

RESOLUTION NO. 078-2025(PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to execute an agreement with UBIZ Venture Capital for the purpose of conducting a Small Business Support Program; repealing Resolution No. 207-2024 in its entirety; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights, Ohio (the “City”) received Thirty-Eight Million, Eight Hundred Seventeen Thousand, Sixty-Two Dollars and 0/100 (\$38,817,062.00) in direct payments pursuant to the American Rescue Plan Act of 2021 (“ARPA Funds”);

WHEREAS, on November 4, 2024, this Council passed Resolution No. 207-2024 authorizing the Mayor to execute an agreement with UBIZ for the purpose of providing program management services to the City’s Small Business Support Program (“Program”), which this Council authorized through the passage of Ordinance No. 179-2023;

WHEREAS, the City obligated the Three Hundred Thousand and 00/100 Dollars (\$300,000.00) appropriated for the Program through an interagency memorandum of understanding prior to December 31, 2024, in accordance with U.S. Treasury regulations; and

WHEREAS, upon further discussion with UBIZ Venture Capital (“UBIZ”) and consultation with the City’s outside legal counsel, the City wishes to enter a replacement contract as defined by U.S. Treasury Guidance, ARPA FAQ 17.17, terminating the interagency memorandum of understanding and replacing it with a modified Subgrant Agreement, for the purpose of allowing UBIZ to conduct the Program as a Subrecipient as defined by 2 C.F.R. Part 200.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor is hereby authorized to execute a replacement contract in the form of a modified Subgrant Agreement with UBIZ for the purposes described herein and for an amount not to exceed Three Hundred Thousand and 00/100 Dollars (\$300,000.00). The Agreement shall comply with the replacement contract requirements outlined in ARPA FAQ 17.17 and contain any other provisions that the Director of Law deems necessary.

SECTION 2. Resolution No. 207-2024, as passed by this Council on November 4, 2024, is hereby repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council

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relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all 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 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution on the City of Cleveland Heights website.

SECTION 5. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the expenditure deadlines imposed on ARPA Funds. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



TONY CUD
President of Council



ADDIE BALESTER
Clerk of Council

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PASSED: May 5, 2025

Presented to Mayor: 05/07/2025 Approved: 05/13/2025

A handwritten signature in blue ink, appearing to read 'Kahlil Seren', is positioned above a horizontal line.

KAHLIL SEREN
Mayor