



City of Parma Heights Special Council Meeting

6281 Pearl Road

Monday, August 15, 2022 7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

LEGISLATION:

Third Reading

1. **2022 – 23 AN ORDINANCE AMENDING SECTION 618.10 ENTITLED “ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.**
2. **2022 – 24 AN ORDINANCE AMENDING SECTION 618.15 ENTITLED “ANIMALS IN CITY PLAYGROUNDS AND CERTAIN OTHER PARK AREAS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.**
3. **2022 – 25 AN ORDINANCE AMENDING SECTION 618.21 ENTITLED “HUNTING, POISONING AND TRAPPING PROHIBITED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES.**

First Reading

4. **2022 - 31 AN ORDINANCE REJECTING ALL BIDS FOR THE NATHAN HALE STORMWATER BASIN PROJECT, AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO RE-ADVERTISE FOR COMPETITIVE BIDS, AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A WRITTEN CONTRACT WITH THE LOWEST AND BEST BIDDER THEREFORE, AND DECLARING AN EMERGENCY**
5. **2022 – 27 A RESOLUTION AUTHORIZING THE ADMINISTRATION TO ACCEPT AND EXPEND A GRANT FROM THE A. RIPEPI FAMILY THROUGH EXCEL K-9 SERVICES, INC. FOR A K-9 DOG FOR USE BY THE PARMA HEIGHTS POLICE DEPARTMENT, AND DECLARING AN EMERGENCY**
6. **2022 – 28 A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF CAR WASH ESTABLISHMENTS WITHIN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY**
7. **2022 – 29 A RESOLUTION AUTHORIZING THE ADMINISTRATION TO EXECUTE A SUBRECIPIENT AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) BUILDING DEMOLITION AND SITE REVITILIZATION PROGRAM, NUNC PRO TUNC, AND DECLARING AN EMERGENCY**

8. 2022 – 30 A RESOLUTION ASSESSING THE COST OF ABATING A CERTAIN NUISANCE, AND DECLARING AN EMERGENCY
9. 2022 – 31 A RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATION TO ENTER INTO THE FY2021 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM AGREEMENT, TO ACCEPT AWARDED FUNDING, AND TO FURTHER AUTHORIZE THE EXPENDITURE OF FUNDS, AND DECLARING AN EMERGENCY
10. 2022 – 32 A RESOLUTION AUTHORIZING EUTHENICS, INC., MUNICIPAL ENGINEER, TO PREPARE A GRANT APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND DECLARING AN EMERGENCY
11. 2022 – 33 A RESOLUTION AUTHORIZING THE ADMINISTRATION TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY

ADJOURNMENT

CITY HALL WILL BE OPEN FOR THE COUNCIL MEETING

City of Parma Heights
6281 Pearl Road Parma Heights, OH 44130

ORDINANCE NO. 2022 - 23

AN ORDINANCE AMENDING SECTION 618.10 ENTITLED “ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Parma Heights Police Department will begin utilizing a police dog in the summer of 2022; and

WHEREAS, the Parma Heights Codified Ordinances regarding animals running at large need to allow police dogs to perform official duties.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.10 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which are attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that it is necessary to allow the Police Department to utilize police dogs to maintain safety; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH THE MAYOR: _____ MAYOR MARIE GALLO

EXHIBIT A

618.10 ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY.

(a) No owner/guardian of any animal, including, but not limited to, dogs and cats, shall permit such an animal to run at large within the City at any time. Any animal shall be deemed running at large when such an animal is not inside a resident structure, secure fence or pen; on a leash and held by a person capable of controlling such animal; or tethered in such a manner as to prevent its getting on the public right-of-way or another's property. This provision shall not apply to dogs being obedience trained by a certified trainer.

(b) The owner, keeper or harbinger of a domestic animal who permit it to run at large in violation of this section shall, in addition to the penalty provided in division (g) of this section, the owner of the animal will be liable for all damage or destruction to the owner or occupant of the damaged property for the full value of the damage or destruction.

(c) Any land which is enclosed with invisible fencing must have its boundary no less than six feet from public property. (The public is encouraged, but not required to post signs regarding invisible fencing.)

(d) No person who is the owner or in charge of any dog shall permit such dog to be tethered in a front or side yard.

(e) This section shall not apply to persons operating under the guidelines of a program approved by the Director of Public Safety for providing for the trapping, spaying, or neutering, and releasing of cats and dogs with the purpose of reducing the unwanted stray-animal population in the City.

(f) This section shall not apply to a police dog that is being used to assist one or more law enforcement officers in the performance or their official duties or during the police dog's normal course of duty.

(f) (g) Whoever violates any provision of this section is guilty of a minor misdemeanor for a first offense. Whoever violates this section in a second or subsequent offense shall be guilty of a misdemeanor of the fourth degree.

(Ord. 2019-3. Passed 2-11-19.)

ORDINANCE NO. 2022 - 24

AN ORDINANCE AMENDING SECTION 618.15 ENTITLED "ANIMALS IN CITY PLAYGROUNDS AND CERTAIN OTHER PARK AREAS" OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Parma Heights Police Department will begin utilizing a police dog in the summer of 2022; and

WHEREAS, the Parma Heights Codified Ordinances regarding animals in city playgrounds and parks need to allow police dogs to perform official duties.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.15 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which are attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that it is necessary to allow the Police Department to utilize police dogs to maintain safety; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR MARIE GALLO

EXHIBIT A

618.15 ANIMALS IN CITY PLAYGROUNDS AND CERTAIN OTHER PARK AREAS.

(a) No domestic animal shall enter any play apparatus in any playground. Dogs are permitted on a leash in parks owned or maintained by the City, providing no owner, keeper or harbinger of a dog shall fail to comply with all provisions in this division (a) of this section and all remaining applicable code.

(b) An owner of a domestic animal that violates division (a) of this section is guilty of a minor misdemeanor. If the offender has been previously convicted of violating this section, any subsequent violation is a misdemeanor of the fourth degree.

(c) This section does not apply to guide, leader, hearing, or support dogs in accordance with federal regulations.

(d) This section does not apply to a police dog that is being used to assist one or more law enforcement officers in the performance of their official duties or during the police dog's normal course of duty.

(Ord. 2019-3. Passed 2-11-19.)

ORDINANCE NO. 2022 - 25

AN ORDINANCE AMENDING SECTION 618.21 ENTITLED "HUNTING, POISONING AND TRAPPING PROHIBITED" OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the overpopulation of white-tailed deer within the City of Parma Heights negatively impacts public health and safety due to an excessive number of deer-related vehicular accidents, destruction of natural habitats and biodiversity, increased risk of disease transmission to humans from deer parasites, and damage to private and public property; and

WHEREAS, the Department of Public Safety considered the options to control the deer population, with the assistance and input from the Ohio Department of Natural Resources, and other municipalities; and

WHEREAS, the City believes that a city-sponsored approach to managing the deer population is the most effective strategy to manage deer; and

WHEREAS, City Council desires to provide the Mayor and the Director of Public Safety with an effective, flexible and feasible tool to address deer overpopulation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.21 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR MARIE S. GALLO

EXHIBIT A

618.21 HUNTING, POISONING AND TRAPPING PROHIBITED.

(a) Hunting Prohibited. The hunting of animals or birds within the Municipality is prohibited. No person shall hunt, kill or attempt to kill an animal by the use of firearms, bow hunting, trapping or any other method, except as follows;

(1) The limited hunting of white-tailed deer by crossbow or long bow may be permitted within the City under the following terms and conditions:

- A. The Police Chief or his or her designated representative may, in his or her sole discretion, issue a Municipal Deer Control Permit to a qualified archer applicant;
- B. As a corollary to and following the issuance by the ODNR of its own Deer Damage Control Permit or license to allow only bow-hunting (long bow and crossbow) of white-tailed deer;
- C. In areas of not less than five contiguous acres by a qualified archer, on such forms and subject to such rules and regulations as the Chief may prescribe;
- D. Hunting shall be conducted from an elevated platform only;
- E. Written permission from the property owner(s) has been obtained;
- F. "Qualified archer" shall be defined as an individual having obtained an approval/certification from approved archery proficiency test site, a valid Ohio hunting license, if applicable, and all other state requirements;
- G. Compliance with all laws, rules and regulations of the City and State;
- H. All applicants shall agree, in writing, to defend and indemnify the City for any negligent acts or damages committed by the applicant;
- I. Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents as determined solely by the Chief of Police; and
- J. Chief of Police is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provision of this section and all other rules and regulations necessary to insure public health and safety.

~~(2) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.~~

~~(3) Whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02.~~

(2) The City may utilize firearms-trained personnel to cull white-tailed deer upon property owned or managed by the City or upon private property with permission, provided that:

- A. The Chief of Police or his designee has determined that such culling can be safely conducted on such property; and
- B. Such personnel are employed by or associated with a federal agency, state agency or local law enforcement agency; and
- C. Such culling has been approved by the Ohio Department of Natural Resources, Division of Wildlife.

(b) Trapping. The trapping of animals or birds within the municipality is prohibited by all persons except the animal control officer or wildlife removal and control services that resident's privately contract, providing that the wildlife removal and control service shall only use humane methods/traps, where possible, that are not dangerous to the life or limb of animals to be trapped, or any persons who have any possibility of coming into contact with such traps. Any use of firearms is strictly prohibited. Wildlife removal and control services comply with Section 618.19 and keep current records on animals destroyed and are required to produce said records on demand by any Police Officer, Humane Agent, or animal control officer.

(c) Trapshooting. Live birds or fowl shall not be used as targets in trapshooting.

(d) Poisoning. No poisoned meat or any poisonous substance shall be cast into any of the streets, public places, lots or buildings in the City for the purpose of harming, destroying or killing animals. Nuisance rodent traps are excluded.

~~(e) Whoever violates this section is guilty of a misdemeanor of the fourth degree. If the offender has been previously convicted of violating this section, any subsequent violation is a misdemeanor of the third degree.~~

(e) No person shall, for the purpose of hindering or preventing the lawful culling of white-tailed deer pursuant to divisions (a)(1) and (a)(2) hereof, knowingly engage in any of the following conduct:

- (1) Block, obstruct, impede, or attempt to block, obstruct, or impede a person lawfully engaged in such culling;
- (2) Erect a barrier with the intent to deny ingress or egress from the areas where such culling is lawfully being conducted;
- (3) Make or attempt to make unauthorized physical contact with or in any way interfere with a person lawfully engaged in such culling; or
- (4) Make or attempt to make loud noises or gestures, set out or attempt to set out or attempt to set out animal baits, scents, lures, or human scent, use any other natural or artificial visual, aural, olfactory, or physical stimuli, or engage in or attempt to engage in any other similar action or activity in order to interfere with such culling.

(f) The prohibition set forth in subsection (a) hereof shall not apply to deer culling population management programs sponsored by and conducted on land owned or managed by the City of Parma Heights or the Cleveland Metropolitan Park District.

(g) The prohibitions set forth in Section 618.13 "FEEDING ANIMALS AND WILDLIFE" of the Parma Heights Codified Ordinances shall not apply to deer culling population management programs conducted by the City of Parma Heights or the Cleveland Metropolitan Park District.

(h) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

(i) Whoever violates division (a)(1) of this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02. Whoever violates division (b), (c), (d), or (e) of this section is guilty of a misdemeanor of the fourth degree. If the offender has been previously convicted of violating this section, any subsequent violation of division (b), (c), (d), or (e) of this section is a misdemeanor of the third degree.

ORDINANCE NO. 2022 - 31

AN ORDINANCE REJECTING ALL BIDS FOR THE NATHAN HALE STORMWATER BASIN PROJECT, AND AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO RE-ADVERTISE FOR COMPETITIVE BIDS, AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A WRITTEN CONTRACT WITH THE LOWEST AND BEST BIDDER THEREFORE, AND DECLARING AN EMERGENCY

WHEREAS, all bids received on July 12, 2022 for the Nathan Hale Stormwater Basin Project exceeded the estimate by more than the statutory limit; and

WHEREAS, the Director of Public Service is hereby authorized and directed to re-advertise for competitive bids for the Nathan Hale Stormwater Basin Project.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: That all bids received for the Nathan Hale Stormwater Basin Project exceeded the Engineer's estimate in excess of ten percent (10%) of the total cost and are hereby rejected.

Section 2: The expenditure of monies of this municipality for items as noted in the title, which expenditure is now estimated to exceed \$50,000.00, is authorized and directed. The expenditure shall be made from monies appropriated for such purpose.

Section 3: The Director of Public Service is hereby authorized and directed to re-advertise for competitive bids for such expenditure at least once in a newspaper of general circulation within the Municipality and to re-post such Invitation to Bid on the City of Parma Heights official web page.

Section 4: The Mayor is authorized and directed to enter into a written contract with the lowest and best bidder after such advertising, said lowest and best bidder to be determined by motion of this Council.

Section 5: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 6: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality, and for the further reason that it is necessary to authorize and direct such expenditure in order that the Mayor may enter into a contract therefore, after competitive bidding in accordance with applicable laws; wherefore, this Ordinance shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

RESOLUTION NO. 2022 - 27

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO ACCEPT AND EXPEND A GRANT FROM THE A. RIPEPI FAMILY THROUGH EXCEL K-9 SERVICES, INC. FOR A K-9 DOG FOR USE BY THE PARMA HEIGHTS POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS, the A. Ripepi Family announced the recipients of police K-9 grants from funds raised during The Danny Ripepi Memorial Concert; and

WHEREAS, the K-9 grants were awarded to five entities including the Parma Heights Police Department; and

WHEREAS, the K-9 has completed a six-week training course through Excel K-9 Services and is currently undergoing further training; and

WHEREAS, the City of Parma Heights will not receive any grant monies directly. Monies will go from the A. Ripepi Family to Excel K-9 Services, Inc. to pay for the K-9 and training.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That the Administration is hereby authorized and directed to accept and expend a grant from the A. Ripepi Family through Excel K-9 Services, Inc. for a K-9 for use by the Parma Heights Police Department, and to execute any necessary agreements.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of said City and for the further reason it is necessary to utilize K-9 police services; wherefore, this Resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

RESOLUTION NO. 2022 - 28

A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF CAR WASH ESTABLISHMENTS WITHIN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting uses for businesses and trades; and

WHEREAS, the City of Parma Heights is an organized and existing municipal corporation under the provisions of the Constitution of the State of Ohio and the Charter of the City of Parma Heights; and

WHEREAS, this Council desires to issue a moratorium on the granting of any permits allowing the operation of car wash establishments, for a temporary period of time, not to exceed six (6) months from the date of passage of this Resolution, while it undertakes a review and/or study of the ordinances of the City of Parma Heights, including the zoning, building, and business regulation sections of the Parma Heights Codified Ordinances; and

WHEREAS, this Council will be able to enact reasonable regulations to protect the health, safety, welfare, peace, and comfort of the citizens of the City of Parma Heights more effectively if a moratorium is in place.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: That this Council hereby approves a temporary moratorium, not to exceed six (6) months, of the granting of any permits allowing car wash establishments within the City of Parma Heights.

Section 2: This moratorium shall be in effect for a period not to exceed six (6) months or until Council enacts an ordinance or resolution revoking this moratorium, whichever shall occur sooner.

Section 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4: This Council declares this Resolution to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality, and for the further reason that a moratorium is needed to enable the study of businesses engaging in the operation of car washes; wherefore, this Resolution shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

RESOLUTION NO. 2022 - 29

**A RESOLUTION AUTHORIZING THE ADMINISTRATION TO EXECUTE A
SUBRECIPIENT AGREEMENT WITH THE OHIO DEPARTMENT OF
DEVELOPMENT (ODOD) BUILDING DEMOLITION AND SITE REVITALIZATION
PROGRAM, NUNC PRO TUNC, AND DECLARING AN EMERGENCY**

WHEREAS, the City of Parma Heights submitted an application to the Ohio Department of Development (ODOD) for the Building Demolition and Site Revitalization Program, and has been authorized to expend matching funds in the amount of twenty-five percent (25%), if awarded, pursuant to Resolution 2022-1; and

WHEREAS, the City of Parma Heights needs to execute a subrecipient agreement with ODOD prior to potential selection for the Building Demolition and Site Revitalization Program as part of the application process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: The Administration is hereby authorized and directed to execute a subrecipient agreement with ODOD for the Building Demolition and Site Revitalization Program, nunc pro tunc, as part of the award application process, which is attached as Exhibit A and incorporated herein, as if fully rewritten.

Section 2: That the Administration, if selected for ODOD funding, is hereby authorized and directed to expend funds and execute any further agreements required to satisfactorily complete the proposed project as outlined in Resolution 2022-1.

Section 3: This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of said City, and for the further reason it is necessary to execute the ODOD Building Demolition and Site Revitalization Program subrecipient agreement by the August 15, 2022 deadline; wherefore, this Resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

OHIO DEPARTMENT OF DEVELOPMENT BUILDING DEMOLITION AND SITE REVITALIZATION PROGRAM SUBRECIPIENT AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into between **CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION** doing business as the Cuyahoga Land Bank ("Lead Entity") and **CITY OF PARMA HEIGHTS** ("Subrecipient") for the period of January 1, 2022 (the "Beginning Date") to May 1, 2023 (the "Expiration Date"), to set forth the terms and conditions upon which Lead Entity will subgrant certain funds to Subrecipient and Subrecipient will use the funds for costs of implementing the Building Demolition and Site Revitalization Program in accordance with the terms of this Agreement, that certain grant agreement between Lead Entity and the Ohio Department of Development (the "Grantor") dated as of January 1, 2022 (the "Grant Agreement"), the Lead Entity's Grant Application (the "Application"), which consists of the collective materials submitted by the Lead Entity on behalf of Subrecipient to Grantor via Grantor's online system, the Building Demolition and Site Revitalization Program Guidelines ("the Guidelines", the Grantor's reimbursement instructions, and any other publications issued by Grantor, as amended from time to time (the Grant Agreement, the Application, the Guidelines, reimbursement instructions and any other publications issued by Grantor as each may be amended from time to time, are collectively referred to as the "Program").

WHEREAS, Lead Entity, in conjunction with the Subrecipient, has applied for and may be awarded grant funds under the Program to support the demolition activities described in the scope of work that is attached hereto and incorporated by reference herein as Exhibit A (the "Project");

WHEREAS, Lead Entity is willing to subgrant a portion of the grant funds it receives from Grantor to Subrecipient, so that Subrecipient can undertake the work necessary to complete the Project;

WHEREAS, Lead Entity and Subrecipient wish to set forth the responsibilities and obligations of each in undertaking the Project and in utilizing such grant funds pursuant to the Program; and

NOW, THEREFORE, it is agreed between the parties hereto that:

1. **SUBGRANT OF GRANT FUNDS.** If Lead Entity, in its sole discretion, determines that it has been awarded grant funds under the Program in an amount sufficient to subgrant funds to Subrecipient under this Agreement, then Lead Entity shall determine the amount of the subgrant, but such amount shall not exceed **\$297,750.00** (the "Subgrant Funds"), for the sole and express purpose of Subrecipient undertaking the Project under the terms and conditions of the Program and this Agreement. Subrecipient may not use the Subgrant Funds for any purpose other than the completion of the Project and for costs considered allowable according to the Program.

2. **TERM OF AGREEMENT.** This Agreement shall be effective from the Beginning Date and shall continue through the Expiration Date, unless terminated earlier in accordance with Section F of this Agreement. Subrecipient's reporting and refund obligations shall continue in

accordance with the Schedules set forth in Exhibit II of the Grant Agreement until satisfactorily completed.

3. SCOPE OF WORK. Subrecipient shall undertake the Project in compliance and consistent with all the terms and conditions of the Program and this Agreement.

4. SCOPE OF SERVICES.

A. General Administration. Subrecipient will be responsible for the general administration of the Project in a manner satisfactory to Lead Entity and consistent with the terms and conditions of the Program and this Agreement.

B. Levels of Accomplishment – Goals and Performance Measures. Pursuant to the Program, Subrecipient shall be responsible for completing the Project and submitting to Lead Entity the reports required in Exhibit II of the Grant Agreement. Subrecipient shall also include time frames for performance of the Project to the Lead Entity as requested.

C. Staffing. Subrecipient shall ensure adequate and appropriate staffing is allocated for the Project. Subrecipient shall at all times remain an independent contractor with respect to the services to be performed under the Program and this Agreement. Neither Subrecipient nor its personnel shall at any time, or for any purpose, be considered as agents, servants or employees of the Lead Entity, the Grantor, or the State of Ohio.

D. Performance Monitoring. Lead Entity will monitor the performance of the Subrecipient. Subrecipient shall provide Lead Entity all necessary reporting information as required by the Program for reimbursement and in the administration and review of the Program. Substandard performance as determined by the Lead Entity will constitute noncompliance with this Agreement. Lead Entity shall notify Subrecipient of substandard performance by written notice of default. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time after being notified by Lead Entity, contract suspension or termination procedures will be initiated.

5. TIME OF PERFORMANCE. Performance of the Project by the Subrecipient shall not start until Subrecipient receives a written notice to proceed from Lead Entity. The Project shall be completed on or before the Expiration Date, unless otherwise agreed to between the Lead Entity and the Subrecipient in writing. Subrecipient acknowledges that Lead Entity is unable to extend the Expiration Date of this Agreement beyond the expiration date set forth in the Grant Agreement without the express prior approval of Grantor. Failure to complete the Project before the Expiration Date may result in the recapture and/or reallocation of Subgrant Funds.

6. PAYMENT. Any Subgrant Funds provided to Subrecipient under this Agreement shall be allocated for the sole and express purpose of Subrecipient undertaking the Project described herein. It is expressly agreed and understood that the total amount to be paid by the Lead Entity to the Subrecipient under this Agreement is limited to no more than the amount of Subgrant Funds allocated to Subrecipient by the Lead Entity.

Payment of Subgrant Funds to Subrecipient shall be made on a reimbursement basis upon the timely submission to Lead Entity of materials that comply with Grantor's reimbursement instructions. Lead Entity will pay Subrecipient any funds received from Grantor for the Project within thirty (30) days of Lead Entity's receipt of such funds. Lead Entity reserves the right to suspend payments should the Subrecipient fail to provide required requests in a timely and adequate fashion or if Subrecipient fails to meet other terms and conditions of this Agreement.

Subgrant Funds shall be used solely for the stated purposes set forth in the Program, and the expenditures shall be supported by contracts, invoices, and other data as required by Grantor's reimbursement instructions. Any income resulting from the performance of Subrecipient's obligations under the Program and this Agreement shall remain with Subrecipient provided that its use is restricted to future demolition, brownfield remediation, neighborhood stabilization activities, or economic development activities.

All costs incurred by Subrecipient in the performance of its duties under the Program and this Agreement for which reimbursement is sought, or substantiating any matching funds requirement, shall be fully documented as required by Grantor's reimbursement instructions.

7. NOTICES. Communication and details concerning this Agreement shall be directed to the following representatives:

SUBRECIPIENT:

Name: _____

Title: _____

Telephone: _____

E-mail: _____

LEAD ENTITY:

Kim Kimlin

Director of Community Stabilization

Telephone: (216) 698-8658

E-mail: kkimlin@cuyahogalandbank.org

8. REPORTING AND COMPLIANCE

A. Reporting Requirements. Subrecipient shall submit to Lead Entity the reports as required by the Program.

B. Inspections. At any time during normal business hours and upon three (3) days prior written notice, as often as Lead Entity may deem necessary and in such a manner as not to interfere unreasonably with normal business operations, Subrecipient shall make available to Lead Entity, for examination, all of its records with respect to matters covered by the Program and this Agreement. Records to be made available for inspection include, but are not limited to, records of personnel and conditions of employment. Subrecipient shall permit Lead Entity to audit, examine and make copies or transcripts from such records.

9. GENERAL CONDITIONS

A. Adherence to State and Federal Laws, Regulations

- (1) General. Subrecipient agrees to comply with all applicable federal, state, and local laws, rules, regulations and ordinances in the performance of its obligations under the Program and this Agreement and in expending any Subgrant Funds. Without limiting the generality of such obligation, Subrecipient shall pay or cause to be paid all unemployment compensation, insurance premiums, workers' compensation premiums, income tax withholding, social security withholding, and any and all other taxes or payroll deductions required for all employees engaged by Subrecipient in connection with the Project. Subrecipient shall comply with all applicable environmental, zoning, planning and building laws and regulations.
- (2) Ethics. Subrecipient, by its signature on this document, certifies that it has reviewed and understands the Ohio ethics and conflict of interest and will take no action inconsistent with those laws, as any of them may be amended or supplemented from time to time. Subrecipient understands that failure to comply with the Ohio ethics and conflict of interest laws is in itself grounds for termination of this Agreement and the subgrant of funds made pursuant to this Agreement.
- (3) Conflict of Interest. Subrecipient shall immediately disclose in writing to Lead Entity any such person who, prior to or after the execution of this Agreement, acquires personal interest, voluntarily or involuntarily, in this Agreement. Subrecipient shall cause any such person who, prior to or after the execution of this Agreement, acquires any personal interest, voluntarily or involuntarily, to immediately disclose such interest to Lead Entity in writing. Thereafter, such person shall not participate in any action affecting the work under this Agreement unless Lead Entity determines that, in light of the personal interest disclosed, his or her participation in any such action would not be contrary to the public interest.
- (4) Non-Discrimination. Pursuant to R.C. 125.111 and the ODOD's policy, Subrecipient agrees that Subrecipient and any person acting on behalf of Subrecipient shall not discriminate, by reason of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry against any citizen of this state in the employment of any person qualified and available to perform the work under this Agreement. Subrecipient further agrees that Subrecipient and any person acting on behalf of Subrecipient shall not, in any manner, discriminate against, intimidate, or retaliate against any employee hired for the performance of work under this Agreement on account of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry.

- (5) Kickbacks. Subrecipient represents and warrants that Subrecipient has not provided, attempted to provide, offered to provide, solicited, accepted, or attempted to accept any payment back from any contract, or kickback, and Subrecipient covenants and agrees that Subrecipient, its employees and agents shall not provide, attempt to provide, offer to provide, solicit, accept, or attempt to accept any kickbacks during the term of this Agreement. Subrecipient further represents and warrants that it has not knowingly included, directly or indirectly, the amount of any kickback in the estimated cost of the Project nor will knowingly include, directly or indirectly, the amount of any kickback into any request for reimbursement.
- (6) Campaign Contribution Limits. Neither Subrecipient nor any of Subrecipient's partners, officers, directors or shareholders, if any, nor the spouses of any such person, have made contributions in excess of the limitations specified in R.C. 3517.13.
- (7) Public Records. Subrecipient acknowledges that this Agreement and other records in the possession or control of the Lead Entity or Grantor regarding the Project are public records under R.C. 149.43 and are open to public inspection unless a legal exemption applies.

B. Subcontracts. Subrecipient shall bind its contractors to the terms of the Program and this Agreement, so far as applicable to the work of the contractor and shall not agree to any provision which seeks to bind the Lead Entity to terms inconsistent with, or at variance from, the Program or this Agreement.

C. Environmental Requirements. Subrecipient agrees to comply with all applicable environmental requirements insofar as they apply to the Project.

D. Liability. Subrecipient shall be liable for negligent acts or omissions, or negligent conduct of Subrecipient, its employees, agents, or contractors, to the extent permitted by law, in connection with the activities under the Program and this Agreement. Each party agrees to defend itself and themselves and pay any judgments and costs arising out of such negligent acts or omissions, and nothing in this Agreement shall impute or transfer any such liability from one to the other.

E. Source and Availability of Funds. Subrecipient acknowledges that the source of the Subgrant Funds is a grant made by Grantor to Lead Entity pursuant to the Building Demolition and Site Revitalization Program established in House Bill 110 of the 134th General Assembly, codified in Ohio Revised Code Section 112.6512 and found in the Ohio Administrative Code sections 122:32-1-01 through 122:32-1-06. Lead Entity shall have no obligation to advance or pay Subrecipient with any funds other than the Subgrant Funds that Lead Entity, in its sole discretion, elects to subgrant to Subrecipient under the terms of the Program and this Agreement.

F. Termination Procedure

(1) Termination. Lead Entity may immediately terminate this Agreement by giving reasonable written notice of termination to the Subrecipient for any of the following occurrences:

(a) Failure of Subrecipient to fulfill in a timely and proper manner any of its obligations under the Program or this Agreement.

(b) Failure of Subrecipient to submit complete and accurate reports.

(c) Failure of Subrecipient to use the Subgrant Funds for the stated purposes of the Program and this Agreement.

(d) A determination by Lead Entity, prior to issuance of a notice to proceed to Subrecipient under Section 5 of this Agreement, that Lead Entity has received insufficient grant funds from Grantor to provide Subgrant Funds to Subrecipient.

(2) Effects of Termination. Within thirty (30) days after termination of this Agreement, Subrecipient shall surrender all reports, documents, and other materials assembled and prepared pursuant to this Agreement. After receiving written notice of termination, Subrecipient shall incur no new obligations and shall cancel as many outstanding obligations as possible. Upon compliance with this paragraph, Subrecipient shall receive compensation for all activities that can be reimbursed under the terms and conditions of the Program, if any, to the effective date of termination.

(3) Forbearance Not a Waiver. No act of forbearance or failure to insist on the prompt performance by Subrecipient of its obligations under the Program or this Agreement, either express or implied, shall be construed as a waiver by Lead Entity of any of its rights hereunder.

10. MISCELLANEOUS

A. Entire Agreement. This Agreement and any documents referred to herein constitute the complete understanding of the parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the parties with respect to the subject matter hereof.

B. Amendments or Modifications. Either party may at any time during the term of this Agreement request amendments or modifications. The parties shall agree in writing to any amendments or modifications.

C. Assignment. Neither this Agreement nor any rights, duties, or obligations described herein shall be assigned, subcontracted or subgranted by the Subrecipient without the prior express written consent of the Lead Entity.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

SUBRECIPIENT:

Address: _____

By: _____

Name: _____

Title: _____

Date: _____

LEAD ENTITY:

Address: 812 Huron Road E, Suite 800
Cleveland, Ohio 44115

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT A
Scope of Work for Project

**471-17-025 and -023,
6182-6184 Pearl Road**

Demolition and site finish by the City of Parma Heights, Ohio as a subrecipient to the Cuyahoga Land Bank's a/k/a the Cuyahoga County Land Reutilization Corporation's application. If grant funds are awarded, CCLRC will execute a Subrecipient Agreement with the City. The building to be demolished is a 37,194 square foot former ice rink located on two parcels. The building was built in approximately 1975 and is slab construction. The building is vacant and was most recently used by a soccer club that has since ceased operations. The facility is blighted and the City desires to demolish it as the expense to replace the roof alone is estimate to cost \$1 million. The cost of demolition is estimated at \$397,000. Parma Heights City Council passed a resolution committing 25% match funding. The Service Director, who has prior municipal demolition experience, will manage the project. HZW conducted a Phase I ESA and found there were no recognized environmental conditions associated with the site. The first 32 pages of HZWs report are upload under Other Documentation.

RESOLUTION NO. 2022 - 30

**A RESOLUTION ASSESSING THE COST OF ABATING A CERTAIN NUISANCE,
AND DECLARING AN EMERGENCY**

WHEREAS, in compliance with Section 701.05 of the Ohio Revised Code and Chapters 634 and 678 of the Parma Heights Codified Ordinances, property maintenance nuisances, including noxious weeds, litter, and other nuisance conditions, after proper notification to the property owners, were abated.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: This Council finds that the Director of Public Service has abated certain nuisances after notifying the owner of each property on which said nuisance originated, and has reported the cost of such abatement all in the manner provided by law to the Director of Finance in the sums set forth in Exhibit A, which are attached hereto and incorporated by reference.

Section 2: The amount set forth in Exhibit A is assessed upon the property listed, and said assessment shall be certified upon the 2022 tax duplicate in the same manner as general taxes.

Section 3: The Clerk of Council is directed to submit a certified copy of this Resolution to the Cuyahoga County Fiscal Office so that expenses charged to the owner shall be collected as other taxes in the manner provided by law.

Section 4: This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 5: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Municipality and for the further reason that immediate assessment is required to obtain prompt payment; wherefore, this Resolution shall go into effect immediately upon its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A**2022 Nuisance Abatement**

<u>Parcel Number</u>	<u>Address</u>	<u>Street</u>	<u>High Grass Fee</u>
472-05-017	9998	Ackley	\$150.00
472-11-009	6325	Alderwood	\$150.00
473-06-076	6352	Anita	\$350.00
472-19-022*	6509	Aylesworth	\$200.00
473-30-011	6846	Beresford	\$300.00
473-28-004	6908	Beresford	\$150.00
471-01-046	5868	Calamie	\$150.00
472-08-085	6226	Denison	\$150.00
472-14-061	6420	Denison	\$150.00
472-06-023	10080	Elsetta	\$150.00
471-22-006	9801	Eureka	\$150.00
473-30-014	6907	Greenbriar	\$150.00
473-12-019	12215	Huffman	\$150.00
473-04-057	6536	Lawnwood	\$150.00
472-21-083	8699	Lynnhaven	\$400.00
472-21-080	8705	Lynnhaven	\$150.00
472-14-015	9793	Manorford	\$26,456.70
474-06-078	11714	Meadowbrook	\$100.00
474-08-028	10720	Meadowbrook	\$300.00
472-10-036	6209	Nelwood	\$600.00
472-11-066	6357	Nelwood	\$150.00
472-20-076	9019	Newkirk	\$300.00
472-21-037	8991	Newkirk	\$150.00
472-19-044	9635	Newkirk	\$600.00
472-20-076	9019	Newkirk	\$150.00
472-20-072	9131	Newkirk	\$150.00
473-30-054	6788	Orchard	\$150.00
473-33-052	6781	Parma Park	\$450.00
473-27-047	6993	Parma Park	\$150.00
472-04-050	6085	Pearl	\$150.00
472-26-003	6405	Pearl	\$300.00
473-18-004	6500	Pearl	\$150.00
473-34-004	6573-6579	Pearl	\$450.00
472-01-066	5861	Pearl	\$150.00
472-06-003	6219	Pearl	\$150.00
472-04-050	6085	Pearl	\$150.00
474-16-007	9319	Ridgewood	\$600.00
472-25-025	6683	Sherborn	\$300.00
471-26-011	8867	Snow	\$150.00
472-11-056	6308	Springwood	\$450.00
472-11-051	6328	Springwood	\$150.00
472-04-030	6185	Stratford	\$600.00
473-24-012	6929	West 130st	\$150.00
474-08-057	10780	Woodview	\$150.00
474-06-059	11431	Woodview	\$150.00
472-30-048	6530	York	\$300.00

RESOLUTION NO. 2022 - 31

A RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATION TO ENTER INTO THE FY2021 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM AGREEMENT, TO ACCEPT AWARDED FUNDING, AND TO FURTHER AUTHORIZE THE EXPENDITURE OF FUNDS, AND DECLARING AN EMERGENCY

WHEREAS, the Assistance to Firefighters Grant Program generally provides, among other things, funding to fire departments through the U.S. Department of Homeland Security and the Federal Emergency Management Association (FEMA) to support various fire prevention and safety activities, including but not limited to the purchase of equipment and vehicles; and

WHEREAS, the City of Parma Heights has been awarded funding from the Assistance to Firefighters Grant Program for large diameter fire hose, with a ninety percent (90%) reimbursement of the cost being paid by the Grant in the approximate amount of \$41,565.55 and with the City's ten percent (10%) share being approximately \$4,156.55 for a total projected expenditure of \$45,722.10.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: The Administration is hereby authorized and directed to accept the FY2021 Assistance to Firefighters Grant Program Award which enables the City to purchase large diameter fire hose at a projected cost of \$45,722.10, as described in Exhibit A, which is attached hereto and incorporated by reference.

Section 2: That the Administration is hereby authorized and directed to purchase large diameter fire hose pursuant to the FY2021 Assistance to Firefighters Grant Program agreement, subject to a \$41,565.55 reimbursement as described in Exhibit A.

Section 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of said City and for the further reason it is necessary to enter into this Grant Program Agreement immediately in order to preserve fire service; wherefore, this Resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 07/26/2022



Matthew Bernard
PARMA HEIGHTS, CITY OF
6281 PEARL ROAD
PARMA HEIGHTS, OH 44130
EMW-2021-FG-07841

Dear Matthew Bernard,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2021 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$41,565.55 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$4,156.55 for a total approved budget of \$45,722.10. Please see the FY 2021 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2021 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "C Logan", with a stylized flourish at the end.

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2021 Assistance to Firefighters Grant

Recipient: PARMA HEIGHTS, CITY OF

UEI-EFT: Y7KVXCTEGSJ1

DUNS number: 020632741

Award number: EMW-2021-FG-07841

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2021 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$45,722.10
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$41,565.55
Non-federal	\$4,156.55
Total	\$45,722.10
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2021 AFG NOFO.

Approved request details:

Equipment

Hose (Attack/Supply)

DESCRIPTION

Large Diameter Hose: 30(100 foot sections) @\$541.65/section=\$16,249.50 2 1/2 inch
Hose: 72(50 foot sections) @\$269.35/section=\$19,393.20 1 3/4 inch Hose: 36(50 foot
sections) @\$198.65/section=\$7,151.40 1 3/4 inch Hose(single jacket): 12(75 foot
sections)@\$244.00/section=\$2,928 Total=\$45,722.10

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$45,722.10	\$45,722.10	Equipment

Agreement Articles

Program: Fiscal Year 2021 Assistance to Firefighters Grant

Recipient: PARMA HEIGHTS, CITY OF

UEI-EFT: Y7KVXCTEGSJ1

DUNS number: 020632741

Award number: EMW-2021-FG-07841

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Article 1**Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002. By accepting this agreement, the recipient and its executives, as defined in 2 C.F.R. § 170.315, certify that the recipient policies are in accordance with OMB guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2**DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administrative Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3**Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article 4**Activities Conducted Abroad**

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article 5**Age Discrimination Act of 1975**

Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article 6**Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article 7**Best Practices for Collection and Use of Personally Identifiable Information**

Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and Privacy Template at https://www.dhs.gov/sites/default/files/publications/privacy_pia_template_2017.pdf as useful resources respectively.

Article 8**Civil Rights Act of 1964 – Title VI**

Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article 9**Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10**Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11**Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12**Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13**Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15 Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 16 False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 17 Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article 18 Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article 19 Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 20**Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)

Article 21**Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article 22**Lobbying Prohibitions**

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article 23**National Environmental Policy Act**

Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article 24**Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article 25 Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article 26 Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article 27 Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article 28 Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 29 Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973) (codified as amended at 29 U.S.C. § 794) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 30 **Reporting of Matters Related to Recipient Integrity and Performance**
If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article 31 **Reporting Subawards and Executive Compensation**
Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 32 **SAFECOM**
Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 33 **Terrorist Financing**
Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article 34 **Trafficking Victims Protection Act of 2000 (TVPA)**
Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

Article 35 **Universal Identifier and System of Award Management**
Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article 36 **USA PATRIOT Act of 2001**
Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175–175c.

Article 37 **Use of DHS Seal, Logo and Flags**
Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article 38 **Whistleblower Protection Act**
Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 39 **Acceptance of Post Award Changes**
In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.

Article 40 **Prior Approval for Modification of Approved Budget**
Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. § 200.308. FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 41**Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article 42**Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an EHP review are subject to the FEMA Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43**Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Obligating document

1. Agreement No. EMW-2021-FG-07841	2. Amendment No. N/A	3. Recipient No. 346002164	4. Type of Action AWARD	5. Control No. WX00671N2022T		
6. Recipient Name and Address PARMA HEIGHTS, CITY OF 6281 PEARL RD CLEVELAND, OH 44130		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Matthew Bernard		9a. Phone No. 4408851414	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 07/26/2022	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 08/02/2022 to 08/01/2024 Budget Period 08/02/2022 to 08/01/2024		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2022-F1-GB01 - P410-xxxx-4101-D	\$0.00	\$41,565.55	\$41,565.55	\$4,156.55
Totals			\$0.00	\$41,565.55	\$41,565.55	\$4,156.55
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title) Christopher Logan, Acting Assistant Administrator Grant Programs Directorate	DATE 07/26/2022

RESOLUTION NO. 2022 - 32

A RESOLUTION AUTHORIZING EUTHENICS, INC., MUNICIPAL ENGINEER, TO PREPARE A GRANT APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND DECLARING AN EMERGENCY

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Parma Heights is planning to make capital improvements to all of Kingsdale Boulevard and 1,000 feet of North Church Drive, from the Pearl Road intersection to the Tobik Trail intersection; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs; and

WHEREAS, pursuant to Ordinance 2022-1, Euthenics, Inc., municipal engineer, requires separate authorization to prepare government grant applications.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: That Euthenics, Inc., municipal engineer, is hereby authorized and directed to prepare the grant application for the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) at the compensation rate specified under Ordinance 2022-1.

Section 2: This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of said City, and for the further reason that said Resolution is necessary to meet grant application deadlines; wherefore, this Resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

RESOLUTION NO. 2022 - 33

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Parma Heights is planning to make capital improvements to all of Kingsdale Boulevard and 1,000 feet of North Church Drive, from the Pearl Road intersection to the Tobik Trail intersection; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: The Administration is hereby authorized and directed to apply to the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs for funds as described above.

Section 2: That the Administration, if selected for OPWC funding, is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of said City, and for the further reason that said Resolution is necessary to meet grant application deadlines; wherefore, this Resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO