



SHAKER HEIGHTS

Finance and Administration Committee Agenda City Hall Conference Room B Monday, July 15, 2019, 7:30am

1. Approval of the minutes of the regular meeting of June 17, 2019.

Documents:

[FNMN617.PDF](#)

2. Authorizing an amendment to the contract with shark&minnow to develop new strategic photo and video assets for use in a campaign to attract and retain residents in the amount of \$39,567 making total amount \$204,567. CM

Documents:

[SHARKMINNOWAMEND FIN MEMO.PDF](#)

3. Authorizing a three-year contract with Rory O'Connor in the amount of \$60,000 per year for Operating and Editorial Consulting Services for Shaker Life magazine for the period of January 1, 2020 through December 31, 2022. CM

Documents:

[SL EDITOR FIN MEMO.PDF](#)

4. Authorizing the City to enter into an LPA Agreement with Ohio Department of Transportation (ODOT) for the Warrensville Center Road Resurfacing Project. SPW

Documents:

[LPA AGREEMENT WCR.PDF](#)

5. Authorizing a request for acceptance and appropriation of Carol Petersen Grant Funds in the amount of \$75,000 for a Housing Maintenance Program. NRD

Documents:

[FHLB 2019 MEMO - FINANCE.PDF](#)

6. Authorizing an appropriation in the amount of \$20,000 to be used for National Fire Protection Association to provide regional hot works training for the Fire Department. SPW

Documents:

[HOT WORKS FINANCE.PDF](#)

7. Accepting a proposal and authorizing a contract with Euthenics Inc. in the amount of \$64,130 for Design/Engineering Services. SPW

Documents:

[2019 0710 MEMO_FINANCE COMM_AWARD WARRENSVILLE SHAKER DESIGN.PDF](#)

8. Authorizing a Purchase, Development and Use Agreement with Confluent Development LLC in order to construct an 80 unit Assisted Living and Memory Care facility on the current vacant 3 acre parcel formerly known as Avalon Station 2. NRD

Documents:

[0709-CONFLUENTPURCHASEAGREEMENT-FINANCE.PDF](#)

To request an accommodation for a person with a disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.



SHAKER HEIGHTS

**Finance and Administration Committee Minutes
Monday, June 17, 2019
7:30 A.M.
Conference Room B**

Members present: Council member Sean Malone, Chair
Council member Earl Williams, Jr.
Council member Nancy Moore
Council member Rob Zimmerman
Citizen member Martin Kolb
Citizen member Linda Lalley
Citizen member Anthony Moore
Citizen member Tom Cicarella

Others present: Mayor David E. Weiss
Chief Administrative Officer Jeri Chaikin
Robert H. Baker, Director of Finance
Cheryl Arslanian, Assistant Finance Director
John Cole, Police Commander
William Gruber, Director of Law
Frank Goforth, League of Women Voters

The meeting was called to order by Chair Sean Malone at 7:30 A.M.

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APPROVAL OF THE MAY 20, 2019 MEETING MINUTES

Chair Malone stated that the minutes of the May 20, 2019 meeting were approved as recorded.

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APPROVING A PROPOSED ORDINANCE FOR THE SALE OF A CITY-OWNED POLICE DOG.

John Cole, Police Commander, stated that for over thirty years the Shaker Heights Police Department’s K-9 Program has been in operation. Upon retirement of a City-owned K-9, it is the past practice of the City to allow the retired dog to live with its handler until the dog expires. During the time between retirement and death, the City can still be considered the owner of the dog as there is no official paperwork that transfers the ownership of the dog to the handler creating a liability issue for the City. Also during that time the handler assumes the costs for food and veterinarian care.

To fully address these issues, the Police Department is proposing that the City enact Ordinance 141.07 Sale of Police Dogs. The ordinance states that a police dog means a dog that has been trained to assist the City’s police officers in the performance of their official duties. It will also state that upon retirement, the City’s police officer handler at the time may purchase the dog for \$1.00. If the officer

CITY OF SHAKER HEIGHTS

chooses not to purchase the dog, the disposition of the dog shall be determined by the Chief of Police and Finance Director. A City police officer who leaves the City's K-9 program forfeits the right to purchase.

This item was presented to the Safety and Public Works Committee on June 7, 2019 and unanimously approved.

The Finance and Administration Committee recommended approving a proposed ordinance for the sale of a City-owned Police Dog.

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AMENDING FISCAL POLICY STATEMENTS OF THE CITY RELATING TO GENERAL FUND AND GENERAL CAPITAL FUND CARRY — OVER BALANCES.

Robert Baker, Director of Finance, stated Resolution No. 03-158 which is the amendment to Resolution No. 95-163 which made fiscal policy statements about the General Fund and General Capital Fund. The original and amended policy statements were not binding, but served as guides for the City. The 2003 amended resolution provided that the City, as a goal, should endeavor to carry forward at the beginning of each year a General Operating Fund balance of not less than 20% of the budgeted operating fund expenditures. Any amount in excess of 20% shall be available for transfer to the General Capital Fund. The resolution also stated that the City, as a goal, should begin the year with a General Capital Fund balance that, at a minimum, is equal to the current year's general capital debt funding requirement plus the total of all estate tax revenue received by the City and credited to the General Capital Fund in the prior year.

The Finance and Administration Committee has indicated a desire to look at the policy in Resolution No. 03-158. That review should be of the policy for both the General Fund and the General Capital Fund. State law permits the creation of reserve balance accounts and funds. Section 5705.13(A) authorizes the creation of "reserve balance accounts" for budget stabilization, self-insurance programs and retrospective rating plans for worker's compensation. Section 5705.13(B) authorizes the creation of special revenue funds to accumulate cash for (i) payouts at the termination of employment and (ii) the 27th pay that occurs every eleven years. Section 5705.13(C) authorizes the creation of capital project funds to accumulate resources for the acquisition, construction of fixed assets, including motor vehicles. The legislation creating such a fund must identify the assets to be paid for by the fund, and the fund cannot last longer than 10 years.

State law does not require or prohibit formal policy statements like Resolution No. 03-158. The first question to be considered by the Finance and Administration Committee is whether funds or accounts should be created as authorized by state law or the existing non-binding policy should be amended. At the state level, most "Rainy Day Funds" are created pursuant to state statute and have provisions for required deposits into the fund, minimum fund balance and use of any fund balance above a maximum amount set out in the statute. Policies have been created, as in Shaker Heights, by Council action, administrative action or informally. In Westlake, the informal policy is a general fund balance equal to 90 days operating expenses. In Beachwood, the informal policy is 180 days of operating expenses of a combined general fund and capital improvement fund. I recommend that Shaker Heights not create state statute authorized funds, but revise the existing Resolution 03-158.

Our existing policy is a target balance of 20% of budgeted operating expenditures in the General Fund. The City does not have a policy for a minimum or maximum balance in the General Fund. Policies which have minimums or maximums have to deal with what happens if the balance falls below the minimum. Some of these policies require either expenditure reductions or increased revenues. For those policies with maximums, the policy requires a transfer of money to another fund or a reduction in revenues. I recommend that the Shaker Heights policy have neither a minimum nor a maximum.

All of the above discussion relates to the General Fund. The provision in Resolution 03-158 about the General Capital Fund balance reflecting the estate tax collections in the prior year should be deleted. I suggest that the General Capital Fund test should be that the year-end balance (plus grants receivable) equal prior unspent capital appropriations plus current year capital appropriations.

In response to Council Member Williams regarding policy versus ordinance; Director Baker stated that there were not a lot of mandatory provisions that he was aware of in the state.

Council member Moore stated that this reminded her of living through economic threats and that this was a very responsible way to proceed. The success if this policy is adopted will depend on the discipline of City Council and the administration not to spend down the cash reserve. The past history of the City Council and the administration has shown the restraints used with the direction of the policy.

Citizen member Cicarella requested a brief explanation of resolution versus ordinance.

Council member Malone stated that resolutions are guidelines or a firm decision to do something versus ordinance is a piece of legislation enacted by a municipal authority. The resolution has been a very useful tool in recognizing when action was needed during the fiscal process.

Council member Moore stated that the policy was useful especially considering all the different opinions of Council in regards to the cash balance and giving options on how to proceed budgeting.

Citizen member Lalley stated that she was in agreement with having a resolution instead of an ordinance for many different reasons. One being that the Council is responsible for the finances of the City and a policy does allow for changes in the years to come. The second being cash reserves for the City to fall back on being a reasonable amount.

The Finance and Administration Committee recommended amending Fiscal Policy statements of the City relating to General Fund and General Capital Fund Carry-over balances.

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There being no further business, the meeting was adjourned at 8:18 a.m. The next meeting will be July 15, 2019.

Robert H. Baker
Finance and Administration Committee



Memorandum

To: Members of the Finance and Administration Committee
From: Julie Voyzey, Director, Communications & Marketing
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: July 15, 2019
Re: Additional Amendment to shark&minnow Contract

The Communications and Marketing Department requests the recommendation of the Finance and Administration Committee to make an additional amendment to the personal services contract with shark&minnow. This amendment is to develop new strategic photo and video assets for use in the campaign to attract and retain residents in the coming years. The amendment is in the amount of \$39,567. The total contract would now be \$204,567. The term of the original contract was from January 1, 2019 through December 31, 2020. An earlier amendment in the amount of \$30,000 comes from the Neighborhood Revitalization Department budget. The dollars for this amendment would come from the Communications and Marketing budgets for 2019 and 2020.

Context

The Communications and Marketing Department conducted an RFP process in 2017 to identify a marketing firm to provide services in the campaign to promote the Van Aken District and to provide miscellaneous other marketing communications and public relations services. That contract was awarded to shark&minnow and ended in September 2018. An interim contract with the agency, covering the fourth quarter of 2018, continued miscellaneous marketing communications and public relations services and funded the start of work to refresh the City logo.

A new two-year contract covering the period January 2019 through December 2020 has seen completion and rollout of the City's brand identity logo with newly designed letterhead, envelopes, memorandum form and two-sided business cards, as well as full incorporation of the new designs into the recently launched City website. Work with shark&minnow has also included design and launch of a citywide Attract and Retain campaign and the early stages of research on a related campaign to promote the Infill Housing Project in the Moreland neighborhood.

Background

In the earliest marketing campaign created by the newly created Communications and Outreach Department (as it was then known), a video about the community was among the first assets developed. It was understood then, and is even truer today, that video tells a story that efficiently and effectively delivers brand awareness. Both photo and video assets are usable across marketing communications vehicles including promotional advertising, the City's website and especially in social media contexts.

Shark&minnow recently led the marketing team through an analysis of the significant impact of video and image-based content in social media. Below are some of the insights and recommendations that emerged:

Facebook

Insights:

- Videos earn 135% more reach than posts with only an image
- Users spend an average of 58 minutes on Facebook everyday
- Facebook is the third most-visited website (after Google and YouTube)
- Mobile-optimized Facebook video lifts brand awareness to 67%

Recommendations:

- Incorporate more videos
- Utilize Facebook Stories (content that relies more on visual than written info)

Twitter

Insights:

- 500 million tweets sent each day
- 80% of Twitter users are affluent millennials (a target market for prospective residents)
- Photos boost retweets by 35% (expanding reach)
- Videos are 6x more likely to be retweeted than tweets with just photos

Recommendations:

- Use more video

Instagram

Insights:

- 500 million+ active account users
- Ad recall is 2.8x higher on Instagram than on other social platforms
- Posts that feature faces get up to 38% more likes than those that don't

Recommendations:

- Continue to share beauty shots of the City
- Continue to share marketing campaign photos
- Create interactive stories about Shaker, using micro-interviews with residents (video vignettes)

Recommendation

The proposed amendment to the Attract and Retain contract provides for production of a documentary style brand video that will be both intimate and cinematic. It will contain an overview of the community and will highlight the impact of the people and the place, demonstrating the factors that motivate moving to and remaining in Shaker – which are at the heart of the Attract and Retain Campaign.

The video will run between three and five minutes in length, allowing it to be both comprehensive and adhering to digital video best practices. In addition, creation of the video addresses the department's restructuring, in which it has reoriented away from staff-conducted city tours, requests

for which have dropped significantly over the years. In addition, the video shoots will be treated as asset collection sessions, capturing photographs during these sessions which will benefit both shakeronline.com and the campaign landing page, Shaker365.com and will replenish and update the photo archives. The agency will also film and format short clips from the interviews (vignettes), b-roll (supplemental footage), and behind-the-scenes video for use in social media contexts (i.e., stories).

Final deliverables for the project include one Brand Video, more than 50 Photographs, and 9 to 12 vignettes.

The breakdown of the project's estimated costs is:

Pre-Production:	\$ 6,500
Production:	\$16,400
Post-Production:	\$18,750
Total :	\$41,650
Less 5% government discount	\$39,567

The Communications and Marketing committee reviewed this proposal on June 20, 2019 and voted unanimously in favor of recommending the amendment to the contract. Committee members were enthusiastic about the Shaker365 campaign and agreed that creating a brand video and incorporating additional shorter vignettes will enhance the reach and impact of the attract and retain campaign.

Funds sufficient to cover the cost of these additional services are available in the Communications and Marketing Department budgets for both years of the contract term. The department now requests that the Finance and Administration Committee recommend approval of this amended contract with shark&minnow in the amount of \$204,567 for the period January 1, 2019 through December 31, 2020.



Memorandum

To: Members of the Finance and Administration Committee
From: Julie McGovern Voyzey, Director, Communications and Marketing
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: July 15, 2019
Re: Shaker Life Editor Contract Recommendation

The Communication and Marketing Department requests the Finance and Administration Committee's recommendation to enter into a three-year personal service contract with Rory O'Connor in the amount of \$60,000 per year for Operating and Editorial Consulting Services for *Shaker Life* magazine for the period beginning January 1, 2020 through December 31, 2022.

Context

Shaker Life has been a publication of the City of Shaker Heights for 35 years. Originally serving as a way to simply keep residents informed about the community, over the years it has become a powerful and sophisticated tool used to drive the City's attract and retain messaging. It has also steadily gained significant advertising revenue thereby reducing taxpayer subsidy.

The magazine is mailed to all homes, free of charge, on a quarterly basis. Residents often tell us they look forward to the well written, informative and interesting articles, which remind them of the things they value most about living in Shaker Heights. With a focus on the visual presentation, readers also tell us they are regularly dazzled by the beautiful photography. A recent logo refresh and launch of the Shaker365 marketing campaign, have further elevated the importance, impact, and quality of the magazine as a cornerstone in achieving the City's attract and retain goals.

Using the results of the Triad Survey as a guide, editorial content is developed to remind current residents why they chose to live here and what they love about the City. The magazine serves as a way to deepen their connection to the City and encourage their continued commitment and investment in their homes. In recent months, we have provided extra magazines to realtors for use at open houses as a tool to entice prospective buyers to make Shaker their home. The magazines have replace the packets of material we previously distributed, which had become outdated and inefficient.

Communications & Marketing Department staff act as publisher and writers for the magazine. In addition, we contract with a team of consultants, including the following:

- Editor
- Design team of two
- Advertising team of two
- Freelance writers
- Freelance photographers
- Freelance proofreader
- Printer

Shaker resident Rory O'Connor is the current editor of *Shaker Life*. His three-year contract expires December 31, 2019. In order to ensure that there is no disruption in the production of the magazine, the department prepared a Request for Qualifications for the position well in advance of the contract expiration and distributed it on May 6. The RFQ was posted on the City's website and promoted on social media channels. It was also emailed directly to individuals who have worked with the magazine, have editorial experience, and/or who may know people with the skill set to be a successful editor.

Recommendation

We received two submissions by the May 31 deadline. One from Shaker resident Rory O'Connor, the current editor, and the other from Kristan Schiller, a freelance travel writer and editor who grew up in Shaker Heights and recently moved back after living in New York City.

Mr. O'Connor proposed a fee of \$60,000. Ms. Schiller proposed a fee of \$65,000.

Ms. Schiller has extensive experience as a published travel writer and editor most recently at Fodor's Travel. She has written about travel for guidebooks, newspapers, magazines and travel blogs and has bylines in many publications. However, her experience is very narrow, confined almost exclusively to global travel writing. As compared to Mr. O'Connor, we felt there were significant gaps in the editorial and magazine skills required for success in this position. In addition, her proposed fee was higher.

After careful review within the department, we are confident that Rory O'Connor is the best-qualified person for the position. He is an award-winning writer with 35 years of experience in newspaper and magazine journalism, public relations and marketing and has served as editor of *Shaker Life* since 2005. For 20 years, until 2009, he was principal in Whelan Communications public relations and publications consulting firm. Prior to that, he gained experience as a writer for a variety of magazines in Florida and Cleveland, eventually becoming Managing Editor of *Cleveland Magazine*.

Over the years, Mr. O'Connor has proven to be a valuable partner in advancing the attract and retain goals of this department by proposing features that reflect the City's priorities and the Triad Survey results about why residents live in and love Shaker. He understands the power of using the magazine as a vehicle to retain residents, and more recently how to carefully create editorial content to appeal to prospective residents, as well.

Under his direction, the magazine now includes a Great Shaker Homes series which has been instrumental in shining a spotlight on the City's incredible housing stock while leveraging housing contractor advertising. He also created the Work-Live feature to support the goals of the economic development department, and recently launched a series called Brilliant Careers to highlight residents who have had unusual career paths and achieved acclaim in their profession. The most recent of these

focused on architect Bob Madison, a feature written by Mr. O'Connor, which is the centerpiece of a submission of *Shaker Life* for a national award.

In addition, during his tenure as editor, Mr. O'Connor recommended and facilitated the contracting of a professional ad manager, which has been transformative in terms of steadily increasing ad sales and reducing public subsidy. In 2018, the total expenses for four issues were \$204,335 and revenues were \$201,163. The taxpayer subsidy for four issues was only \$3,172. We are on pace for a similar subsidy for 2019.

Under the leadership of Rory O'Connor, who coordinates the magazine team, the production of *Shaker Life* works like a well-oiled machine. His extensive magazine experience, ability to manage the team, deep knowledge about Shaker Heights, and his complete understanding of the goals of *Shaker Life* make him ideally suited for the position.

Longevity and consistency in the editor position are crucial to maintaining a smooth running magazine operation in a busy City department. For these reasons, the Operating and Editorial Consulting Services contract works best as a three-year term.

The Communications and Marketing Committee reviewed this proposal on June 20, 2019 and voted unanimously in favor of recommending the contract with Mr. O'Connor.

Funds sufficient to cover each year's cost for these services are allocated in the Communications and Marketing/Shaker Life budget. The Communication and Marketing Department requests the Finance and Administration Committee's approval to enter into a three-year personal service contract with Rory O'Connor in the amount of \$60,000 per year for the Operating and Editorial Consulting Services for *Shaker Life* magazine for the period beginning January 1, 2020 through December 31, 2022.



SHAKER HEIGHTS

TO: Finance & Administration Committee
FROM: Patricia Speese, Director of Public Works
Cc: Mayor David Weiss, CAO Jeri Chaikin
SUBJECT: ODOT LPA Resurfacing of Warrensville Center Road – Request to Enter into a contract with ODOT
DATE: July 1, 2019

The City of Shaker Heights has received Northeast Ohio Areawide Coordinating Agency (NOACA) funding through their Provisional Transportation Asset Management Program established in 2014, for the federal Local Public Agency Project (LPA), resurfacing of Warrensville Center Road from Fairmount Blvd. to Farnsleigh Road. This project was originally programmed by NOACA for 2016; however due to all of the road reconfiguration and the new Van Aken Development, the City requested that it be postponed until 2020. The project involves resurfacing of approximately 1.36 miles of Warrensville Center Road. The work will include a minimum of three (3) inches of asphalt pavement removal and resurfacing, partial and full depth base pavement and joint repairs, the construction of ADA (Americans with Disabilities Act) compliant curb ramps and minor curb replacements. The project will also include pavement markings and associated adjustments to grade of castings. The City of Shaker Heights will administer this project which includes design, construction, inspection and management.

The LPA program is a partnership between Federal Highway (FHWA), ODOT and Local public Agencies to develop, plan and construct projects with Federal, State and Local Funds. As part of the LPA process, ODOT is requesting to enter into an Agreement with the City.

The estimated project cost is \$2,625,115. This cost includes construction and construction administration / inspection; design fees are not included in the aforementioned project cost. The design fee is anticipated to be \$120,000 based on similar projects. Per NOACA funding, ODOT's cap is \$1,648,000. The City of Shaker Heights is obligated to provide \$977,115 for our share as illustrated in the table below.

Total Project Cost = \$2,625,115

	ODOT Share	City Share
Design	N/A	\$120,000
Construction	\$1,598,560	\$833,590
Construction Admin / Inspection	\$49,440	\$23,525
Total =	\$1,648,000	\$977,115

The schedule presented to ODOT has been:

- Design in 1st quarter of calendar year 2020
- Advertise for construction in the 3rd quarter of calendar year 2020.
- Award the construction contract in 4th quarter 2020 (calendar year) / 1st quarter 2021(calendar year)
- Start construction in 2nd quarter of 2021 and be finished by 4th quarter 2021

We will ask that the City's contribution be included in the 2020 Capital for Street Resurfacing. In the recent past council has allocated \$2 million dollars for street resurfacing, if that is the same for 2020 then we could resurface Warrensville Center Road and approximately eight other streets. If less than \$2 million is available then Warrensville Center Road will be our street resurfacing program for 2020.

ODOT has provided the necessary documents to execute the Agreement. As such, we request that Council approve the necessary legislation so the City can enter into an LPA Agreement with ODOT for the Warrensville Center Road Resurfacing project.



Memorandum

To: Members of the Finance and Administration Committee
From: Colin Compton, Neighborhood and Housing Specialist
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: July 15, 2019
Re: Request for Acceptance and Appropriation of *Carol M. Peterson Housing Fund* Grant Funds

This is a request to accept and appropriate \$75,000 in grant funds from the 2019 *Carol M. Peterson Housing Fund* of the Federal Home Loan Bank of Cincinnati. The City received approval in June to fund 10 households with up to \$7,500 each in accessibility upgrades and emergency repair work.

The purpose of this grant program is to provide low-to-moderate income, disabled and/or elderly (age 60+) homeowners in Ohio, Kentucky and Tennessee the opportunity to live safely in their current home. Properties must be owner-occupied, single-family homes to be eligible for grant funds. Eligible accessibility improvements can include installing grab bars and handrails, widening doors, altering cabinets, replacing fixtures, replacing flooring and more. Eligible emergency repairs can include roof repair or replacement, electrical and plumbing system repairs, heating/air system repairs, structural repairs to floors or walls, code violations, and more.

Approximately \$2M was available for the 2019 program and all funds were allocated within hours of the application opening.

This is now the fifth year that the City has been approved for funding from this program. Through 2018, a total of twenty-nine projects have been completed representing approximately \$202,710 in residential repair and improvement work at no direct cost to the City.

This year, the Economic Development Department received approval for 10 new projects. Three projects are in Moreland, two are in Lomond, three are in Mercer, and two are in Onaway. This year's projects include correction of exterior violations, interior safety upgrades, roofing, masonry, and accessibility improvements.

No matching funds are required from the City or from the homeowners. The funder requires the City to pay for the improvements and be reimbursed once work is complete. To date, all completed projects have been successful in receiving a full reimbursement from the funder.

This is a request to accept and appropriate grant funds totaling \$75,000 into the General Fund budget for Economic Development for the 10 approved *Carol M. Peterson Housing Fund* projects.

The Neighborhood Revitalization and Development Committee reviewed this request at their meeting on July 10 and recommended approval of the request to accept and appropriate funds. Discussion at that meeting centered on how the application and reimbursement processes function for this grant. Staff explained the process for the City to apply for the grant and that the reimbursements for each project occur when documentation is sent to the funder showing that the work is complete, inspected, approved, and paid for by the City.



Memorandum

To: Members of the Finance Committee
From: Patrick F. Sweeney, Chief of Fire
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: July 15, 2019
Re: Hot Works Training - Budget Appropriation Request

On July 10, 2018, the community was heavily impacted by the fire at Fernway Elementary School. The cause of this fire was determined to be due to hot works processes in which contractors were using torches to apply a new roof to the building.

Immediately after the fire, the City began to review any and all options to minimize the possibility of a similar fire reoccurring in Shaker Heights again. Options considered included enacting stricter local regulations governing the use of hot works construction processes along with prosecuting the contracting company for offenses that were identified during the post fire cause and origin investigation.

After a thorough review of all options, local regulations were enacted which strengthened the Hot Works Permitting Processes along with requiring safety training for contractors prior to the issuance of a permit to conduct hot works in occupancies in Shaker Heights.

Additionally, the City successfully prosecuted the roofing company which was found guilty of causing the fire. This resulted in that company being required to provide hot works safety training to their entire staff along with \$35,000 in fines that were imposed upon the company. The fines imposed will be used to recover the personnel cost to the Fire Department along with providing training to all members of the Fire Department and Shaker School Facility Maintenance Staff. Additionally, this training will be provided to all of the Fire Safety Inspectors through the Northeast Ohio Fire Prevention Association. Providing this training to the broader fire service community will hopefully reduce these types of fires in the greater Northeast Ohio community.

During the sentencing phase of the prosecution, a fine payment schedule was established by the courts that identified the dates and amounts to be paid to the City of Shaker Heights. The payment schedule is as follow:

August 29, 2019	\$10,000	Training Costs for Firefighters & School Facilities
December 27, 2019	\$10,000	Regional Hot Works Training
February 25, 2020	\$15,000	Restitution for Fire Department Costs

In an effort to expedite the department and regional hot works training, the Fire Department is requesting a budget appropriation in the amount of \$20,000. This request was presented to the Safety & Public Works Committee on July 12, 2019.

The Fire Department is requesting that the Finance Committee approve and recommend to Council a budget appropriation of \$20,000, This appropriation would allow the Fire Department to contract with the National Fire Protection Association to provide the needed training that is tentatively scheduled for September 2019.



Memorandum

To: Finance and Administration Committee Members

From: Joyce Braverman, Director, Planning
Jeff DeMuth, Police Chief
Joe Ciuni, City Engineer, GPD Group

cc: David E. Weiss, Mayor
Jeri E. Chaikin, Chief Administrative Officer

Date: July 10, 2019

Re: Shaker Boulevard/Warrensville Center Road Intersection Improvements
Request to Award Design/Engineering Contract

The Shaker Boulevard/Warrensville Center Road Intersection Improvement Project (CUY-CR4-5.89 to 6.03) is a recommendation from the Implementation Plan – Traffic Engineering Services: Van Aken District Signal Study, prepared by HNTB Corporation, dated May 30, 2018. The project has received NOACA Transportation for Livable Communities (TLCI) funding and therefore must meet ODOT LPA requirements. This project will make infrastructure changes to improve operations for motorists, pedestrians and cyclists. Closing off the connections of South Park Boulevard, Chesterton Road and Falmouth Road to Warrensville Center Road will decrease delays on the two major collector streets (Shaker Blvd. and Warrensville Center Road) by reducing the number of signal phases and the required cycle lengths. In addition, the closures will reduce driver confusion and improve safety for all users by creating a more conventional intersection geometry. See attached diagrams.

This project budget is \$373,000 including: a Construction budget of \$253,000 and Engineering and Inspection budget of \$120,000 which includes the TLCI Implementation grant from NOACA for \$200,000. This is a request to award a design services/engineering contract to Euthenics, Inc. in the amount of \$64,130. Funds for the design work are in the 2019 capital budget.

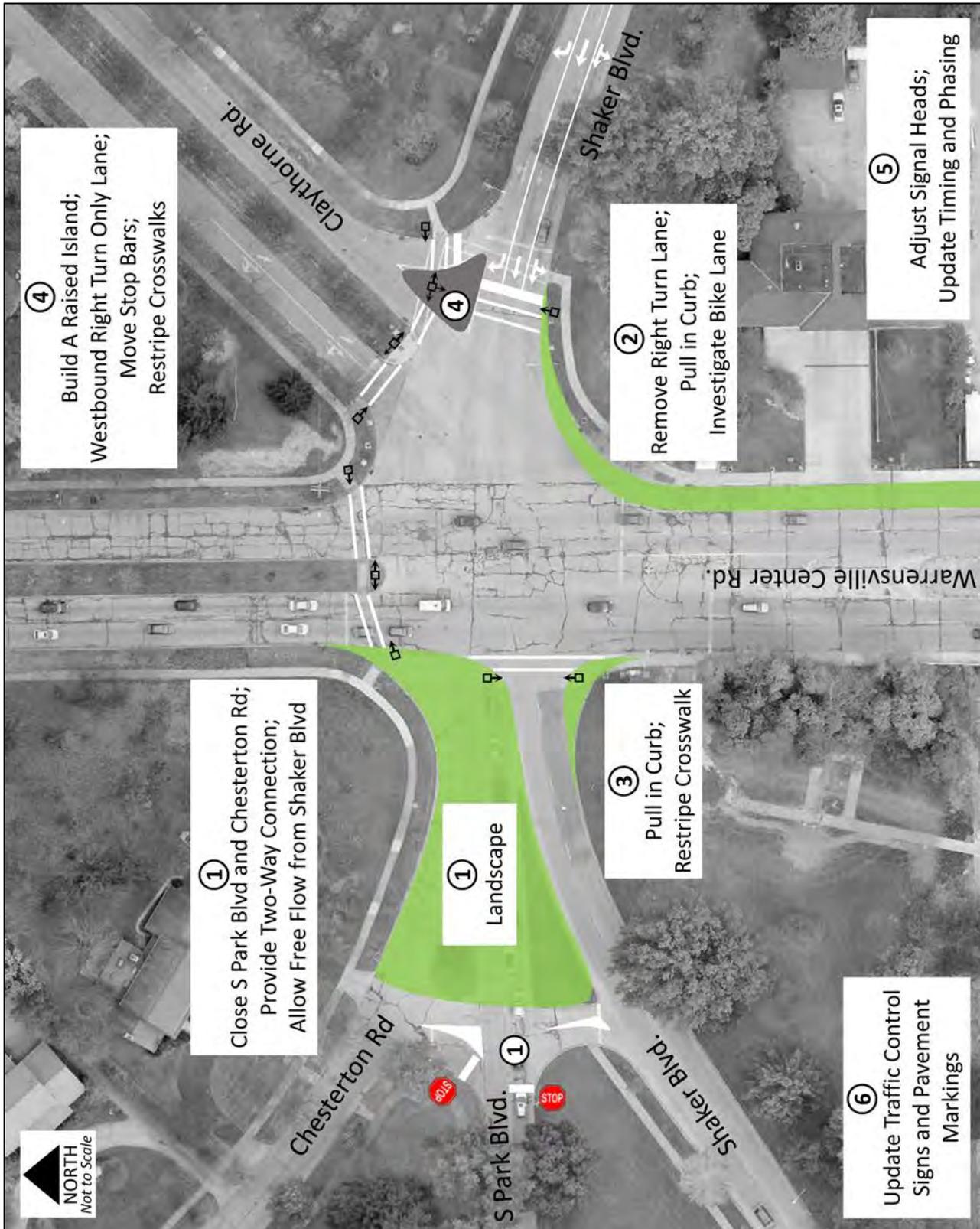
A Request for Proposals (RFP) was posted on the city website on Monday, June 10, 2019. Only one proposal was received on July 1, 2019, from Euthenics, Inc. The Euthenics team was interviewed by a selection committee including Joyce Braverman, Jeff DeMuth and GPD Group, on July 9, 2019.

Euthenics, Inc. provided a proposal that met the RFP requirements and demonstrated the qualifications needed for the project. Although they were the only respondents, they are qualified due to extensive experience with similar intersection improvement projects. They also have experience working with ODOT, utility companies, and are working in this area as part of the Warrensville Center Road Bridges over the GCRTA project.

The Safety and Public Works Committee reviewed this request and recommended approval at their meeting on July 12, 2019.

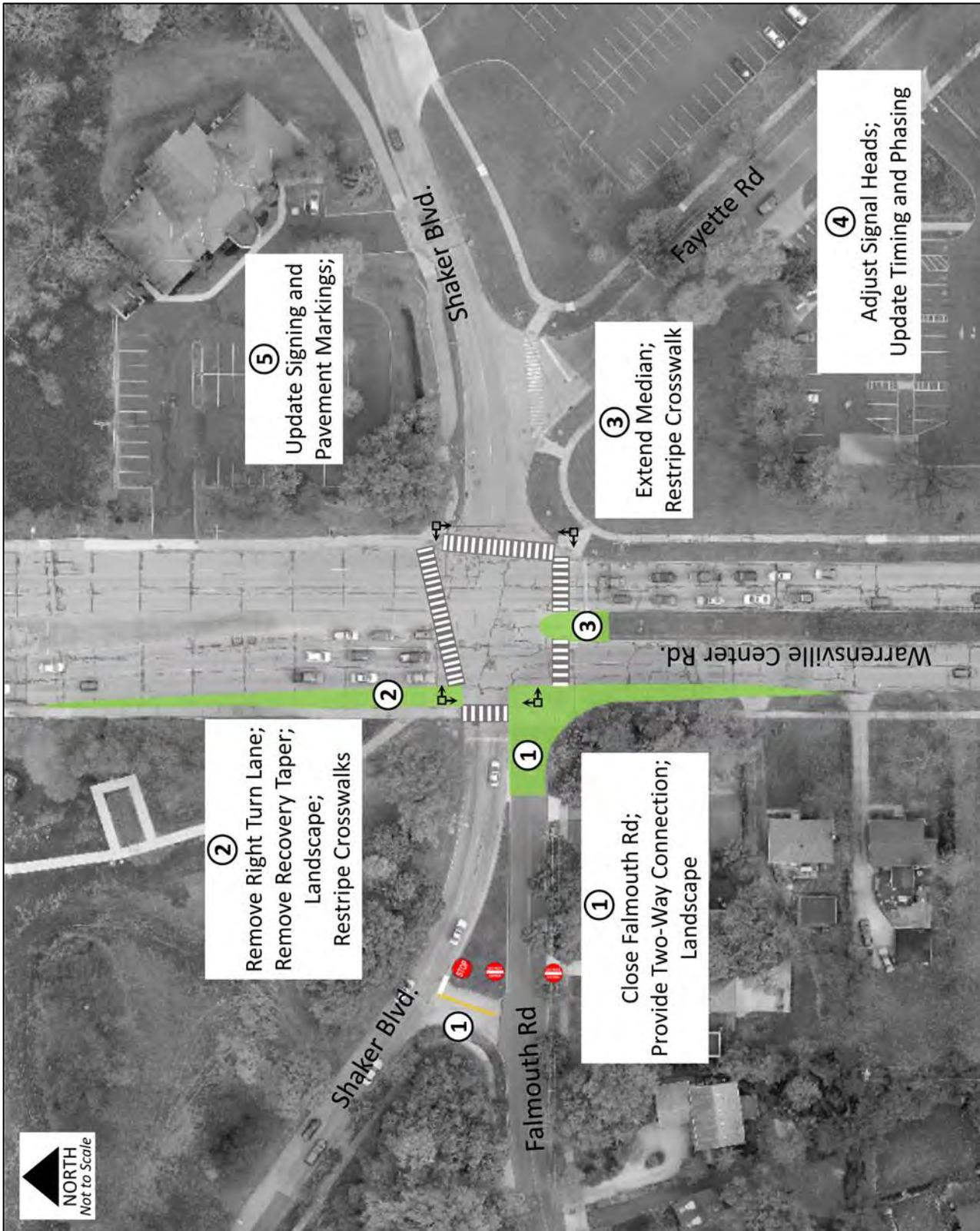
This is a request to award a design/engineering contract to Euthenics, Inc. in the amount of \$64,130.

Figure 5: Long-Term Countermeasures (Warrensville Center Rd./Shaker Blvd. WB)



IMPLEMENTATION PLAN

Figure 6: Long-Term Countermeasures (Warrensville Center Rd./Shaker Blvd. EB)





Memorandum

To: Finance and Administration Committee

From: William M. Ondrey Gruber, Director, Law
Joyce G. Braverman, Director, Planning

cc: David E. Weiss, Mayor
Jeri E. Chaikin, Chief Administrative Officer

Date: July 10, 2019

**Re: 16800 Van Aken Boulevard – Formerly the Avalon Station 2 Development Site
Purchase, Development and Use Agreement with Confluent Development**

This is a recommendation to authorize the City administration to enter into a Purchase, Development and Use Agreement with Confluent Development LLC in order to construct an 80 unit Assisted Living and Memory Care facility on the current vacant 3 acre parcel formerly known as Avalon Station 2.

Avalon Station 2 Background

The 3 acre Avalon Station 2 site, Parcel Numbers 735-17-020 and 735-18-023, was part of land assembled by the City for the Avalon Station development. The City entered into a Development and Use Agreement with Heartpoint to develop the site. One of 3 planned condominium buildings was constructed in 2007 and Heartpoint subsequently defaulted on the agreement.

After many informational meetings with potential developers, the City released an RFQ in 2014 to redevelop the vacant site for multi-family rental or for-sale residential. The City received 3 proposals in response to the RFQ. A Development and Use Agreement with Payne & Payne was executed in June 2016 and later transferred to Knez. Knez selected Ryan Homes as the builder. Due to poor quality design and a weak market for townhomes the project was halted and terminated in September 2018.

The property is within the Shaker Town Center Tax Increment Financing (TIF) district. Development of this parcel will contribute to TIF proceeds which will be used to pay off TIF bonds.

Confluent Development

Confluent is a developer based in Denver that develops a wide range of projects from commercial to assisted living. They propose to purchase the 3 acre property from the City and develop an Assisted Living and Memory Care building. The project is proposed to be one building with not less than 80 units with at least 50% being assisted living units and the rest are memory care units.

The project will have no less than 80 units and preliminary plans show 98 units. The purchase price is \$13,500 per unit and will total between \$1M and \$1.3M. The payroll is estimated at \$1M and real estate taxes are estimated at \$500,000. The share of taxes that may be paid into the TIF district is estimated at \$350,000.

Purchase, Development and Use Agreement—Business Terms

The City and Confluent have negotiated a Purchase, Development and Use Agreement. Below are the major business terms of the proposed Agreement:

Schedule:

- Agreement will be signed after Council approval obtained.
- There will be up to a 120 day Inspection Period, which can be extended for an additional 60 days (for an additional deposit of \$25,000).
- Transfer of the property no sooner than 270 days after Inspection Period ends (may be extended up to 120 days).
- Construction must commence 180 days after transfer.
- Completion of construction must occur no later than 30 months after commencement.
- Total maximum timeframe is about 4 years, though Confluent has stated that they intend to complete the project much sooner.

Purchase Price and Deposit:

- Confluent shall pay to the City –
 - \$1,080,000, or
 - \$13,500 X number of units (no fewer than 80),
 - Whichever is greater.
- Deposits –
 - \$25,000 within 3 Business Days after the Effective Date.
 - \$50,000 after inspection period.
 - Additional deposits required to extend the Inspection Period or to extend the transfer deadline.

Transfer at Closing:

- Conditions to Closing:
 - Confluent must have all final, non-appealable approvals from the City Planning Commission, BZA, ABR and Council.
 - Confluent shall pay the City's legal expenses up to a maximum amount of \$15,000.

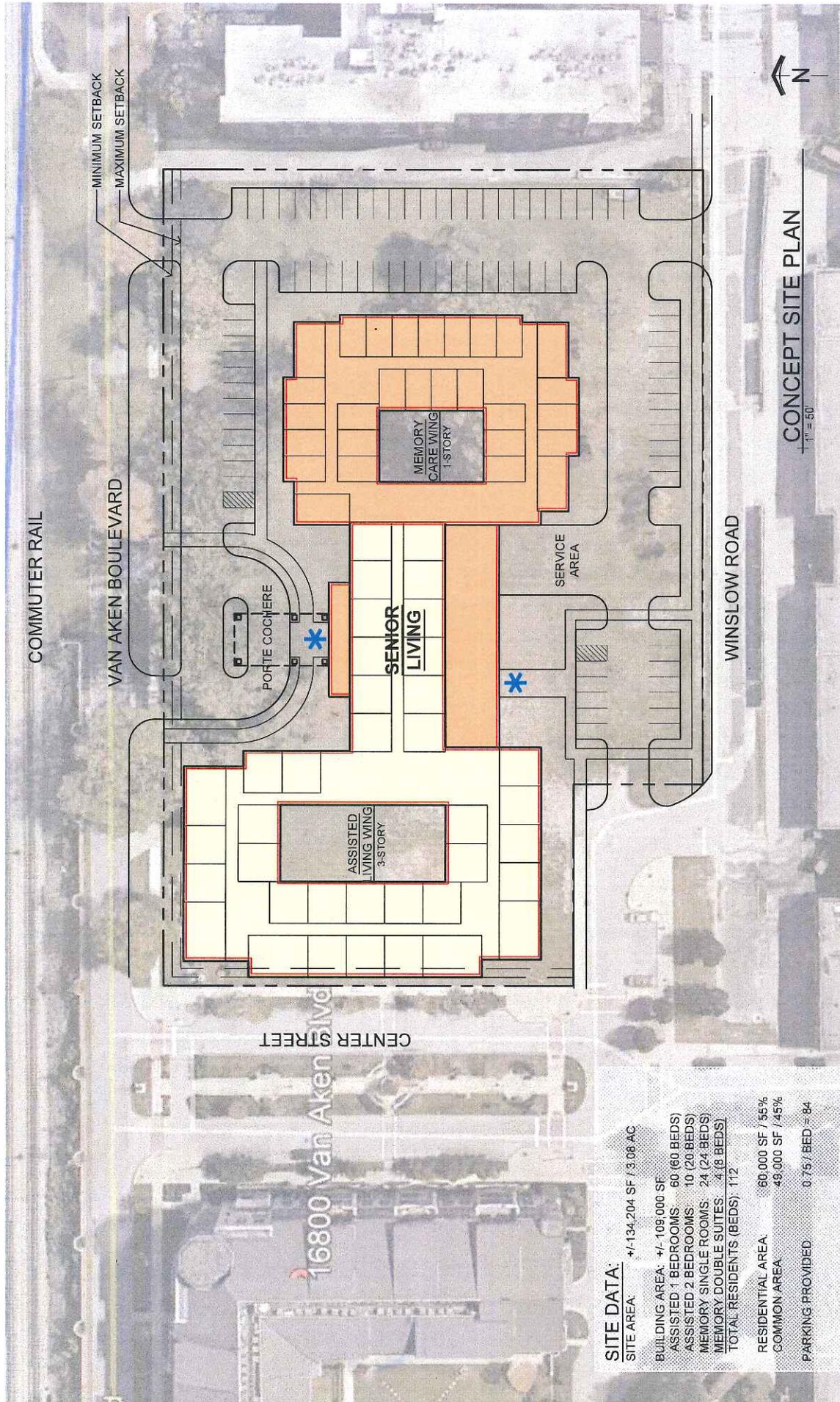
Plans and Approvals:

- Developer shall obtain all required City approvals.
- Plans and Specifications shall reflect a high quality design and the use of materials and construction techniques which respect the historic fabric of the City.
- Site Plan and Plans and Specifications shall conform to the Design Principles set forth in the Commercial Mixed Use section of the City zoning code, the Architectural Board of Review General Design Guidelines and other appropriate design guidelines promulgated by the City and adopted by the Architectural Board of Review and/or City Planning Commission.

Recommendation

The Development Agreement was presented to the Neighborhood Revitalization and Development Committee on July 10, 2019 and a discussion was held.

The project develops a highly visible and long-vacant site and will contribute to strengthening the Shaker Town Center area. This is a recommendation to authorize the City administration to enter into a Purchase, Development and Use Agreement with Confluent Development in order to construct an Assisted Living and Memory Care facility.



CONCEPT SITE PLAN
1" = 50'

SITE DATA:

SITE AREA	+/-134,204 SF / 3.08 AC
BUILDING AREA	+/- 109,000 SF
ASSISTED 1 BEDROOMS	60 (60 BEDS)
ASSISTED 2 BEDROOMS	10 (20 BEDS)
MEMORY SINGLE ROOMS	24 (24 BEDS)
MEMORY DOUBLE SUITES	4 (8 BEDS)
TOTAL RESIDENTS (BEDS)	112
RESIDENTIAL AREA:	60,000 SF / 55%
COMMON AREA	49,000 SF / 45%
PARKING PROVIDED	0.75 / BED = 84

TEST
FIT
June 5, 2019

Senior Living Development
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Confluent Senior Living

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