

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2013-31

By Margarette S. Key Sponsored By Mayor Cyril M. Allen

## AN ORDINANCE

**AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR, AND, IF AWARDED, TO ENTER INTO A COOPERATION AGREEMENT WITH THE COUNTY EXECUTIVE OF CUYAHOGA COUNTY, OHIO; AND THE DEPARTMENT OF DEVELOPMENT FOR THE UTILIZATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS MADE AVAILABLE BY THE HOUSING AND COMMUNITY DEVELOPMENT ACTS OF 1974, 1977, 1980 AND 1983, AS AMENDED, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Housing and Community Development Acts of 1974, 1977, 1980 and 1983, as amended, provide an entitlement of funds for community development purposes for urban counties; and

**WHEREAS**, the Mayor of the city and this Council encourage the use of "Urban County Entitlement Funds" for needed improvements in Cuyahoga County and the various and several municipalities therein; and

**WHEREAS**, the distribution of the funds made available through the subject program shall be allocated and expended on behalf of each participating municipality for plans, programs and projects eligible under the provisions of the Housing and Community Development Acts of 1974, 1977, 1980 and 1983, as amended, said municipalities to be chosen by means of a competitive project application process; and

**WHEREAS**, the projects to be submitted by the City of Berea for consideration in the competitive process are identified on Exhibit "A" attached hereto and incorporated herein; and

**WHEREAS**, all such projects are to be accomplished in County-identified Improvement Target Areas, County-identified income-eligible census tracts, and with qualified persons who directly and personally benefit from such projects city-wide.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That the Mayor be, and he hereby is authorized and directed to make application for and, if awarded, to enter into a Cooperation Agreement with the County Executive of Cuyahoga County and the Department of Development for the period commencing with the first day of the thirty-eighth program year, May 1, 2013 through and including September 30, 2013, as the last day of the thirty-eighth program year as described by the application for Fiscal Year 2013, providing for the use of Community Development Block Grant Funds on the projects identified on said Exhibit "A".

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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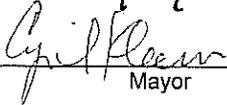
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**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the City must meet the filing deadline. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage an approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: March 18, 2013

  
\_\_\_\_\_  
President of Council

ATTEST: Alyce Van  
Clerk of Council

APPROVED: March 18, 2013  
  
\_\_\_\_\_  
Mayor

Approved as to Form:

  
\_\_\_\_\_  
Director of Law

**EXHIBIT FOR CDBG LEGISLATION-BEREA NORTH END  
NEIGHBORHOOD IMPROVEMENT PROJECT**

The City of Berea North End Neighborhood Improvement Project includes roadway improvements to Shakespeare Drive (from The Mall to Emerson) and Wesley Drive. It also includes sidewalk improvements on North Rocky River Drive, The Mall, Shakespeare Drive, and Wesley Drive. The location is in Census Tract 1341. BG 1. This neighborhood is 48.6% of low to moderate-income individuals. Some highlights of the project include:

- Full Depth Pavement Replacement
- Asphalt Resurfacing
- ADA Curb Ramp Replacement
- Sidewalk Replacement