



**DOCKET
OF AN EMERGENCY MEETING OF
LAKEWOOD CITY COUNCIL
TO BE HELD REMOTELY VIA GOTOMEETING
APRIL 23, 2020
5:30 P.M.**

**PUBLIC NOTICE
EMERGENCY MEETING OF LAKEWOOD CITY COUNCIL**

Lakewood City Council will meet Thursday April 23, 2020 at 5:30 p.m.

Under the orders of the Governor and Director of Health of Ohio, and pursuant to Ordinance 06-2020, adopted March 16, 2020, Lakewood City Council will meet remotely until further notice. The April 23, 2020 Emergency Meeting may be accessed by the public via the following information:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/850992917>

You can also dial in using your phone.

United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(312\) 757-3129](tel:+13127573129)

Access Code: 850-992-917

PUBLIC COMMENT PROTOCOL:

In light of the fact that the usual public comment period will be unavailable, the public is invited to participate in the remote online meeting. Please observe the following courtesies: please wait to be addressed by the Council President and please mute your microphone until you are asked to speak.

In addition, public comment may be submitted by 12:00 p.m. on April 23, 2020 via email to council@lakewoodoh.net.

All existing rules of decorum will be maintained as laid out in Section 121.08 of the Codified Ordinances of the City of Lakewood.

******AGENDA******

1. **RESOLUTION 9042-18A** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Resolution No. 9042-18, adopted December 17, 2018 to include an additional \$1,787,948 allocated through the Coronavirus Aid, Relief, and Economic Security (CARES) Act

2019 One-Year Action Plan of the FY2015 - FY2019 Five-Year Consolidated Plan which includes dollar allocations and activities to be funded with federal Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnerships Program (HOME) resources and incorporates the City's application to the U.S. Department of Housing and Urban Development (HUD) for FY2019 CDBG, ESG, and HOME funds and all amendments thereto and all understandings and assurances contained therein. (*Deferred 4/20/20*) (pg. 1)

2. Communication from Mayor George regarding amended Citizen Action Plan. (pg. 4)
3. **RESOLUTION 7124-96A** - A RESOLUTION to amend Resolution No. 7124-96, adopted September 3, 1996 amend the Citizen Participation Plan for the purposes of accepting additional federal funding awarded through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. (Pg. 5)

RESOLUTION NO. 9042-18A

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Resolution No. 9042-18, adopted December 17, 2018 to include an additional \$1,787,948 allocated through the Coronavirus Aid, Relief, and Economic Security (CARES) Act 2019 One-Year Action Plan of the FY2015 - FY2019 Five-Year Consolidated Plan which includes dollar allocations and activities to be funded with federal Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnerships Program (HOME) resources and incorporates the City's application to the U.S. Department of Housing and Urban Development (HUD) for FY2019 CDBG, ESG, and HOME funds and all amendments thereto and all understandings and assurances contained therein.

WHEREAS, on March 27, 2020 in response to the COVID-19 Pandemic, the Federal Government passed the CARES Act; and

WHEREAS, Lakewood, through HUD, anticipates receiving an additional \$1,787,948 in CDBG and ESG funds; and

WHEREAS, Lakewood anticipates HUD will issue guidelines in the near future advising how these additional funds may be utilized; and

WHEREAS, it is imperative that Lakewood amends its approved 2019 Annual Action Plan to expedite the availability of CARES Act funds to assist residents and businesses impacted by the COVID-19 pandemic immediately upon HUD's issuance guidance regarding eligible uses of CARES Act resources;

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the city of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in order to receive and make these funds available as soon as possible; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Resolution No. 9042-18, adopted December 17, 2018, currently reading as follows:

Section 1. The Mayor is hereby authorized and directed to submit to HUD Lakewood's FY2019 One-Year Action Plan of the FY2015-FY2019 Consolidated Plan, as reviewed and approved by the CAC, which serves as the City's FY2019 application for federal CDBG, ESG, and

HOME funds as indicated in Exhibit A, and all amendments thereto and all understandings and assurances contained therein.

Is hereby amended to read as follows:

Section 1. The Mayor is hereby authorized and directed to submit to HUD Lakewood's amended FY2019 One-Year Action Plan of the FY2015-FY2019 Consolidated Plan, as reviewed and approved by the CAC, which serves as the City's FY2020 application for federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funds as indicated in **Exhibit A1**, and all amendments thereto and all understandings and assurances contained therein.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted _____

PRESIDENT

CLERK OF COUNCIL

Approved _____

MAYOR

Exhibit A1

City of Lakewood, OH

FY19 CDBG & ESG Allocations

FY20 Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding

Community Development Block Grant Program (CDBG)

FY19 CDBG Allocations

Subrecipient	Activity	FY19 Allocation
Department of Planning & Development	CDBG Administration	\$285,000
Department of Planning & Development	Economic Development Loan Fund	\$280,000
Department of Public Works	Street Improvements	\$460,000
Division of Community Development	Property Revitalization Program	\$135,000
Division of Community Development	HOME Activity Delivery	\$20,000
Division of Community Development	Repair, Accessibility & Maintenance Program	\$50,000
LakewoodAlive	Paint Rebate Program	\$30,000
Division of Housing & Building	Building Code Enforcement	\$90,000
Division of Community Development	Storefront Renovation	\$336,193
LakewoodAlive	Housing Outreach Services	\$47,096
Lakewood Community Services Center	Food Pantry	\$21,394
Lakewood Community Services Center	Employment Services	\$40,097
Lakewood Community Services Center	Case Management Services	\$21,473
Division of Early Childhood	Childcare Scholarship Assistance	\$76,113
Division of Aging	Senior Supportive Services	\$33,421
Dom Violence & Child Advocacy Center	Victim Advocacy Services	\$16,424
North Coast Health	Health Services	\$41,546
	FY19 CDBG Award	\$1,983,757

FY20 CARES Act CDBG Funding

Subrecipient	Activity	FY20 Allocation
City of Lakewood	COVID-19 Pandemic Response	\$1,186,886
	Total CDBG Resources	\$3,170,643

Emergency Solutions Grant Program (ESG)

FY19 ESG Allocations

Subrecipient	Activity	FY19 Allocation
Lakewood Community Services Center	Emergency Shelter Services	\$20,000
Lakewood Community Services Center	Homelessness Prevention Program	\$145,710
Department of Planning & Development	ESG Administration	\$5,000
	FY19 ESG Award	\$170,710

FY20 CARES Act ESG Funding

Subrecipient	Activity	FY20 Allocation
City of Lakewood	COVID-19 Pandemic Response	\$601,062
	Total ESG Resources	\$771,772



12650 DETROIT AVENUE • 44107 • 216/521-7580 • fax 216/521-1379
Website: www.onelakewood.com

MEGHAN F. GEORGE
MAYOR

April 23, 2020

Lakewood City Council
Lakewood, Ohio

Re: Amended Citizen Action Plan

Dear Members of Council,

As you're aware, Lakewood received notice of an anticipated additional award from HUD in the amount of \$1,787,948 as a result of the Federal Government adopting the CARES Act. In order to accept these funds, Lakewood must amend its Citizen Action Plan. The attached resolution along with the pending amendment to the FY 2019 Annual Plan, if adopted, will accomplish the required amendment.

Please consider adopting this important legislation this evening to allow Lakewood to prepare for receiving expenditures.

Respectfully,

Meghan F. George
Mayor



Resolution No. 7124-96A

BY:

A RESOLUTION to amend Resolution No. 7124-96, adopted September 3, 1996 amend the Citizen Participation Plan for the purposes of accepting additional federal funding awarded through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

WHEREAS, on March 27, 2020 in response to the COVID-19 Pandemic, the Federal Government passed the CARES Act; and

WHEREAS, Lakewood, through HUD, anticipates receiving an additional \$1,787,948 in CDBG and ESG funds; and

WHEREAS, it is imperative that Lakewood amends Citizen Participation Plan to expedite the availability of CARES Act funds to assist residents and businesses impacted by the COVID-19 pandemic immediately upon HUD's issuance guidance regarding eligible uses of CARES Act resources;

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the city of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in order to receive and make these funds available as soon as possible; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Resolution No. 7124-93, adopted September 3, 1996, currently reading as follows:

Section 1. That the Citizen Participation Plan as set forth in attached Exhibit A is hereby adopted to encourage citizens to participate in the development of the consolidated plan, any substantial amendments thereto, and the performance report submitted to HUD, as required by 24 CFR 91.105.

is hereby amended to read as follows:

Section 1. That the Citizen Participation Plan as set forth in attached Exhibit **A1** is hereby adopted to encourage citizens to participate in the development of the consolidated plan, any substantial amendments thereto, and the performance report submitted to HUD, as required by 24 CFR 91.105.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law

Adopted _____

PRESIDENT

CLERK OF COUNCIL

Approved _____

MAYOR

Exhibit 1A

CITIZEN PARTICIPATION PLAN Lakewood, OH

This Citizen Participation Plan, established in accordance with the Housing and Community Development Act of 1974, as amended, and 24 CFR 91.105, provides for and encourages citizen participation in the City of Lakewood's annual federal funding allocation process with particular emphasis on informing and engaging low-moderate income residents.

I. CITY COUNCIL

Lakewood's Citizens Advisory Committee (CAC) forwards its federal funding allocation recommendations to Lakewood City Council. City Council considers and approves their inclusion in the City's HUD Annual Action Plan, which serves as Lakewood's federal funding application for the coming fiscal year and authorizes the Mayor to submit the Action Plan on City's behalf.

All City Council meetings are open to the public and properly noticed in accordance with the City's Charter.

II. CITIZENS ADVISORY COMMITTEE

A. Composition

Lakewood's Citizens Advisory Committee (CAC) is comprised of nine members appointed by the Mayor and eight members appointed by City Council. Mayoral appointees can serve up to two two-year terms while City Council appointees can serve up to three one-year terms.

The CAC reviews funding requests submitted by city departments/divisions and not-for-profit agencies then makes recommendations to City Council regarding the allocation of federal resources. Applicants defend written proposals during a 15-minute oral presentation before the Committee regarding how proposed uses advance Consolidated Plan and community goals and comply with applicable regulations and eligibility requirements.

B. Meetings

1. Generally

All meetings of the Citizens Advisory Committee are open to the public and held in locations accessible to handicapped individuals. The CAC elects a Chairperson at its initial meeting who organizes and leads all future meetings. At the conclusion of each CAC session the public is provided with an opportunity to comment on the proceedings. All Citizens Advisory Committee materials are accessible to the public via the City's website and by written request to Lakewood's Department of Planning & Development .

2. Regular Meetings

CAC sessions, which typically occur during the month of October, include an organizational meeting, two public hearings, and applicant presentation sessions during which each applicant conducts a 15-minute presentation describing their proposal after which Committee members may pose questions and request additional information. An Orientation Session for new members is conducted prior to the CAC's first session.

3. Public Hearings

Public hearings provide an opportunity for citizens to comment on Lakewood's community development needs and the allocation of HUD funds in the coming year. The first Public Hearing, held during first CAC session, provides residents with an opportunity to ask questions and provide feedback regarding on the City's Consolidated Plan goal areas and community/economic development needs early in the CAC process. The second Public Hearing, held during the CAC's final session, provides residents with an opportunity to ask questions and provide feedback regarding specific programs and funding allocations recommendations.

If necessary, the Committee convenes for additional meetings outside of this timeframe to address special issues. Special CAC sessions are typically concern substantial amendments to previously approved plans. However, special meetings can be convened on any topic considered outside the scope of the issues normally covered during the regular meeting schedule.

During declared emergencies the City can satisfy public hearing requirements by providing reasonable advance notice via the City's website and conducting virtual (vs. in-person) public hearings if:

1. national/local health authorities recommend social distancing and limiting public gatherings for public health reasons, and;
2. virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

4. Notice Procedures

A notice regarding all CAC meetings and hearings will be posted to the City's website at least 24 hours prior to the event.

IV. PROGRAM PROPOSALS

All applications for HUD funds are presented to the Citizens Advisory Committee on a standardized application prepared by the Department of Planning & Development which also provides technical assistance regarding the application process upon request.

V. SUBSTANTIAL CHANGES

The CAC reviews and approves all proposed amendments to previously approved plans during a public hearing convened for this purpose. Refer to Section 3 above for the City's modified public hearing requirements during declared emergencies.

Please refer to Attachment 1 to Exhibit A regarding the City's Substantial Change Policy for additional information.

VI. GRANTEE PERFORMANCE REPORT

Through an advertisement in a newspaper of general circulation within the City, as defined by ordinance, citizens are notified the City's

A notice regarding the issuance of Lakewood's HUD Consolidated Annual Performance & Evaluation Report for a 15-day public review and comment period is posted to the City's website at least 24 hours prior the commencement of said review period.

VII. GRIEVANCE PROCEDURE

Any citizen may submit in writing a complaint or grievance regarding the uses of HUD funds. Any complaint or grievance received by the Department of Planning & Development will be responded to in writing within fifteen (15) working days to the individual or group filing the complaint or grievance.

VIII. NEEDS OF NON-ENGLISH-SPEAKING RESIDENTS

The City of Lakewood will provide a translator for any public meeting or regular meeting of the Citizens Advisory Committee if the City anticipates five (5) or more non-English speaking residents understanding the same language will attend a meeting of the Citizens Advisory Committee or if a written request by an organization representing non-English speaking residents is received five (5) working days prior to the scheduled meeting.

Attachment

Exhibit A – Attachment 1 SUBSTANTIAL CHANGE POLICY

Federal Regulations require the City of Lakewood, as a recipient of CDBG funds, to prepare and make public a "final statement" as a part of the city's annual CDBG application. The "final statement" contains the city's community development objectives and proposed uses of CDBG funds. The "final statement" is prepared by the Department of Planning & Development following the approval by City Council of the annual CDBG budget.

Federal Regulations also require the city to formally amend the final statement when adding or deleting activities during the grant year. The city is also required to amend the "final statement" when the city wishes to "substantially change" the purpose, scope, location or beneficiaries of an activity contained in the "final statement." These regulations require the city to develop and make public its criteria for what constitutes a "substantial change".

For the purposes of this policy, the Department of Planning & Development has adopted the following as its criteria for determining when a "substantial change" has occurred.

Change in Purpose

The proposed uses section of the final statement describes the reasons CDBG funds were awarded by the city. It is expected that virtually all the allocated CDBG funds will be spent in conformance with the final statement. A "substantial change" will have occurred when more than 10% of the grant funds for an individual activity are used for a purpose not contained in the final statement. A "substantial change" will not have occurred when the recipient is able to accomplish the goals set out in the final statement and their CDBG application for less money than originally budgeted, if these grant funds are used to accomplish another activity contained within the final statement.

Change in Scope

The final statement often contains the extent of the activity to be undertaken with CDBG funds. However, often the subrecipient is unable to accomplish the project to the extent it originally thought due to external conditions. Therefore, a "substantial change" will have occurred only when the project fails to meet 1/2 of the measurable objectives contained in the final statement. An increase in the number of beneficiaries will not constitute a substantial change solely due to the percentage or numerical increase in the number of beneficiaries assisted by a CDBG subrecipient.

Change in Location

Locations are rarely contained in the final statement, as most CDBG funds are spent on a city-wide basis. A "substantial change" in location will have occurred when the location contained in the final statement is an integral part of the reason CDBG funds were awarded. Locations contained in the final statement which are incidental to the purpose for which CDBG funds were awarded will not be considered a "substantial change".

Change in Beneficiaries

The final statement generally classifies types of beneficiaries. For example, homeowners, elderly, or abused children. A "substantial change" will have occurred when 10% or more of the beneficiaries assisted in a specific activity are outside the general classification contained within the final statement.