00	\$5,907,793.00
206 - Law Enforcement	7205 - Law Enforcement	O.T.P.S.	\$64,200.00		\$64,200.00
	7205 - Law Enforcement Total		\$64,200.00	\$0.00	\$64,200.00
	7210 - Law Enforcement Grants	Capital	\$41,400.00		\$41,400.00
	7210 - Law Enforcement Grants Total		\$41,400.00	\$0.00	\$41,400.00
206 - Law Enforcement Total			\$105,600.00	\$0.00	\$105,600.00
207 - Drug Law Enforcement	7206 - Drug Law Enforcement	Personal Services	\$62,000.00		\$62,000.00
		O.T.P.S.	\$107,500.00		\$107,500.00
		Capital	\$45,000.00		\$45,000.00
	7206 - Drug Law Enforcement Total		\$214,500.00	\$0.00	\$214,500.00
207 - Drug Law Enforcement Total			\$214,500.00	\$0.00	\$214,500.00
208 - CDBG Resource	5201 - CDBG Financial Admin	Personal Services	\$7,437.00		\$7,437.00
	5201 - CDBG Financial Admin Total		\$7,437.00	\$0.00	\$7,437.00
	5203 - CDBG Admin Contracts	O.T.P.S.	\$460,000.00		\$460,000.00
		Capital	\$570,000.00		\$570,000.00
	5203 - CDBG Admin Contracts Total		\$1,030,000.00	\$0.00	\$1,030,000.00
	5220 - CDBG Office On Aging	Personal Services	\$40,510.00		\$40,510.00
	5220 - CDBG Office On Aging Total		\$40,510.00	\$0.00	\$40,510.00
	5222 - Economic Development	Personal Services	\$149,300.00		\$149,300.00
		O.T.P.S.	\$1,295,000.00		\$1,295,000.00
	5222 - Economic Development Total		\$1,444,300.00	\$0.00	\$1,444,300.00
	5224 - CDBG Admin	Personal Services	\$152,255.00		\$152,255.00
		O.T.P.S.	\$19,500.00		\$19,500.00
	5224 - CDBG Admin Total		\$171,755.00	\$0.00	\$171,755.00
	5225 - CDBG Parkland	O.T.P.S.	\$207,000.00		\$207,000.00
	5225 - CDBG Parkland Total		\$207,000.00	\$0.00	\$207,000.00
	5228 - CDBG Public Works	O.T.P.S.	\$146,486.00		\$146,486.00
		Capital	\$489,394.00		\$489,394.00
	5228 - CDBG Public Works Total		\$635,880.00	\$0.00	\$635,880.00
	5301 - CDBG Home Repair Resource	O.T.P.S.	\$233,536.00		\$233,536.00
	5301 - CDBG Home Repair Resource Total		\$233,536.00	\$0.00	\$233,536.00
	5303 - CDBG Housing Pres Office	Personal Services	\$365,119.00		\$365,119.00
		O.T.P.S.	\$588,500.00		\$588,500.00
	5303 - CDBG Housing Pres Office Total		\$953,619.00	\$0.00	\$953,619.00
	5304 - CDBG Code Enforcement	Personal Services	\$143,106.00		\$143,106.00
	5304 - CDBG Code Enforcement Total		\$143,106.00	\$0.00	\$143,106.00
	5306 - CDBG Neighborhood Relate	Personal Services	\$2,934.00		\$2,934.00
	5306 - CDBG Neighborhood Relate Total		\$2,934.00	\$0.00	\$2,934.00
	5309 - GIS	Personal Services	\$59,125.00		\$59,125.00
		Capital	\$5,500.00		\$5,500.00
	5309 - GIS Total		\$64,625.00	\$0.00	\$64,625.00
	8407 - Child Care/Summer Program	O.T.P.S.	\$21,000.00		\$21,000.00
	8407 - Child Care/Summer Program Total		\$21,000.00	\$0.00	\$21,000.00
208 - CDBG Resource Total			\$4,955,702.00	\$0.00	\$4,955,702.00
211 - Home Program	5503 - HOME Admin	O.T.P.S.	\$765,000.00		\$765,000.00

Expenditures

(All)

Fund	Account Code & Category	Account Classification	2026 Original	Adjustments	2026
					Amended Budget
	5503 - HOME Admin Total		\$765,000.00	\$0.00	\$765,000.00
	5504 - Contingency-HOME	O.T.P.S.	\$600,000.00		\$600,000.00
	5504 - Contingency-HOME Total		\$600,000.00	\$0.00	\$600,000.00
211 - Home Program Total			\$1,365,000.00	\$0.00	\$1,365,000.00
213 - Police Facility Impr Fund	7201 - Police Admin	O.T.P.S.	\$21,000.00		\$21,000.00
	7201 - Police Admin Total		\$21,000.00	\$0.00	\$21,000.00
213 - Police Facility Impr Fund Total			\$21,000.00	\$0.00	\$21,000.00
214 - Local Programming	2108 - General Operations	O.T.P.S.	\$74,000.00		\$74,000.00
	2108 - General Operations Total		\$74,000.00	\$0.00	\$74,000.00
	2201 - Information Technology	Capital	\$25,000.00		\$25,000.00
	2201 - Information Technology Total		\$25,000.00	\$0.00	\$25,000.00
	2502 - Public Relations	Personal Services	\$15,450.00		\$15,450.00
	2502 - Public Relations Total		\$15,450.00	\$0.00	\$15,450.00
	2601 - Cable TV Admin	Personal Services	\$60.00		\$60.00
		O.T.P.S.	\$207,400.00		\$207,400.00
		Capital	\$119,000.00		\$119,000.00
	2601 - Cable TV Admin Total		\$326,460.00	\$0.00	\$326,460.00
214 - Local Programming Total			\$440,910.00	\$0.00	\$440,910.00
215 - Cain Park Operating	8901 - Cain Park Admin/Start-Up	Personal Services	\$379,608.00		\$379,608.00
		O.T.P.S.	\$2,079,700.00		\$2,079,700.00
	8901 - Cain Park Admin/Start-Up Total		\$2,459,308.00	\$0.00	\$2,459,308.00
	8905 - Arts Festival/Art Gallery	O.T.P.S.	\$54,000.00		\$54,000.00
	8905 - Arts Festival/Art Gallery Total		\$54,000.00	\$0.00	\$54,000.00
	8906 - Theater	O.T.P.S.	\$164,500.00		\$164,500.00
	8906 - Theater Total		\$164,500.00	\$0.00	\$164,500.00
215 - Cain Park Operating Total			\$2,677,808.00	\$0.00	\$2,677,808.00
216 - Rec Fac Imp Fund	8301 - Park Maintenance Admin	O.T.P.S.	\$209,000.00		\$209,000.00
	8301 - Park Maintenance Admin Total		\$209,000.00	\$0.00	\$209,000.00
216 - Rec Fac Imp Fund Total			\$209,000.00	\$0.00	\$209,000.00
221 - Indigent DUI Treatment	9101 - Municipal Court	O.T.P.S.	\$14,500.00		\$14,500.00
	9101 - Municipal Court Total		\$14,500.00	\$0.00	\$14,500.00
221 - Indigent DUI Treatment Total			\$14,500.00	\$0.00	\$14,500.00
222 - Muni Ct-Computerization	9101 - Municipal Court	Personal Services	\$9,816.00		\$9,816.00
		O.T.P.S.	\$40,000.00		\$40,000.00
		Capital	\$15,000.00		\$15,000.00
	9101 - Municipal Court Total		\$64,816.00	\$0.00	\$64,816.00
222 - Muni Ct-Computerization Total			\$64,816.00	\$0.00	\$64,816.00
225 - Muni Ct Special Projects	9101 - Municipal Court	Personal Services	\$24,879.00		\$24,879.00
		O.T.P.S.	\$33,500.00		\$33,500.00
		Capital	\$55,000.00		\$55,000.00
	9101 - Municipal Court Total		\$113,379.00	\$0.00	\$113,379.00
225 - Muni Ct Special Projects Total			\$113,379.00	\$0.00	\$113,379.00
226 - Lead Safe Cuyahoga	5303 - CDBG Housing Pres Office	Personal Services	\$46,127.00		\$46,127.00
	5303 - CDBG Housing Pres Office Total		\$46,127.00	\$0.00	\$46,127.00
	5701 - Housing Program Grants	Personal Services	\$47,042.00		\$47,042.00
		O.T.P.S.	\$100,000.00		\$100,000.00
	5701 - Housing Program Grants Total		\$147,042.00	\$0.00	\$147,042.00
226 - Lead Safe Cuyahoga Total			\$193,169.00	\$0.00	\$193,169.00
228 - CDBG-COVID	5203 - CDBG Admin Contracts	O.T.P.S.	\$100,000.00		\$100,000.00
	5203 - CDBG Admin Contracts Total		\$100,000.00	\$0.00	\$100,000.00
	5220 - CDBG Office On Aging	O.T.P.S.	\$2,352.00		\$2,352.00
	5220 - CDBG Office On Aging Total		\$2,352.00	\$0.00	\$2,352.00
	5224 - CDBG Admin	O.T.P.S.	\$12,460.00		\$12,460.00
	5224 - CDBG Admin Total		\$12,460.00	\$0.00	\$12,460.00
	5228 - CDBG Public Works	Capital	\$93,038.00		\$93,038.00
	5228 - CDBG Public Works Total		\$93,038.00	\$0.00	\$93,038.00
228 - CDBG-COVID Total			\$207,850.00	\$0.00	\$207,850.00
230 - Street Lighting	3101 - Finance	O.T.P.S.	\$15,000.00		\$15,000.00
	3101 - Finance Total		\$15,000.00	\$0.00	\$15,000.00

Expenditures	(All)				
Fund	Account Code & Category	Account Classification	2026 Original	Adjustments	2026 Amended Budget
	6211 - Traffic Signs & Signals	O.T.P.S.	\$1,025,000.00		\$1,025,000.00
	6211 - Traffic Signs & Signals Total		\$1,025,000.00	\$0.00	\$1,025,000.00
230 - Street Lighting Total			\$1,040,000.00	\$0.00	\$1,040,000.00
231 - Tree	8801 - Forestry	Personal Services	\$918,965.00		\$918,965.00
		O.T.P.S.	\$503,505.00		\$503,505.00
		Capital	\$302,000.00		\$302,000.00
	8801 - Forestry Total		\$1,724,470.00	\$0.00	\$1,724,470.00
231 - Tree Total			\$1,724,470.00	\$0.00	\$1,724,470.00
232 - Police Pension	7201 - Police Admin	Personal Services	\$382,650.00		\$382,650.00
	7201 - Police Admin Total		\$382,650.00	\$0.00	\$382,650.00
232 - Police Pension Total			\$382,650.00	\$0.00	\$382,650.00
233 - Fire Pension	7301 - Fire Admin	Personal Services	\$382,650.00		\$382,650.00
	7301 - Fire Admin Total		\$382,650.00	\$0.00	\$382,650.00
233 - Fire Pension Total			\$382,650.00	\$0.00	\$382,650.00
234 - Earned Benefits	2108 - General Operations	Personal Services	\$300,000.00		\$300,000.00
	2108 - General Operations Total		\$300,000.00	\$0.00	\$300,000.00
234 - Earned Benefits Total			\$300,000.00	\$0.00	\$300,000.00
240 - Federal Miscellaneous Grants	5101 - Planning	O.T.P.S.	\$1,500,000.00		\$1,500,000.00
	5101 - Planning Total		\$1,500,000.00	\$0.00	\$1,500,000.00
	7201 - Police Admin	Personal Services	\$48,411.00		\$48,411.00
	7201 - Police Admin Total		\$48,411.00	\$0.00	\$48,411.00
240 - Federal Miscellaneous Grants Total			\$1,548,411.00	\$0.00	\$1,548,411.00
244 - NOPEC Fund	3101 - Finance	O.T.P.S.	\$0.00	\$230,000.00	\$230,000.00
	3101 - Finance Total		\$0.00	\$230,000.00	\$230,000.00
260 - Top of the Hill TIFF Total			\$0.00	\$230,000.00	\$230,000.00
260 - Top of the Hill TIFF Fund	3101 - Finance	O.T.P.S.	\$0.00	\$1,500,000.00	\$1,500,000.00
	3101 - Finance Total		\$0.00	\$1,500,000.00	\$1,500,000.00
260 - Top of the Hill TIFF Total			\$0.00	\$1,500,000.00	\$1,500,000.00
301 - G.O. Bond Retirement	3101 - Finance	O.T.P.S.	\$3,164,927.00		\$3,164,927.00
	3101 - Finance Total		\$3,164,927.00	\$0.00	\$3,164,927.00
301 - G.O. Bond Retirement Total			\$3,164,927.00	\$0.00	\$3,164,927.00
402 - Financed Capital Projects	1101 - City Council	Capital	\$3,700.00		\$3,700.00
	1101 - City Council Total		\$3,700.00	\$0.00	\$3,700.00
	2201 - Information Technology	Capital	\$759,107.00		\$759,107.00
	2201 - Information Technology Total		\$759,107.00	\$0.00	\$759,107.00
	5101 - Planning	Capital	\$1,236,000.00		\$1,236,000.00
	5101 - Planning Total		\$1,236,000.00	\$0.00	\$1,236,000.00
	6201 - Service Admin	Capital	\$1,673,500.00	(\$67,500.00)	\$1,606,000.00
	6201 - Service Admin Total		\$1,673,500.00	(\$67,500.00)	\$1,606,000.00
	7201 - Police Admin	Capital	\$412,512.00		\$412,512.00
	7201 - Police Admin Total		\$412,512.00	\$0.00	\$412,512.00
	7301 - Fire Admin	Capital	\$190,000.00		\$190,000.00
	7301 - Fire Admin Total		\$190,000.00	\$0.00	\$190,000.00
	7402 - Housing Inspections	Capital	\$3,000.00		\$3,000.00
	7402 - Housing Inspections Total		\$3,000.00	\$0.00	\$3,000.00
	8201 - Public Prop/Park Maint	Capital	\$1,234,950.00		\$1,234,950.00
	8201 - Public Prop/Park Maint Total		\$1,234,950.00	\$0.00	\$1,234,950.00
402 - Financed Capital Projects Total			\$5,512,769.00	(\$67,500.00)	\$5,445,269.00
411 - Economic Development	5101 - Planning	O.T.P.S.	\$151,850.00		\$151,850.00
		Capital	\$60,000.00		\$60,000.00
	5101 - Planning Total		\$211,850.00	\$0.00	\$211,850.00
411 - Economic Development Total			\$211,850.00	\$0.00	\$211,850.00
412 - City Hall Maint & Repair	2102 - City Hall Maint/Repair	O.T.P.S.	\$21,000.00		\$21,000.00
	2102 - City Hall Maint/Repair Total		\$21,000.00	\$0.00	\$21,000.00
412 - City Hall Maint & Repair Total			\$21,000.00	\$0.00	\$21,000.00
416 - Refuse Capital Fund	6203 - Refuse Coll/Transfer Sta	Capital	\$1,015,000.00	\$1,050,000.00	\$2,065,000.00
	6203 - Refuse Coll/Transfer Sta Total		\$1,015,000.00	\$1,050,000.00	\$2,065,000.00

Expenditures	(All)				
Fund	Account Code & Category	Account Classification	2026 Original	Adjustments	2026 Amended Budget
416 - Refuse Capital Fund Total			\$1,015,000.00	\$1,050,000.00	\$2,065,000.00
601 - Water Administration	6302 - Water Distribution	Capital	\$1,914,540.00		\$1,914,540.00
	6302 - Water Distribution Total		\$1,914,540.00	\$0.00	\$1,914,540.00
	6314 - Runnymede/Quilliams Wtr	O.T.P.S.	\$20,206.00		\$20,206.00
	6314 - Runnymede/Quilliams Wtr Total		\$20,206.00	\$0.00	\$20,206.00
601 - Water Administration Total			\$1,934,746.00	\$0.00	\$1,934,746.00
602 - Sewerage Disposal	6205 - Sewer Maintenance	Personal Services	\$1,530,953.00		\$1,530,953.00
		O.T.P.S.	\$792,350.00		\$792,350.00
		Capital	\$8,767,000.00		\$8,767,000.00
		Non-Government	\$10,000.00		\$10,000.00
	6205 - Sewer Maintenance Total		\$11,100,303.00	\$0.00	\$11,100,303.00
602 - Sewerage Disposal Total			\$11,100,303.00	\$0.00	\$11,100,303.00
603 - Parking Fund	6210 - Parking Department	O.T.P.S.	\$803,000.00		\$803,000.00
		Non-Government	\$2,500.00		\$2,500.00
	6210 - Parking Department Total		\$805,500.00	\$0.00	\$805,500.00
603 - Parking Fund Total			\$805,500.00	\$0.00	\$805,500.00
605 - Refuse Fund	6203 - Refuse Coll/Transfer Sta	Personal Services	\$2,835,862.00		\$2,835,862.00
		O.T.P.S.	\$1,536,723.00		\$1,536,723.00
		Capital	\$25,000.00		\$25,000.00
	6203 - Refuse Coll/Transfer Sta Total		\$4,397,585.00	\$0.00	\$4,397,585.00
605 - Refuse Fund Total			\$4,397,585.00	\$0.00	\$4,397,585.00
606 - ALS Ambulance Services	7304 - ALS Ambulance Services	Personal Services	\$651,746.00		\$651,746.00
		O.T.P.S.	\$587,760.00		\$587,760.00
		Capital	\$261,986.00		\$261,986.00
	7304 - ALS Ambulance Services Total		\$1,501,492.00	\$0.00	\$1,501,492.00
606 - ALS Ambulance Services Total			\$1,501,492.00	\$0.00	\$1,501,492.00
701 - Hospitalization Self-Ins	3101 - Finance	Personal Services	\$10,128,787.00		\$10,128,787.00
	3101 - Finance Total		\$10,128,787.00	\$0.00	\$10,128,787.00
701 - Hospitalization Self-Ins Total			\$10,128,787.00	\$0.00	\$10,128,787.00
804 - Off/Aging Donations	8501 - Office On Aging Admin	O.T.P.S.	\$1,750.00		\$1,750.00
	8501 - Office On Aging Admin Total		\$1,750.00	\$0.00	\$1,750.00
804 - Off/Aging Donations Total			\$1,750.00	\$0.00	\$1,750.00
808 - Youth Recreation Donation	8101 - Community Services Admin	Non-Government	\$20,000.00		\$20,000.00
	8101 - Community Services Admin Total		\$20,000.00	\$0.00	\$20,000.00
808 - Youth Recreation Donation Total			\$20,000.00	\$0.00	\$20,000.00
811 - Juvenile Diversion Prog	7209 - Juvenile Diversion Prog	O.T.P.S.	\$12,000.00		\$12,000.00
	7209 - Juvenile Diversion Prog Total		\$12,000.00	\$0.00	\$12,000.00
811 - Juvenile Diversion Prog Total			\$12,000.00	\$0.00	\$12,000.00
850 - Flexible Spending Account	3101 - Finance	Personal Services	\$234,352.00		\$234,352.00
	3101 - Finance Total		\$234,352.00	\$0.00	\$234,352.00
850 - Flexible Spending Account Total			\$234,352.00	\$0.00	\$234,352.00
858 - Miscellaneous Agency	7201 - Police Admin	O.T.P.S.	\$50,000.00		\$50,000.00
	7201 - Police Admin Total		\$50,000.00	\$0.00	\$50,000.00
	7401 - Building Services	Non-Government	\$14,000.00		\$14,000.00
	7401 - Building Services Total		\$14,000.00	\$0.00	\$14,000.00
858 - Miscellaneous Agency Total			\$64,000.00	\$0.00	\$64,000.00
Grand Total			\$122,726,562.00	\$4,616,500.00	\$127,343,062.00

- Council 2026 Budget Amendment Request