



SHAKER HEIGHTS

Finance Committee Agenda Monday, October 19, 2020, 8:00 A.M. VIA ZOOM MEETING

For the safety of staff and residents, in-person attendance is not permitted. Join the Zoom meeting as a viewer or listener from a PC, Mac, iPad, iPhone or Android device. Join online at <https://zoom.us/j/99844695510?pwd=aUhaRFQ3eUp5OXFROE14bGxFdHJYdz09>, Password: 606703; Description: Finance Committee; or join by phone at 833-548-0282 (toll free); Webinar ID: 998 4469 5510, Password: 606703. International numbers available at <https://zoom.us/u/ahwKbeuA>.

1. Approval of the minutes of the regular meeting of September 21, 2020.

Documents:

[FNMN921.PDF](#)

2. Authorizing acceptance of a grant in the amount of \$153,567.27 from the Assistance to Firefighters Grant Program, through the Federal Emergency Management Agency, to fund the purchase of a replacement Self Contained Breathing Air Apparatus (SCBA). SPW

Documents:

[FISCAL YEAR 2019 ASSISTANCE TO FIREFIGHTERS GRANT - FINANCE.PDF](#)

3. Authorizing the City to enter into agreement with Precision Wildlife Management LTD in the amount \$58,000 for professional services for the 2020-2021 Deer Management Culling Program. SPW

Documents:

[FINANCE.2020-2021 WINTER DEER CULLING PROGRAM VF.PDF](#)

4. Authorizing an amendment to the LPA Agreement with Ohio Department of Transportation (ODOT) by combining the Warrenville Center Road Resurfacing (PID 105725) and Warrenville Center Road Resurfacing (PID 112471). SPW

Documents:

[ODOTWCRREV..PDF](#)

5. Authorizing the execution of certificates by the Director of Finance and the payment of amounts due upon certain contracts for which the Finance Director has issued Then and Now Certificates in connection with certain expenditures.

Documents:

[THEN AND NOWS OCTOBER - FINANCE CEE.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 Committee
Monday, September 21, 2020, 8:00 A.M.
Via ZOOM Meeting Due to
COVID-19 Public Health Emergency

Members present: Council Member, Nancy Moore, Chair
Council Member, Tres Roeder
Council Member, Anne Williams
Council Member, Earl Williams
Citizen Member, Martin Kolb
Citizen Member, Linda Lalley
Citizen Member, Anthony Moore
Citizen Member Danielle Sydnor

Others present: Mayor, David E. Weiss
Chief Administrative Officer, Jeri Chaikin
Director of Finance, John Potts
Assistant Finance Director, Cheryl Arslanian
Director of Planning, Joyce Braverman
Principal Planner, Kara Hamley O'Donnell
Director of Public Works, Patricia Speese
Director of Communications & Marketing, Julie McGovern Voyzey
Director of Economic Development, Laura Englehart
Frank Goforth, League of Women Voters

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DISCUSSION ITEM – INCOME TAXES & JULY YTD FINANCIAL UPDATE W/ FINANCE CMTE. EXECUTIVE SUMMARY.

John Potts, Director of Finance, reminded the Committee that there is a one month lag between the time that RITA essentially receipts the money and the distribution to the City. He stated that collections are down about a \$1.0M from last year's actuals and about \$1.3M down versus the 2020 budget. The July year to date financials showed expenditures are over \$470,000 against the same time period as last year. The Recreation fund subsidy will likely need an additional \$200,000 before the end of the year, so in total the City is down about \$2.97M. Director Potts stated that the General Fund expenditures contain about a million dollars' worth of COVID-19 expenses. The City has received approximately \$1.1 million in CARES Act monies to effectively reimburse the City for these expenses and they are currently being held outside of the general fund in a special revenue fund. In the fourth quarter these funds will be moved into the general fund, effectively reducing expenses by the same amount, thus making the total shortfall \$1.8M. Director Potts also stated that there is likely to be lower expenses continuing throughout the year due to the suspension of programs and projects and the hiring freeze enacted during the early months of the pandemic.

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The fourth quarter is typically the timeframe in which the majority of General Fund budgeted transfers occur. At that time, Director Potts stated that Finance will present the proposed transfers to the Finance Committee and Council to counteract the revenue shortfalls a previously discussed during the COVID cost-cutting strategies rolled out in May.

As a further update, Director Potts explained that the City received approximately \$4.95M in income tax receipts in August 2020 than August 2019. This was entirely caused by the tax filing lag from April 15 to July 15. RITA stated that approximately 96% of Shaker Heights individual tax filers filed their returns in July 2020. This information was helpful in determining just how fast the income lag had burnt off. As of September 4th, the City is down \$1.2M on individual tax receipts, with an overall nine months of receipted income taxes. The next important key date is September 15th when 3rd Quarter Income Tax Estimates are due to RITA.

Citizen Member Lalley questioned the difference between withholding tax revenue and the estimated tax payment revenue in regards to the medical community. Director Potts stated that it is difficult to know the breakdown of all of the occupations held by our individual tax payers. University Hospitals within Shaker Heights is down about \$300,000 in withholding from last year and that is likely due to COVID layoffs, furloughs and the like. Additionally, Director Potts stated that taxpayers, with likely less 2020 bonuses and stagnant wages in 2020 will lead to less income tax revenue in 2021.

Citizen Member Kolb stated that while real focus is on the current year outlook, how will that impact the preparation of the 2021 budget. Director Potts stated the 2021 budget process had started and a few scenarios were developed giving a few different options in the next few months. The concern being the variables between 2021 versus 2020 including the election, individual taxpayers paying less taxes next year and people working from home.

Chair Moore asked if the City was confident that the shortfalls would be covered. Director Potts stated that since May we continue to implement and execute the COVID cost mitigation strategy protocol. The end of the year should reflect the savings on the expense line due to hiring freezes and a number of projects and capital projects that were paused.

Council Member Roeder stated with the expectation that the 2021 budget has the potential to come in below the 2020 actuals, questioned should the City be looking at cost efficiencies through programs like Forward Together to become more efficient from a cost standpoint. Director Potts stated the budget process presently needs to provide revenue numbers that meets the administration approval and expense numbers to match those revenues before it can be determined what actions needs to be taken to ensure that the end result is a balanced budget. He stated that presently there was no answer, but certainly something that would be considered.

Mayor Weiss stated that the City is constantly looking for those opportunities and will continue to do so, whether it's through Forward Together or regional approaches. Some of the longer term projects and initiatives will take longer to actually see the benefits, but are the things that will be looked at continuously. Significant decreases have been made to the shortfall already, for example the regional dispatch center and certainly others areas will continue to be explored.

Citizen Member Lalley questioned if any capital projects that were paused would be worrisome to continue to delay. Director Potts stated there is approximately \$700,000 of this year's capital projects that were put on hold and the pausing of those projects should not cause concern.

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DISCUSSION ITEM – TRUMP EXECUTIVE ORDER – FICA PAYROLL TAX DEFERRAL MEMO.

Director Potts stated that on August 8th, President Trump signed an executive order temporarily suspending payroll tax collections as negotiations in Congress deadlocked over a new coronavirus stimulus package. Trump’s executive order takes effect Sept. 1 and lasts through Dec. 31. Companies participating in the plan would stop withholding some Social Security taxes for the rest of the year, then withhold twice as much as usual early next year to pay the delayed taxes. The order is intended to provide a temporary tax break specifically for workers – equating to a 6.2% bump in pay for those earning less than \$4,000 bi-weekly through the end of the year.

This is a temporary payroll tax cut that will last from September 1, 2020 until December 31, 2020. During this period, certain employees will not have to pay a payroll tax, which is 6.2% for Social Security. Employers will be responsible to pay the deferred payroll tax between January 1, 2021 and April 30, 2021.

The President has the authority to defer payroll taxes because he made a nationwide emergency declaration in March. But it’s up to Congress to decide whether or not to permanently forgive the deferred payroll taxes. It is unclear whether this would happen and would likely depend on the outcome of the election as Trump has stated that he would forgive (eliminate) the requirement to pay the deferral back if he is re-elected (although, again, it is only up to Congress, not the President to perform this action).

The payroll tax deferral does not affect City employees since they do not pay FICA (social security taxes). The Finance Department does process payroll for Shaker Heights Development Corporation and Family Connections. There is one employee eligible to participate in the deferral at SHDC and all of the Family Connections employees are eligible if they so choose. Additionally, the Acting Judges (12) in the Municipal Court are eligible.

The Finance Department contacted all of the individuals affected per above and all of them communicated that they did not wish to participate in the payroll tax deferral, effectively “opting-out.” Thus, there is no set up or implementation to execute this deferral in the payroll department of Finance.

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APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 17, 2020.

Chair Moore stated that the minutes of the August 17, 2020 meeting were approved as recorded.

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AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT FROM NOACA'S TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) PROGRAM FOR THE LEE ROAD CORRIDOR CONNECTION ACTION PLAN IN THE AMOUNT OF \$100,000 WITH A GRANT MATCH OF \$25,000 FOR A TOTAL PROJECT COST OF \$125,000.

Joyce Braverman, Director of Planning, stated this is a request to authorize a grant application for and acceptance of a grant from NOACA's Transportation for Livable Communities Initiative (TLCI) program for the Lee Road Corridor Connections Action Plan. The Lee Road Corridor Connections Action Plan will provide detailed recommendations for transportation enhancements such as: traffic calming, access plan including pedestrian and bike amenities within the district and connections with surrounding neighborhoods and corridors; urban design strategies to achieve a corridor transformation; an economic development and facilities strategy; and robust community engagement.

The NOACA Transportation for Livable Communities Initiative (TLCI) program provides assistance to communities and public agencies for transportation projects that strengthen community livability, including projects that enhance economic viability and quality of life. The NOACA Governing Board has allocated approximately \$500,000 of federal funds for the competitive planning grant program.

The City has completed traffic studies and plans in the Lee Road area in the past. With this grant application, the City seeks to not repeat but to build on those plans by seeking funding to complete a comprehensive, detailed plan for transforming the area into a thriving commercial district that is attractive, walkable, and bikeable.

Applying for TLCI grant funding this year will allow the City to complete advanced planning now in order to pave the way for implementation funding and meet the expected 2025 construction year. The City has requested implementation funding from NOACA for road resurfacing, a multipurpose path and streetscape in funding year 2025. The plan would also prepare us to request State capital funds and other grant sources in 2022-24. The plan and funding strategy uses the same techniques as other successful projects, most recently the Chagrin/Warrensville intersection reconfiguration and public improvements in the Van Aken district.

The City will request a \$100,000 grant from NOACA. This competitive application does not require a match however, city participation is encouraged. Based on past TLCI grant awards, a city match of \$25,000 is proposed to achieve a budget of \$125,000. This will support a targeted plan that will address all aspects of transportation and redevelopment for the Lee Road Corridor and work with the community to craft this vision. The match funds will come from the available balance in the capital fund. The grant application and supporting legislation are due on October 16, 2020.

This item was presented to the Neighborhood Revitalization and Development Committee on September 9, 2020. There was a significant discussion, but was supported.

Council Member Williams asked if the City joined NOACA, could that possibly assist the City's chances to receive capital money from the State Capital Fund and has the City tried to include NOACA in considering improvements to the area south of Shaker Road.

Director Braverman stated that capital budget requests are usually not strengthened by more than one entity applying and NOACA does not make a practice of making their own applications, but will continue to work through GCP so that would be part of our strategy to seek partners.

In response to Council Member Williams regarding the south areas, Director Braverman stated a goal would be for the City to partner with the Cleveland Development and Planning Committee and their Council to work together to see if a plan could be implemented and research the available funds for this project.

Citizen Member Sydnor stated she is working on a project trying to understand the needs of the community as it relates to minority business and minority workers and how we look at our corridor and its impact as it connects by way through to Cleveland.

Chair Moore reemphasized the importance of the business corridor and talking with possible partners that would be willing to engage in business development.

The Finance Committee recommended authorizing the application for and acceptance of a grant from NOACA's Transportation for Livable Communities Initiative (TLCI) program for the Lee Road Corridor Connection Action Plan in the amount of \$100,000 with a grant match of \$25,000 for a total project cost of \$125,000.

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AUTHORIZING A THREE-YEAR PERSONAL SERVICES CONTRACT WITH JOHN H. MOORE & ASSOCIATES FOR ADVERTISING MANAGEMENT PERSONAL SERVICES FOR SHAKER LIFE MAGAZINE PAYING A 20 PERCENT COMMISSION FOR THE PERIOD JANUARY 1, 2021, THROUGH DECEMBER 31, 2023 WITH A RENEWAL FOURTH YEAR.

Julie McGovern Voyzey, Director of Communications and Marketing, stated this item authorizes a three-year personal services contract for advertising management for the *Shaker Life* magazine. The magazine is the primary communications with the residents. The Communications and Marketing Department publishes the magazine and acts as Editor in Chief. In addition to department staff who work on the magazine, the department outsources a managing editor, art director, advertising manager and advertising representative, a proofreader, and a team of freelance writers and photographers.

The Ad Manager must have experience in magazine advertising sales either as an independent contractor or as part of an ad sales firm. The manager receives a commission of net advertising sales, based on accounts paid in full. Advertisers whose accounts are delinquent do not generate a commission payment for the Ad Manager.

John H. Moore & Associates has been the advertising management for *Shaker Life* since 2005. His current contract expires in December 2020, coinciding with ad sales for the winter 2021 issue.

On July 27 a Request for Proposal was disturbed and posted on the City's website and its Facebook page. Our efforts in finding names/contacts resulted in none and was attributed to the fact that the publishing and advertising industry has changed to full service publishing companies leaving few independent Ad Managers still in business. John H. Moore & Associates was the only proposal we received. Moore offers considerable expertise in attracting the quality advertiser with which *Shaker Life* has long been associated. Moore's experience enables him to understand and communicate about a highly desirable target advertising audience. Moore's proposal commits to retaining the services of Rebecca Wong, a sales representative and Shaker resident, with a long history of customer service to

Shaker Life's business advertisers. Moore further proposes a continuation of his 20 percent commission.

The request was presented to the Administration Committee on September 8 and unanimously recommended approval of a personal services contract with John H. Moore & Associates for the Advertising Management of *Shaker Life*.

In response to Citizen Member Lalley regarding a fit for the budget, Director Voyzey stated that John Moore is the only source of revenue for the magazine bringing in the advertisements.

The Finance Committee recommended authorizing a three-year personal services contract with John H. Moore & Associates for advertising management personal services for Shaker Life magazine paying a 20 percent commission for the period January 1, 2021, through December 31, 2023 with a renewal fourth year.

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AUTHORIZING A CONTRACT WITH DLZ IN THE AMOUNT OF \$46,182 FOR DESIGN SERVICES FOR THE ALDERSYDE ROAD WATERLINE PROJECT.

Patricia Speese, Director of Public Works, stated that the City participates with the Cleveland Water Department (CWD). In the spring of 2020, Public Works received funding through the Cleveland Water Suburban Water Main Renewal program to replace the water mains on Aldersyde Road (Lee Road to Onaway Road). Cleveland Water (CWD) has agreed to pay for this project on the condition that the City of Shaker Heights design and manage the project. CWD will pay the City the total costs of the design and construction. The City agreed to administer this project but must first have the waterline designed.

Request for Proposals was sent to five (5) firms who have either performed professional services in the City before or have demonstrated an interest and the qualifications in waterline design along with posting on the city's website. The scope of work entails that the consultant prepare construction documents for the replacement of the waterline on Aldersyde Road. On July 31, 2020 the City of Shaker Heights received five (5) proposals. The proposals were reviewed by Public Works staff using the Quality Based Selection (QBS) process meaning proposals are rank on merits first and then fees. After review of the proposals, it was determined that the DLZ's understanding of the project requirements and technical approach was the most comprehensive of the five proposals received.

On August 27, Public Works had a virtual meeting with DLZ's team to review the project and better understand their approach. During the conversation, it was clear that DLZ understands the City expectations, knows the process for submitting plans to CWD, and has the availability to start the project immediately after the contract is executed. DLZ's project approach is consistent with other waterline designs that have been completed by the City. Public Works reviewed the proposed fees. The estimated construction cost for the Aldersyde water main replacement is \$593,153. For design services, CWD will pay eight percent of estimated construction cost; applying 8% to \$593,153 yields \$47,453. DLZ's proposed fee is within CWD's range of allowable costs and is reasonable given the scope of work.

This request was presented and unanimously approved at the Safety & Public Works Committee meeting held on September 4, 2020.

Citizen Member Lalley asked if there would be any circumstances in which Cleveland Water would not reimburse the City.

Director Speese, stated that the City submits all pricing to Cleveland before work is performed and Cleveland pays in advance. Our experience in dealing with Cleveland Water is over 10-years now and it is hard to imagine any issues that would cause no payment.

In response to Chair Moore regarding project timeline, Director Speese stated the schedule is in place and everything is to be completed so the work can be perform in the summer of 2021.

The Finance Committee recommended authorizing a contract with DLZ in the amount of \$46,182 for design services for the Aldersyde Road Waterline Project.

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AUTHORIZING A CONTRACT WITH GPD IN THE AMOUNT OF \$49,871 FOR DESIGN SERVICES FOR THE BRANTLEY SEWER IMPROVEMENT PROJECT.

Director Speese stated that in June of 2015, Public Works received multiple complaints about basement flooding on Brantley Road after a significant rain event. The City used a contractor to clean and inspect both the sanitary & storm mains. Both mains had heavy root infiltration but the pipe was in relatively good condition considering its age. Various spot repairs were performed on select pipe segments that were structurally deficient.

In early 2020, Domino East Ohio was starting a major gas main replacement project on Brantley and the surrounding streets. Since the project involved boring, the contractor was required to perform an internal inspection of the sewers per the city's right-of-way permit. They were not able to complete their inspection (cleaning is not part of their scope of work) and contacted Public Works to notify us of the poor condition of the sewers on Brantley. Shortly thereafter, we had used our sewer inspection company to complete the cleaning & inspection. In short, roughly 85% of the sewers are structurally deficient.

Given the rapid rate of deterioration over the past five years, a Request for Proposals was sent to six (6) consulting firms and posted on the city's website for design services on July 20, 2020 with seven proposals received. The proposals were reviewed by Public Works staff using the Quality Based Selection (QBS) process. After review of the proposals, it was determined that the GPD's understanding of the project requirements and technical approach was the most comprehensive of the proposals received. GPD's proposed fee is consistent with other sewer improvement designs and is fair & reasonable and funding for this improvement is in the Sewer Capital fund as part of the northeast quadrant repairs.

This request was presented and unanimously approved by the Safety & Public Works Committee at the September 4, 2020 meeting.

In response to Chair Moore regarding relocation of sewer, Director Speese stated the sewer would be relocated from the tree lawn to the street.

Chair Moore requested the source of funding for this project.

Director Speese stated this was not a capital project, but would be funded by a Capital Plan.

In response to Citizen Member Kolb regarding gathering insight from homeowners and schools, Director Speese stated the schools are contacted by phone and meetings set-up for residents to discuss the issues.

Council Member Williams stated that the allocation of \$2M a year from the Sewer Capital Fund to perform sewer work on the older park of Shaker, would that include Moreland and other areas that have the storm and sanitary sewers on top of each other as opposed to side by side and is there an opportunity to approach the State Capital Fund for grant money.

Director Speese stated that it was not limited to just the Southern part of Shaker, that the entire City of Shaker Heights has the over-under sewer system, so the plan is to fix all sewers which would be hundreds of millions of dollars. The City does plan to apply for State Capital Funds, but the funds are presently suspended and with the entire part of the state experiencing the same sewer problems State Capital Funds are limited.

The Finance Committee recommended authorizing a contract with GPD in the amount of \$49,871 for design services for the Brantley Sewer Improvement Project.

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APPROVING TAX YEAR 2020 (COLLECTION YEAR 2021) PROPERTY TAX RATES.

Director Potts stated that this item is for the annual required approval of our tax rates for tax year 2020 for collection in 2021. We are required by the Ohio Revised Code to approve tax rates even though they are the same every year. Shaker Heights has set inside and Charter millage totaling 9.9 mills. The City's property tax rate has remained unchanged since 1993. The City has received \$5.9M to date versus \$7.7M received the same time in 2019.

The Finance Committee recommended approving Tax Year 2020 (Collection Year 2021) Property Tax Rates.

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REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE 2020 PROPERTY TAX RECEIPTS COLLECTED BY THE COUNTY DURING 2021.

Director Potts stated each year, the County Fiscal Office requires the City to formally 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 up to 90% of the property taxes collected on the City's behalf by that office as the revenue is identified. Generally, the City would expect to receive approximately six periodic distributions under this program. Without these requests, the County Fiscal Office will hold all of the City's funds until final settlement, meaning that the City will receive only two lump-sum distributions a year.

The Finance Committee recommended requesting the County Fiscal Officer to advance 2020 Property Tax receipts collected by the County during 2021.

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ACCEPTING THE RECOMMENDATIONS OF THE CITY'S TAX INCENTIVE REVIEW COUNCIL (TIRC) TO CONTINUE THE EXISTING DEVELOPMENT AGREEMENTS FOR TAX EXEMPTION AND PAYMENTS IN LIEU OF TAXES (PILOTS), PURSUANT TO OHIO REVISED CODE SECTION 5709.85.

Laura Englehart, Director of Economic Development, stated the City of Shaker Heights Tax Incentive Review Council (TIRC) held its state-required, annual meeting on July 9, 2020. The TIRC is charged with reviewing current tax incentive agreements on an annual basis and ensuring transparency and accountability on the part of the City and developer in the management of each of the agreements.

The meeting was attended by Economic Development Director Englehart, Finance Director John Potts, Assistant Director of Finance Arslanian, Citizen Members Patricia Barz and Neil Dick, and School Board Treasurer Bryan Christman. The County TIRC members and staff included Chairperson Lisa Rocco, Gregory Huth, Susan Infeld, and Prentis Jackson, Jr.

By statute, the TIRC must meet and review annually certain legislatively authorized, active agreements that grant tax exemptions. During 2019, the City had (and still has) three categories of active exemptions: Urban Renewal per Ohio Revised Code §725; Tax Incremental Financing per §5709; and Community Reinvestment Areas per §3735.66. At the TIRC meeting, each of these three categories was reviewed for 2019, including compliance with active agreements, financial reports, and general project information as required per state law.

After presentations by City staff, including a thorough budgetary review by City staff and discussion by TIRC members, the TIRC voted and found that the City is in compliance with its agreements as outlined above. The TIRC then voted that the City should continue the agreements without modification and convey such recommendation to Council. Both votes passed unanimously.

The TIRC has, through transmittal of the July 9th minutes to the City's Clerk of Council, submitted to recommendation for continuations of the City's Agreement as outlined above. The next step is for City Council to vote and act on the TIRC's recommendations within 60 days (no later than November 18, 2020). The Finance Committee recommended accepting the recommendations of the City's Tax Incentive Review Council (TIRC) to continue the existing development agreements for tax exemption and payments in lieu of taxes (PILOTS), pursuant to Ohio Revised Code Section 5709.85.

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There being no further business, the meeting was adjourned at 9:15 a.m. The next meeting will be October 19, 2020.

Respectfully submitted,

John J. Potts, Finance Director
Finance Committee



SHAKER HEIGHTS

To: Members of Finance Committee
From: Patrick F. Sweeney, Chief of Fire
Cc: David E. Weiss, Mayor
Jeri E. Chaikin, CAO
John J. Potts, Director of Finance
Date: October 19, 2020
RE: Fiscal Year 2019 Assistance to Firefighters Grant

During the Council Budget meetings in 2019, the Fire Department presented a capital project request of \$190,000 for the replacement of our Self Contained Breathing Air Apparatus (SCBA) that are worn by Firefighters while fighting fires. These emergency breathing air systems are a vital part of a Firefighters protective gear. This capital project was approved in the 2020 Fire Department Budget.

After Council approved this capital project in December of 2019, the Fire Department, in an effort to continue to aggressively seek out grant funding opportunities, became aware of an Assistance to Fire Firefighters FEMA Grant that would potentially provide funding for this emergency breathing air project. On May 30, 2020 the Fire Department submitted a FEMA Grant Application requesting funding to replace the departments aging Self Contained Breathing Apparatus (SCBA) packs. This grant application requested funding not only for the items that were identified in the approved 2020 capital project, but also included a funding request for additional equipment that would provide for spare air packs to be utilized while others are out for repair, testing equipment that would allow the fire department to complete the required annual mask fit testing requirements, spare mask breathing regulators, along with an emergency breathing air system that would be utilized to supply additional breathing air to a firefighter that is trapped in a building.

The Fire Department was recently notified that this FEMA Grant application was approved and that we would be receiving \$153,567.27 in federal funding. While this grant award doesn't provide full funding for our requested items, it is still a significant amount that will offset the total project cost to the City of Shaker Heights for this capital project.

This items was presented to the Safety and Public Works Committee on October 9th and was enthusiastically approved.

The Fire Department requests that the Finance Committee accept the FEMA grant funding award of \$153,567.27. Secondly, in an effort to utilize these funds to procure the additional Self Contained Breathing Apparatus equipment that was not included in the original capital project, the Fire Department requests that \$50,000 be appropriated to the original 2020 Fire Department Capital Project. This original project was \$190,000 and would be increased to \$240,000 with this request. The remaining grant funding of \$103,567.27 will be released back to the City of Shaker Heights General Fund. The Finance Committee is asked to approve both of these requests and recommend the same to City Council.

CITY OF SHAKER HEIGHTS | *Fire Department*

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SHAKER HEIGHTS

Memorandum

To: Members of Finance Committee 

From: Jeffrey N. DeMuth, Chief of Police

cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Director of Law William Gruber
Director of Finance John Potts

Date: October 5, 2020

Re: Precision Wildlife Management LTD Contract
2020-2021 Deer Management Program

In 2016 in response to multiple resident complaints about the impact of the overabundance of deer, the Shaker Heights Wildlife Task Force (fka Shaker Heights Deer Task Force) comprised of residents and Council members studied the impact of the deer population in the City. The negative impacts associated with an overabundance of or excessive browsing by the deer population are well-documented:

- A deer population that is out of balance with its native ecosystem has detrimental impacts by directly and indirectly affecting native plant and wildlife populations, habitat quality, and ecosystem processes.
- When deer become overabundant, they cause a decline in biodiversity (the number and variety of species of living organisms) in natural areas and reduce the ability of native plants to survive and reproduce. Deer browsing reduces the height, vigor and reproduction of plants through the repeated removal of stems, leaves and flowering parts of plants. If left uncontrolled, the deer population impacts the health of our wooded areas by browsing trees on public and private land.
- Deer browsing negatively impacts wildlife that needs woodland understory for forage, nesting and cover. Deer browsing can, for instance, significantly reduce vegetation that birds use for foraging, escaping predators and nesting.
- Deer browsing and antler rubbing can cause damage to landscape and garden vegetation.
- An overabundant deer population causes a reduction in the availability of forage, which leads to the decline in the health of individual animals.
- Overabundant deer populations hasten the spread of disease that impact deer (e.g., chronic wasting disease) and humans (e.g., Lyme disease).

Staff at the Nature Center at Shaker Lakes report the deer population has had significant negative impacts on the health of the forest at the Nature Center and throughout the Shaker parklands.



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A healthy, diverse forest has an understory full of native shrubs. A forest with too many deer does not have this important layer. Most of the parkland's forest lacks this important shrub layer. Shrubs that do exist are non-native invasive plants that deer do not eat. These types of plants also decrease the diversity in our parklands.

Each year, the City has distributed a questionnaire to residents asking for their opinions on the deer population within the City. After review of the resident annual responses, the Task Force recommended that the City undertake a culling program.

Since the onset of the deer culling program in 2016, the Ohio Department of Natural Resources, Division of Wildlife, has authorized the culling of 40 deer per season. We anticipate they will authorize 40 deer for the upcoming season. As in past years, we will donate the venison to local foodbanks and needy families in the area in accordance with applicable state law.

For the first two years of the deer culling program, the City utilized two, specially trained, police marksmen who held the rank of Lieutenant to cull and perform the ancillary tasks required of a successful program. Use of police officers caused manpower issues within the Police Department.

For the 2018-2019 deer culling season, contractors were sought to provide bids for culling and coordinating the 2018-2019 deer culling program. There are few contractors who provide this service. We reviewed two organizations that would perform deer culling services for the City: the United States Department of Agriculture (USDA) – Animal and Plant Health Inspection Service (APHIS) and Wildlife Services (WS); and Precision Wildlife Management LTD. Precision Wildlife Management LTD is a limited liability corporation started by retired Shaker Heights Police Lieutenant James Mariano.

Precision Wildlife Management LTD was chosen as the vendor and their contract was approved by the Shaker Heights City Council for the 2018-2019 and the 2019-2020 deer culling seasons. Precision Wildlife Management LTD has submitted a proposal for the 2020-2021 deer culling season. They proposed a cost to the City of \$58,000.00 (same price as last year) for harvesting a maximum of 40 deer with access to private property. In addition to residents who have already contacted Precision Wildlife Management LTD to allow culling on their property, Precision Wildlife Management LTD can approach other property owners who own parcels that they feel are conducive to culling.

The Precision Wildlife Management LTD proposal provides an all-inclusive solution to the City. Precision Wildlife Management LTD does not limit the amount of days in which to cull deer allowed by permit. The term of this agreement shall commence on November 1, 2020, and shall terminate upon the earlier of the harvesting of 40 whitetail deer and completion of the end of the year culling report or March 31, 2021, unless extended in writing by agreement of both parties. Precision Wildlife Management LTD's proposal provides for processing, transportation, report compilation and filing with the Ohio Department of Natural Resources.

It is recommended the City of Shaker Heights accept the Precision Wildlife Management LTD proposal for deer culling services and enter into a Personal Service Contract for the following reasons:

- James Mariano, President, Precision Wildlife Management LTD, has over 30 years of experience working for the City. He understands the culture and expectations of City government and Shaker Heights' residents.
- James Mariano's experience and relationships with City employees allows him to seamlessly operate in the environment in which he is uniquely familiar.
- James Mariano has four years of experience culling deer in the unique, densely populated environment of Shaker Heights.
- James Mariano has over 25 years of experience as a state certified scope sighted precision rifle instructor.
- Precision Wildlife Management LTD's proposal is an all-inclusive proposal requiring no additional work from other City employees.
- The Wildlife Task Force met on August 26, 2020, and supported Precision Wildlife Management LTD's proposal.
- Choosing the organization to handle our deer culling program is critical. Trusting the "people behind the rifles" is the overriding concern for the City. James Mariano's performance in this area is a proven commodity through his 30+ years as a police officer and, more importantly, his past performance with our deer culling program.

On October 2, 2020, this proposal was presented to the Safety and Public Works Committee. Committee members inquired about the protocol to receive permission on private property and the percentage of deer culled on private property last season. James Mariano of Precision Wildlife Management LTD reiterated our private property protocol used last year and indicated approximately 15% to 20% of total deer culled were on private property.

Another member asked if we are seeking permission for culling on private property in Shaker Heights or are we seeking permission for private property outside of Shaker Heights. I explained we had sought permission through the City of Cleveland to cull on their cemetery property in Highland Hills but was denied. I further explained we also asked for permission on Highland Hills Golf Course which is still pending. Both requests were made to combat high deer populations in the Sussex and Lomond neighborhoods.

After all questions were answered, the Safety and Public Works Committee voted unanimously in favor of accepting the contract proposal from Precision Wildlife Management LTD for the 2020-2021 Deer Management Program.

It is recommended that the Finance Committee approve this Contract with Precision Wildlife Management LTD for the 2020-2021 Deer Management Program. It is further recommended this item be forwarded to City Council with a recommendation for approval.



Memorandum

To: Members of Finance Committee
 From: Patricia Speese, Director of Public Works
 cc: Mayor David Weiss, CAO Jeri Chaikin
 Date: October 9, 2020
 Re: Revised LPA Agreement for CUY-Warrensville Center Road (PID 105725)

In July, 2019 Council approved legislation so the City could enter into an Agreement with the Ohio Department of Transportation (ODOT) for the Warrensville Center Road Resurfacing (PID 105725). The Agreement was executed on September 20, 2019. The limits of this resurfacing project is from Farnsleigh Road to Fairmount Circle. The general scope of work for the project involves resurfacing of approximately 1.36 miles of Warrensville Center Road, partial and full depth base repairs, construction of ADA (Americans with Disabilities Act) compliant curb ramps and minor curb replacement. The City of Shaker Heights will administer the project which include design, construction, inspection, and management. The cost of the project is \$2,625,115. Per NOACCA funding, ODOT’s cap is \$1,648,000. The City will be obligated to provide \$977,115. The project is currently under design.

The City was notified that ODOT had awarded PID 112471 for another resurfacing project on Warrensville Center Road from the southern city boundary to Norwood and has a similar scope of work. In an effort to minimize the impact to the community and reduce project costs, the City requested to combine the two projects. ODOT is agreeable to this approach. The cost for this work is \$335,000. ODOT’s cap is \$268,000 and the City’s contribution would be \$93,800. The table below illustrates the total project cost when combining the two projects.

| | PID 105725 | | PID 112471 | | Total | |
|---------------------------------------|-------------|-----------|------------|----------|--------------------|--------------------|
| | ODOT | City | ODOT | City | ODOT | City |
| Design | N/A | \$120,000 | N/A | \$26,800 | N/A | \$146,800 |
| Construction | \$1,598,560 | \$833,590 | \$246,560 | \$61,640 | \$1,845,120 | \$895,230 |
| Construction Admin / Inspection | \$49,440 | \$23,525 | \$21,440 | \$5,360 | \$70,880 | \$28,885 |
| | \$1,648,000 | \$977,155 | \$268,000 | \$93,800 | \$1,916,000 | \$1,040,915 |

Knowing ODOT was agreeable to combining the projects, we tasked the design team to include the southern portion of the project as part of their scope of work to minimize delays in the schedule.

The general schedule for the project is:

- Complete the design in the Fall of 2020
- Advertise and award construction in early 2021
- Start construction in the spring of 2021

It is the City's intent to bid the Shaker Blvd / Warrensville Center Road Intersection Reconfiguration project with the resurfacing project. We believe this approach will be a cost savings to the City and will provide continuity when having multiple construction projects running concurrently along the WCR corridor.

As a result of combining the projects and the economy of scale involved with such a large project, we do not anticipate requesting the additional funds for the second resurfacing project in the amount of \$93,800 as referenced above but believe that the savings realized will cover the expense.

This request was approved at the October 2, 2020 Safety & Public Works unanimously with one abstention by Citizen Member Jonathan Hren who works for ms consultants who is designing this project.

We request approval to revise our Agreement with ODOT by combining PID 112471 into PID 105725. We request that the Finance Committee approve the necessary legislation so the City can enter into an LPA Agreement with ODOT for the revised Warrensville Center Resurfacing project PID 105725.



SHAKER HEIGHTS

Memorandum

To: Members of the Finance Committee
 From: John J. Potts, Director of Finance
 cc: David E. Weiss, Mayor
 Jeri E. Chaikin, Chief Administrative Officer
 Date: October 19, 2020
 Re: Then and Now Approval

Section 5705.41 (D) (1) requires in part that the fiscal officer certify that amounts required to meet obligations have been lawfully appropriated and are available for expenditure prior to the obligations being incurred. If this is not done the fiscal officer may make such certification, after the fact (commonly referred to as “Then and Now”), however if the amount of the obligation is \$3,000 or more City Council must approve payment within 30 days of such certification.

The Finance Committee is requested to recommend to Council that the Then and Now Certificate presented for the transactions on Exhibit A and the related payment be approved.

EXHIBIT A
 Then and Now Certification Summary
 July 28 - October 26, 2020

| Dep't | PO # | Invoice Date | PO Date | Warrant | Amount | Vendor | Reason |
|---------|----------|--------------|----------|---------|----------|--------|--|
| Finance | 20001937 | 09/16/20 | 10/06/20 | 101620 | \$40,799 | OPERS | OPERS invoice submitted prior to informing the City of the required payment. |