



SHAKER HEIGHTS

FINANCE COMMITTEE AGENDA

Tuesday, January 20, 2026 8:00 A.M.

VIA ZOOM MEETING

<https://us06web.zoom.us/j/82756496273>

Meeting ID: 827 5649 6273|Dial In: 305 224-1968

Virtual meeting pursuant to Chapters 113 and 115 of the Codified Ordinances (as amended in Ordinance 22-28), and Resolution 22-29, enacted on March 22, 2022.

1. Approval of the minutes of the regular meeting of December 8th, 2025.

Documents:

[1 FNMN1208.PDF](#)

2. Request to enter into an agreement with Partners to perform a City Safety Assessment in the amount of \$45,250.

Documents:

[2 FINANCE_CITY SAFETY ASSESSMENT.PDF](#)

3. Request to enter into an agreement with the Chagrin Valley Dispatch (CVD) Council for employment services for the First CALL Program.

Documents:

[3 1231-CONTRACT-CVD-FIRSTCALLPROGRAMFINANCE.PDF](#)

4. Request to increase the Brakefire Inc. contract from \$43,259 to \$62,188 for the 2025 Backflow Preventer Maintenance Program.

Documents:

[4 BACKFLOW PREVENTER CONTRACT_FIN.PDF](#)

5. Request to authorize the donation of two Fire Department rescue squads to the City of Maple Heights and the Village of Oakwood.

Documents:

[5 HORTON RESCUE SQUAD DONATIONS 2026 - FINANCE.PDF](#)

6. Request to approve a fourth amendment to the Development & Use Agreement (D&U) between the City and the developer of the Van Aken District.

Documents:

[6 2026-01-14 MEMO TO FINANCE - AMENDMENT TO EXTEND OPTION TO PURCHASE CORNER PROPERTY.PDF](#)

7. Request to amend the existing contract with Suburban Maintenance & Construction, Inc. (SMCI) to allow for an ongoing six-month fencing rental structure at 3756 Lee Road billed at \$3,500 per six-month period.

Documents:

[7 250721 FINANCE CONTRACT AMENDMENT V1.PDF](#)

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



Finance Committee

Monday, December 8th, 2025, 8:00 A.M.

Virtual meeting pursuant to Chapters 113 and 115 of the Codified Ordinances (as amended in Ordinance 22-28), and Resolution 22-29, enacted on March 22, 2022).

Members present: Council Member, Nancy Moore, Chair
Council Member, Kim Bixenstine
Council Member, Anne Williams
Council Member, Carmella Williams
Citizen Member, Martin Kolb
Citizen Member, Anthony Moore
Citizen Member, Ketan Patel
Citizen Member, Kandis Williams

Others present: Mayor, David E. Weiss
Chief Administrative Officer, Matt Carroll
Director of Finance, John Potts
Director of Law, William Gruber
Director of Public Works, Ramona Lowery-Ferrell
Director of Recreation, John Doyle
Director of Planning, Joyce Braverman
Matt Scharver, Representative of Northeast Ohio Regional Sewer District
Cisco Rivera, Representative of Northeast Ohio Regional Sewer District
Kimberly Colich, Representative of Northeast Ohio Regional Sewer District
Lisa Vahey, League of Women Voters

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APPROVAL OF THE MINUTES OF THE REGULAR MEETING FROM NOVEMBER 17th, 2025.

The minutes of the November 17th, 2025 meeting were unanimously approved.

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REQUEST TO ENTER INTO TWO AGREEMENTS FOR THE DOAN BROOK RESTORATION PROJECT AT HORSESHOE LAKE PARK.

Law Director William Gruber presented two related agreement requests. The first agreement is between the Northeast Ohio Regional Sewer District (NEORS) and the Cities of Shaker Heights and Cleveland Heights for the construction of the Doan Brook Restoration Project at Horseshoe Lake Park. The second agreement is between the Cities of Shaker Heights and Cleveland Heights for the future maintenance of the park and any future improvements.

Director Gruber explained that the project involves removing the dam and restoring Doan Brook to its natural configuration, along with adding new amenities. The construction cost for city amenities will be split 65% by Shaker Heights and 35% by Cleveland Heights. The future maintenance agreement also establishes a 65%/35% cost-sharing ratio and creates a committee between the two cities to coordinate maintenance, which could be performed by City staff or an outside contractor.

NEORSD Representative Matt Scharver stated the project addresses a public safety issue due to the aging dam and that the district will be responsible for maintaining approximately 26 acres of the restored brook and floodplain in perpetuity.

In response to questions, Director Gruber clarified that the maintenance agreement between the cities is indefinite and co-terminus with the underlying lease from the City of Cleveland. He also noted that while the City has historically maintained the entire park, the new agreements formalize cost-sharing for new amenities and areas.

Director of Public Works Ramona Lowery-Ferrell and Director of Finance John Potts indicated that specific ongoing maintenance costs are not yet known but will be assessed as construction nears completion in 2027.

The request to recommend approval of both agreements was unanimously approved.

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REQUEST TO AUTHORIZE A SINGLE SOURCE BID TO FIRSTENERGY FOR HIGH VOLTAGE LINE RELOCATION.

Director of Planning Joyce Braverman presented a request to authorize a single source bid to FirstEnergy in the amount of \$280,841.62 to relocate a high-voltage electrical line crossing the Van Aken District development site at Warrensville and Chagrin Roads.

Director Braverman explained that the line serves the RTA substation and must be moved to prepare the site for development. FirstEnergy is the sole owner and provider for this work. Funding is available from the Van Aken Construction Fund within the General Capital Fund. This item was previously approved by the Safety and Public Works Committee.

Law Director William Gruber added that the price was negotiated down from a higher estimate and securing the current price is urgent.

The request to authorize the single source bid was unanimously approved.

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REQUEST TO AMEND A CONTRACT WITH DLZ FOR THE LYNNFIELD/LOMOND SSO PROJECT.

The Lynnfield/Lomond Sanitary Sewer Overflow (SSO) Project by \$25,000, increasing the total to \$129,724. The amendment is needed to cover additional design and construction administration services due to unforeseen conditions encountered during the project, which aims to eliminate basement flooding. The project is funded through NEORS and US EPA grants and is anticipated to conclude in summer 2026.

The request to amend the contract was unanimously approved.

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REQUEST FOR APPROVAL OF CONTRACT WITH SENIOR TRANSPORTATION CONNECTION (STC).

Director of Recreation John Doyle presented a request for a one-year contract with Senior Transportation Connection (STC) from January 1 to December 31, 2026, at a cost not to exceed \$160,000, an increase of \$20,000 from 2025.

Director Doyle reported that STC provides door-to-door transportation for seniors for medical, personal, and group trips. In 2025, 95 individuals used the service for over 2,200 trips. The city subsidizes the cost, with participants paying \$5 for medical rides and \$1 for group rides.

The price increase is due to STC's raised rates. Discussions are ongoing with STC, the Fire Department, and Police Department to increase awareness and utilization of the service.

The request was unanimously approved.

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REQUEST TO ESTABLISH CUSTODIAL FUND 761 FOR THE SHAKER HISTORICAL SOCIETY.

Director of Finance John Potts presented a request to establish Custodial Fund 761, the Shaker Historical Society Fund, as permitted by Ohio Revised Code Section 5705.13(B).

The fund will be used to receive and distribute property tax revenues from the 0.3-mill levy approved by voters in November 2025. The levy is expected to generate over \$350,000 annually for five years. The City acts as the custodial agent, receiving the funds from the county and disbursing them to the Historical Society.

The request was unanimously approved.

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OTHER BUSINESS

Chair Nancy Moore noted this was the final meeting of the year and of her two-year chairmanship. She welcomed incoming Chair, Council Member Carmela Williams. Committee members thanked Chair Moore for her leadership.

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There being no further business, the meeting was adjourned at 8:53 a.m.

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Respectfully submitted,

John J. Potts, Finance Director
Finance Committee



SHAKER HEIGHTS

Memorandum

To: Finance Committee

From: Ramona Lowery-Ferrell, Director, Public Works

cc: Mayor David E. Weiss
Chief Administrative Officer Matt Carroll

Date: January 20, 2026

Re: **City Safety Assessment – Request to Enter into an Agreement with Partners**

In September 2025, Public Works distributed Requests for Proposals to consultants to provide services to develop and help implement a health & safety assessment of city facilities. The general scope of the project is for a consultant to provide safety professionals who can provide onsite assessments, develop manageable standard operating procedures and inspections forms that would be conducted by City staff bi-annually. The specific tasks stated in the RFP consisted of a Safety Assessment & Program Development, Training and Safety Inspections. The following buildings will be evaluated:

- City Hall (3400 Lee Road)
- Police Department (3355 Lee Road)
- Fire Station 1 (17000 Chagrin Blvd.)
- Fire Station 2 (2801 Warrensville Center Road)
- Thornton Recreation to include the Ice Rink & Pool (3301 Warrensville Center Road)
- Stephen Tubbs Jones Community Building (3450 Lee Road)
- Service Center (15600 Chagrin Blvd.)
- Shaker Family Center / Early Childhood Enrichment Center (19824 Sussex Road)
- Shaker Heights Development Corporation (3558 Lee Road)

Three consultants provided proposals in October. Using a quality-based selection process, staff from Public Works, the Fire Department and Building Department reviewed the proposals. The scoring criteria consisted of Project Manager, Strength / Experience of Assigned Staff, Firms Current Workload, the Consultant’s Past Performance and References and Project Approach. The consultants and associated average scores are listed below:

Category	Points	Partners	Rizikon	SCR
Project Manager	10	9	6	9
Strength/Exp. Of Subconsultants	25	23	13	22
Firm's Workload	10	9	7	7
Past Performance	30	27	20	24
Project Approach	25	23	20	23
Total =		91	67	86

Based on the scoring, the review team and Public Works Director interviewed Partners on November 13. From the interview, it was clear that Partners had qualified staff, had provided similar services to other municipalities and was genuinely interested in helping the City with this project. As such, Public Works requested a fee proposal. Partners submitted the fee proposal in the amount of \$45,250.00; upon review, their request was fair and reasonable.

Public Works presented our recommendation to Safety and Public Works on January 9, 2026 and there was unanimous support.

Council member Moore requested clarification on the Quality Based Selection (QBS) process. When using the QBS approach, the consultants are selected solely on the merits of their proposal; fee does not factor into the selection process. After the scoring is complete, Public Works will interview the consultant with the highest score. Provided the interview goes well, a fee proposal will be requested. During this process, Public Works will negotiate the cost if appropriate. Partners fee was reasonable and there was not a need to negotiate.

Citizen member Hren inquired if the City had done a similar study previously. No, the city has not performed a Safety Assessment in the past.

We are seeking support from the Finance Committee to enter into an agreement with Partners to perform a City Safety Assessment in the amount of \$45,250.00.



SHAKER HEIGHTS

Memorandum

To: Members of the Finance Committee

From: William M. Ondrey Gruber, Director of Law

cc: David E. Weiss, Mayor
Matthew P. Carroll, CAO

Date: January 20, 2026

Re: **Contract with Chagrin Valley Dispatch (CVD)
for Employment Services for the First CALL Program**

Summary

The Finance Committee is requested to recommend to Council that it enact legislation authorizing a contract with the Chagrin Valley Dispatch (CVD) Council, a regional dispatch center in which the City is a member, to provide employment services for the City's First CALL Program, to replace the contract currently held with Recovery Resources.

The Safety and Public Works Committee voted unanimously at their meeting on January 9th to recommend the contract approval to Council. A Committee member asked whether there would be any cost increase to the Program. The response was that it is not anticipated that there will be much if any increase to the cost of the Program. CVD may ask for an administrative overhead fee. The contract is not yet finalized. CVD's Executive Committee will consider the issue on January 14th and then we will finalize a contract before Council considers the issue at the end of January.

Origin and Organization of First CALL Program

In 2021, the City created a pilot Mental Health Response Program (MHRP) by contracting with MetroHealth System's Recovery Resources, and in November 2022, the City hired a full-time Licensed Independent Social Worker (LISW) to continue the work of the MHRP. The MHRP responded to eligible crisis calls simultaneously with, and separately from, first responders, engaged with persons in crisis and first responders to assist persons in crisis, and provided ongoing follow-up and referrals to other programs, to address any barriers to getting help, and to offer ongoing support.

In March 2023, in response to the success of the MHRP, the City, along with the cities of Cleveland Heights, Richmond Heights, South Euclid, and University Heights, decided to establish a program similar to the MHRP. These five cities had been working together since 2016, when they jointly formed the Heights Hillcrest Communications Center (HHCC), a regional dispatch center. HHCC merged into CVD in 2022.

On July 12, 2024, the five cities entered into an agreement to form the First Crisis Assistance and Local Linkage (CALL) Program, to be operated by the City of Shaker Heights on behalf of the five cities. The cities applied for and received a grant from the Department of Justice, COPS office, FY23 Implementing Crisis Intervention Teams - Community Police Development in the amount of \$399,846, as the first source of funding for the Program. The Program subsequently received additional funding from Cuyahoga County, the Gund Foundation, the ADAMHS Board, and a SCIP Grant. The five cities also contributed funds to the Program.

Operation of the Program and Recovery Resources Agreement

To operate the Program, the City hired the Program Coordinator, Annette Wallace. The City then contracted with Recovery Resources (RR), which is a part of MetroHealth System, to hire and train staffing for the Program.

Pursuant to the authority of Ordinance 24-16, enacted on February 26, 2024, the City and RR entered into a two-year contract on May 15, 2024, through May 15, 2026. Under the contract, RR agreed to provide services, including the hiring of licensed mental health professionals and peer support specialists to work in the First CALL Program in the Program's five communities and at the joint dispatch center operated by CVD.

The City and RR entered into three contract amendments to allow for the hiring of qualified personnel, including a supervisory, for the Program at salaries consistent with the market, and to add a Mental Health Specialist position.

On July 23, 2024, the City entered into a contract with CVD in which CVD agreed to provide working space at the Cleveland Heights Center of CVD for one person to work as a mental health response support liaison between CVD and the Program.

Recovery Resources Services

Under the Agreement, RR has provided professional services for the Program, as directed by the Coordinator of the Program, Annette Wallace, a City employee. RR has handled the hiring, training and overseeing of licensed mental health professionals and peer support specialists that work exclusively on the Program. The Program Coordinator is involved in hiring and performance reviews. The RR Agreement spells out the standards for the professionals to be hired, and the maximum salary.

Clinicians and peer support specialists serve as mobile alternative response team members, responding in real-time to emergency calls placed to 911, with each two-member team assigned to two of the cities in the Program. The teams respond independently but simultaneously with first responders to crisis calls. The teams may also be asked to respond independently to a 911 call if deemed appropriate by dispatch and Program protocols.

The teams work with the Program Coordinator for clinical supervision, risk assessments, and daily task assignments. Also, one Clinician is intended to serve as an alternative response team member inside of the CVD joint dispatch center. All employees complete training agreed upon by the Program Coordinator and RR, including, but not limited to, risk assessment, motivational interviewing, de-escalation techniques, mental health disorders, addiction, first aid/CPR, trauma informed care, HIPAA, physical disabilities, stages of change, screening tools, documentation standards, and applicable policies/procedures.

The teams work collaboratively with police departments, fire departments, CVD, community agencies, and other city/community stakeholders. They complete post crisis follow-up phone calls and/or in-person visits as assigned by the Program Coordinator to those referred/engaged in the Program. They also engage in preventative outreach to community members as assigned

RR also assists with related trainings for city first responders and the Program.

The City, with Program funding, provides the teams with vehicles, laptop computers, cell phones a clothing allowance to employees, office supplies, a Motorola Radio, and other supplies as needed.

Recovery Resources Transition to CVD

On October 2, 2025, it was announced that Recovery Resources would conclude all of its direct services and programming by December 31, 2025, and then go out of business entirely by summer 2026. The City then began considering the alternatives for continuing the employee hiring services for the Program.

As the five First CALL Program cities are all CVD members, and some other CVD members are interested in joining the Program, the City reached out to CVD to discuss the possibility of contracting with CVD for the same employment services currently provided by RR.

CVD has tentatively agreed to contract to provide the employment services for the First CALL Program, subject to approval by the CVD Council. The CVD Executive Committee will consider the proposed agreement on January 14, and the full CVD Council will consider it on January 27.

Request and Recommendation

It is recommended and requested that the Finance Committee recommend to City Council that it should enact legislation authorizing the City, on behalf of the 5-city First CALL Program, to enter into an employment services agreement with CVD, substantially in the same form as the agreement with Recovery Resources.

The legislation will go to City Council on January 26, the day before the CVD Council is expected to consider the agreement. Thus, the details of the agreement would be finalized in advance of the City Council meeting.



SHAKER HEIGHTS

Memorandum

To: Members of Finance Committee

From: Ramona Lowery-Ferrell, Director of Public Works

cc: Mayor David E. Weiss
Chief Administrative Officer Matthew Carroll
Shannon Marlin, Public Works Building Superintendent

Date: January 20, 2026

Re: Backflow Preventer Inspection and Service Contract

The Cleveland Water Department's water distribution system provides water to the City of Cleveland and most of the communities around the Cleveland area. CWD draws its water from Lake Erie. CWD then filters, treats and tests the water before it enters the distribution system. This allows communities to conveniently receive reliable quality potable water for their use. Each of the Shaker Heights' city buildings receive their water supply from the Cleveland Water Department's distribution system.

There are many factors that help keep the water supply safe. One of these factors is water system integrity control. If pressure within the system reduces then water which is within buildings could flow backward and enter the distribution system. All commercial and industrial buildings are required by law to have a functioning backflow preventer valve. The backflow preventer stops water that is in the building from flowing back into the CWD system and taking any impurities with it. Commercial buildings also use backflow preventers on treated water loops, like boiler water heating loops, to keep chemically treated water from entering the building's potable water system. All of these backflow locations are designed and intended to keep the water supply and its users safe. By law, every backflow must be tested once each year to ensure that it is functioning properly. Any valves that fail testing must be repaired or replaced. The city's backflow preventer valves range in size from 3/4" to 6" in diameter. Valves that are over 2 1/2" in diameter are considered large valves. In total, there are 31 backflow preventer valves in the City's different facilities.

The City issues multi-year Requests for Quotes to ensure reasonable rates for the Backflow Preventer Maintenance Program. The contracted backflow maintenance program provider for the 2024 – 2027 period is Brakefire Inc dba Silco Fire and Security.

Many of the city building's backflow preventer valves are coming to the end of their useful life. In 2024, the city spent \$4,612.50 to test the backflow preventer valves. Thirteen of 28 valves failed testing. Eleven of the 13 valves were able to be repaired, but two valves required replacement. The total for testing, repairs and replacement was \$30,214.50. The average price to repair a small valve is \$1,316.50 and for a large valve is \$7,122.50. The average price to replace a small valve is \$1,731.50 and for a large valve is \$15,352.00.

The testing cost remained the same for 2025, however 15 valves failed testing. Twelve valves were able to be repaired, but three valves needed replacement. The current costs of the 2025 backflow preventer valve repairs and replacements are \$43,259.00. There are additional valve repairs and replacements which will make the 2025 total \$62,188.00; this is over the \$50,000 threshold that would require formal competitive bidding.

Public Works presented our recommendation to Safety and Public Works on January 9, 2026 and there was unanimous support.

Council member Chengelis inquired about the typical service life of a backflow preventer valve. It was noted that many of the valves are over 10 years old, but several factors including water main breaks may affect the life of the valve.

Citizen member Hren asked if the work had been completed. No, the contract will need to be increased in order to finish the work.

We are requesting support from the Finance Committee to increase Brakefire Inc's contract from \$43,259.00 to \$62,188.00 for the 2025 Backflow Preventer Maintenance Program.



SHAKER HEIGHTS

Memorandum

To: Members of the Finance Committee
From: Patrick F. Sweeney, Chief of Fire
cc: David E. Weiss, Mayor
Mathew P. Carroll, Chief Administrative Officer
Date: January 20, 2026
Re: Donation of city property (2009 & 2014 Horton Rescue Squads)

The Shaker Heights Fire Department provides emergency medical services to residents utilizing two front-line rescue squads operating out of Fire Station One on Chagrin Boulevard and Fire Station Two on Warrensville Center Road. In addition, a third rescue squad is maintained in reserve status and is placed into service when a front-line unit is out of service for repairs or when a third simultaneous EMS call is received. When deployed, the reserve rescue squad is staffed by firefighters assigned to a fire engine at Fire Station Two. This reserve unit was originally designated as a front-line rescue squad and was rotated into reserve status as newer units were added to the fleet.

Historically, the Fire Department has maintained a fleet of three rescue squads and donated older, out-of-service units to neighboring communities in need, regardless of vehicle age. In recent years—particularly following the COVID-19 pandemic—the department retained older rescue squads longer than usual due to extended manufacturing and delivery timelines for replacement vehicles. Procurement times that once averaged approximately six months have increased to more than three years, accompanied by significant cost increases.

With the recent delivery of a new 2025 Rescue Squad and the inclusion of funding in the 2026 Capital Improvement Program to order an additional replacement unit (with delivery anticipated in approximately three years), the department now has two older rescue squads that are no longer in service or needed for operational readiness. The Fire Department proposes donating these vehicles to neighboring communities that are experiencing critical shortages due to mechanical failures and accident-related damage to their existing rescue squads.

Specifically, the Maple Heights Fire Department and the Oakwood Village Fire Department are both in urgent need of replacement rescue squads. The readiness and reliability of emergency medical response vehicles in neighboring jurisdictions is a concern not only for those communities but also for Shaker Heights and other partnering departments. When a neighboring department's rescue squad is unavailable, that department must rely on mutual aid, placing additional strain on surrounding agencies and potentially impacting response coverage across the region.

For these reasons, the Shaker Heights Fire Department is requesting authorization to donate the following rescue squads:

- **2009 Horton Rescue Squad** – Maple Heights Fire Department
- **2014 Horton Rescue Squad** – Oakwood Village Fire Department

Both vehicles have accumulated in excess of 100,000 miles and have been replaced by newer or recently acquired rescue squads.

The donation of surplus Fire Department equipment is not unprecedented for the City of Shaker Heights. In 2014, the city donated a 2002 Horton Rescue Squad to the City of East Cleveland, and in 2019 a 2004 Rescue Squad was donated to University Hospitals' EMS Training and Disaster Preparedness Institute.

While the City could offer these vehicles for sale on the open market, with an estimated value of approximately \$10,000 per vehicle, the Fire Department believes the greater value lies in supporting neighboring departments that are in immediate need of critical emergency response equipment. Strengthening regional response capabilities benefits not only those communities receiving the equipment but also Shaker Heights by reducing the likelihood of increased mutual aid demands.

This item was presented and approved by the Safety and Public Works Committee on January 9, 2026. Council Member Alvarez requested assurance that the proposed donation would not compromise the redundancy of the City's rescue squad fleet. Chief Sweeney advised that the department's current inventory combined with a recent capital appropriation, places the department in a strong operational position.

It is respectfully requested that the Finance Committee recommend to City Council the donation of these two rescue squads—a 2009 Horton Rescue Squad to the City of Maple Heights and a 2014 Horton Rescue Squad to the Village of Oakwood.



SHAKER HEIGHTS

Memorandum

To: Members of the Finance Committee
From: Laura E. Englehart, Director of Economic Development
cc: David E. Weiss, Mayor
Matthew Carroll, Chief Administration Officer
William Gruber, Director of Law
Date: January 14, 2026
Re: Fourth Amendment to Development & Use Agreement for the Van Aken District

The Economic Development Department requests a recommendation from this committee for Council to approve a fourth amendment to the Development & Use Agreement (D&U) between the City and the developer of the Van Aken District. This amendment would:

- (1) extend the developer's exclusive purchase option on the development site at the northwest corner of Chagrin Blvd. and Warrensville Center Road (the "Corner Property") through August 10, 2029 (the current end of the developer's right of first refusal period);
- (2) remove any and all right of first refusal;
- (3) upon exercise of the purchase option, require the developer to pay a purchase price of \$140,420.81 (which is equal to half the City's cost of moving an existing CEI line out of the Corner Property); and
- (4) extend the developer's obligation to provide a plan for Shaker Plaza through August 10, 2030, two years after the current end of the right of first refusal period.

As you know, the phased Van Aken District development was thoughtfully planned with significant community engagement over many years. Phased development remains in progress.

- The first phase of new development officially opened in 2019 with 100,000 square feet of retail, 60,000 square feet of office space, and 103 apartments all centered around a public park and immediately adjacent to the blue line rapid transit station.
- The second phase of development, called the RAYE, opened in early 2025 with 228 luxury apartment units, bringing a new housing option to Shaker, creating significant activity on a long-vacant parking lot, and adding density to further the success of the greater Van Aken District. The significantly larger scale and iconic design of the RAYE, combined with the effects of the global health pandemic, led to design and construction timelines that went beyond those anticipated in the original D&U.
- Simultaneously, the City moved forward and selected another development partner via a competitive Request for Proposals (RFP) process for a third phase of development on the long-vacant former Qua Buick site, 3393 Warrensville Center Road. Construction of the Arcadia mixed-use development project will house 141 apartments (including 25 units set

aside for households earning 80-100% of Area Median Income), second floor office space that will house RDL Architects, and first floor retail wrapping a ground-level parking garage. Construction began in the second quarter of 2025. It is slated for completion by early 2027.

- The Corner Property has long been slated to be a future phase of development. Under the original D&U, this site was originally planned to include additional mixed-use development featuring an office tower with active ground floor uses and more parking. Despite some economic recovery after significant pandemic-driven market disruptions, today's market conditions and office environment will still not support construction of a new office tower. Additional time is needed to evaluate development options and plans for this site. Furthermore, extended timelines for the two prior phases have also lengthened the time horizon for development of the Corner Property.
- Future development phases may also include reinvestment in or redevelopment of Shaker Plaza (which is owned by the developer of the Van Aken District) as well as additional prospective sites east of Warrensville and south of Chagrin.

The Van Aken District developer's exclusive option to develop the Corner Property recently expired and the developer currently holds a Right of First Refusal (ROFR) for the site. During this ROFR period, through August 10, 2029, the City would not likely be able to successfully market the site and work with a new developer to purchase and develop the Corner Property while being required to offer the same development option to our current developer partner. We also continue to have a good working relationship and positive conversations about future District development with our long-term partners at the Van Aken District.

Request and Recommendation

To align the timing of Corner Property development with prior phases, in consideration of economic and market conditions, and in light of our long-standing working relationship with the Van Aken District developer, the Economic Development Department recommends a fourth amendment to the D&U to extend the Van Aken District developer's exclusive purchase option through August 10, 2029 (the end of current right of first refusal period) and to remove all rights of first refusal. Additionally, the purchase price for exercising the option would increase from \$100 under the current D&U to \$140,420.81 to help the City recoup its costs to move a CEI line located within the Corner Property. Finally, to better align with a new phased development timeline, the proposed fourth amendment to the D&U would also extend the timeline for the developer to provide a future plan for reinvestment in and redevelopment of Shaker Plaza to August 10, 2030.

The Neighborhood and Economic Development Committee unanimously recommended approval of this item at its meeting on January 14, 2026. The committee discussed the basis for changing the purchase price to be half the utility line cost as an effort to try to recoup some of the city's typical predevelopment costs. Additionally, in response to committee inquiries, staff discussed how the developer, The Max Collaborative (formerly RMS), has shown commitment to conducting the necessary market studies and other predevelopment evaluations to propose an alternative mix of uses for the site. No proposed plans have been submitted at this time.

The Economic Development Department requests a recommendation from this committee for Council to approve a fourth amendment to the Development & Use Agreement (D&U) as described above.



Memorandum

To: Members of the Finance Committee

From: Kyle Krewson, Director, Building and Housing Department

cc: Mayor David E. Weiss
Matt Carroll, CAO
William M. Ondrey Gruber, Director of Law
John Potts, Director of Finance

Date: January 15, 2026

Re: **Recommendation to Amend SMCI Contract for Protective Pedestrian Canopy at the Lee Scottsdale Building - 3756 Lee Road**

Summary

The purpose of this memorandum is to explain the need for an amendment to the City's existing contract with Suburban Maintenance & Construction, Inc. (SMCI) to ensure the ongoing use of protective fencing at 3756 Lee Road and to request that the Finance Committee recommend approval of this amendment to City Council.

Background and Public Safety Necessity

In September 2024, the property located at 3756 Lee Road was declared a public nuisance after masonry elements detached from the façade and fell to the public sidewalk, creating an immediate life-safety hazard. Due to the property owner's failure to implement adequate protective measures, the City proceeded with emergency nuisance abatement actions.

Council authorized the SMCI contract on November 26, 2024, with a total not-to-exceed amount of \$100,000. The contract was subsequently amended by Council on August 5, 2025, increasing the total authorized amount to \$150,000, to allow for the purchase of the protective pedestrian canopy and the continued rental of perimeter fencing while a structural assessment and long-term repair strategy were developed. At the time of the amendment, buying out the already installed pedestrian canopy was determined to be the most cost-effective approach, with an estimated break-even point of approximately five months.

As part of the prior amendment, the City elected to buy out certain pedestrian canopy components while continuing to rent the perimeter fencing for an extended duration.

Need for Contract Amendment

In short, the City's original cost assumptions used for setting the not-to-exceed amount of the August 5, 2025 contract amendment did not fully account for additional rental costs that accrued before the prior contract amendment was finalized. Specifically, during a recent reconciliation of invoices and remaining contract balances, staff identified a timing-related forecasting issue associated with the prior contract amendment:

- There was a lapse between when the City first received pricing to buy out the pedestrian canopies and when the amended contract was ultimately executed.
- During that interim period, additional canopy rental costs accrued.
- As a result, funds that had been anticipated to support a longer duration of perimeter fence rental were partially consumed, shortening the remaining rental coverage.

As a result, the existing contract structure does not provide sufficient remaining authority to continue renting the already-installed perimeter fencing, despite the continued need for the fencing as part of the City's nuisance abatement efforts.

Proposed Contract Amendment

The proposed amendment does not expand the scope of work or introduce new equipment. Instead, it would modify the contract to allow the continued rental of the existing perimeter fencing and establish an ongoing six-month rental structure billed at \$3,500 per six-month period, consistent with the previously approved rental rate.

This approach avoids unnecessary removal and reinstallation, provides cost predictability, and aligns the contract structure with the uncertain timeline associated with façade repairs.

The continued need for these protective measures is further complicated by the building's close proximity to high-voltage power lines along Lee Road. These lines currently prohibit maintenance and repair work on portions of the Lee Road façade. Relocation of the power lines will be required before permanent repairs can be undertaken, a process that is complex, coordinated with third parties, and may take several years to complete. As a result, the perimeter fencing and related protective measures must remain in place until these hazards can be fully addressed and permanent repairs to the masonry façade can be completed.

Funding and Cost Recovery

- Funds for this purpose are already appropriated in the City's Nuisance Abatement Fund (Fund 223).
- Consistent with City policy, all costs incurred by the City, including fencing rental costs, will be billed to the property owner, plus a 22% administrative fee.
- Any unpaid amounts will be certified as a lien against the property.

Recommendation

Staff respectfully requests that the Finance Committee recommend approval to Council of an amendment to the existing SMCI contract to allow for an ongoing six-month fencing rental structure until the protective fencing is no longer required. This amendment is necessary to ensure that required public safety protections remain in place while the nuisance conditions at 3756 Lee Road remain unresolved.