

ORDINANCE NO. 92-2021 (F), *Second Reading*

By Council Member Russell

An Ordinance authorizing all actions necessary, including the expenditure of funds, and declaring an emergency.

WHEREAS, on the 11th Day of March 2021, the President of the United States, Joseph R. Biden, signed into law the American Rescue Plan Act of 2021 (hereafter “ARPA”), Public Law 117-2, authorizing, among other things, payment of direct subsidies to the general revenue funds of cities, counties, school districts, and other governmental entities; and

WHEREAS, the intended purpose of the direct subsidy payments to state and local governmental entities under the ARPA is to alleviate the effect of funding shortfalls, invest in state and local economic development, and provide relief from the economic and societal hardships sustained during the onset of the Coronavirus Pandemic and COVID-19 illness; and

WHEREAS, the City of Cleveland Heights will receive approximately FORTY MILLION DOLLARS (U.S. \$40,000,000.00) in direct subsidy payments from the enactment of the ARPA; and

WHEREAS, employees of the City of Cleveland Heights, in the service departments of sanitation, street maintenance, utilities, parks and recreation, and secretaries/clerical staff (including Department Heads, Managers, and City Administrators) throughout the City have been furloughed or had work hours reduced; and

WHEREAS front line employees in the Police, Fire, and EMS service departments have not been furloughed or sustained reductions in hours of work; and

WHEREAS, the business neighborhoods in the City of Cleveland Heights, bounded by Taylor and Noble Roads, specifically being the South Taylor District from Cedar Road to Euclid Heights Boulevard and the Noble Road Corridor north of Mayfield Road to the City of East Cleveland, have been in urgent need of economic development assistance, business, residential, and infrastructure rehabilitation, and that such funding has been suspended and/or delayed during the economic disruptions occasioned by the Coronavirus Pandemic and COVID-19 illness.

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

SECTION 1. No monies received from the proceeds of the ARPA shall be expended for any other purpose by the City of Cleveland Heights, until both of the following have occurred:

- A. All employees of the City of Cleveland Heights, in the service departments of sanitation, street maintenance, utilities, parks and recreation, and secretaries/clerical staff (including Department Heads, Managers, and City Administrators) throughout the City who have been furloughed or had work hours reduced shall be made whole for

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wages and benefits lost on account of the Coronavirus Pandemic and/or COVID-19 illness. It is the intent of this legislation that City employees be made whole for lost income, and therefore monies recouped from other sources, such as unemployment or working other jobs while on furlough, are offset, thereby mitigating any payouts under this provision; and

B. Council directs and funds economic development assistance and business, residential and infrastructure rehabilitation assistance in the amount of not less than **FIVE MILLION DOLLARS** (\$5,000,000.00) for the business neighborhoods in the City of Cleveland Heights as follows:

- 1) **TWO MILLION DOLLARS** (\$2,000,000.00) for the South Taylor District from Cedar Road to Euclid Heights Boulevard; and
- 2) **TWO MILLION DOLLARS** (\$2,000,000.00) for the Noble Road Corridor north of Mayfield Road to the City of East Cleveland; and
- 3) **ONE MILLION DOLLARS** (\$1,000,000.00) to be spent in the other business districts in the City as the needs exist.

SECTION 2. 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.

SECTION 3. 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 timely appropriation of funding received from the ARPA, action needed to make city employees whole who have lost wages and benefits on account of being furloughed or reduced in work hours on account of the Coronavirus Pandemic and/or COVID-19 illness, and to remediate the continued economic neglect of the neighborhoods bounded by Taylor and Noble Roads and being north of Mayfield Road in the City of Cleveland Heights. 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 immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



JASON S. STEIN
President of the Council



AMY HIMMELEIN
Clerk of Council

PASSED: August 30, 2021