

William T. Eberhard AIA, IIDA: ESSAYS ON ARCHITECTURE:

Cleveland's Weak Design Culture

Cleveland, OH



EBERHARD ARCHITECTS LLC
2077 East 4th Street, Second Floor
Cleveland, OH 44115
216.452.2592

www.eberhardarchitects.com

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Cleveland *Plain Dealer* art and architecture critic Steven Litt stated in a 2006 article that the Cleveland community needed to improve its “weak design culture” if it was going to survive and prosper. He also stated then that the Westlake Reed Leskosky firm was the only firm of consequence locally. Their Renwick Gallery renovation project for the Smithsonian in Washington seems to have prompted him to elevate further his opinion of the firm’s capabilities and stature.

After all, Litt can and does routinely ignore Ohio design awards where a strong jury evaluates submissions from all over the state to select the top six or ten projects in a given year. And the jurors for the Ohio AIA Design Awards program are always top tier practitioners themselves on the national and even international stage.

Litt and I have sparred over this issue in print and on television locally. The Cleveland Museum of Contemporary Art was a particular project where our perspectives were at opposite ends of the spectrum.

Cleveland Architects are deserving of commissions like MOCA because their skills are substantial by any recognized standard if patrons would but expend the effort to examine our local architectural community.

The trend of hiring out-of-town Architects for important commissions is regrettably mature. In 1994, seven area design and engineering professional organizations including the American Institute of Architects and Cleveland Engineering Society contributed manpower and funds to form The Design Forum of Cleveland, a 501C3 non-profit to elevate awareness of this subject.

In addition to the research on the amount of work and fees awarded to out-of-town firms for NEOH projects, a comparison of the number of Cleveland



Above: Steven Litt
Below: WRL/DLR Group Renwick Gallery Renovations, Washington, DC



area Architects to the number of awards conferred by the State of Ohio AIA annual design awards programs over a 10-year period indicated that while comprising only 28% of the State's Architects, NEOH firms won 44% of the State's design awards. The significance of this fact is that the Ohio AIA design awards competitions have been routinely juried by the profession's elite architects, such as Ted Flato FAIA (Texas), Cesar Pelli FAIA (NYC), Rodolfo Machado (NYC), Peter Pran FAIA (NYC), Peter Bohlin FAIA (Wilkes Barre, PA) and Zaha Hadid (London).

Those metrics were recently updated and are even more compelling. Since 2009, Cleveland AIA members now account for 21% of the state's AIA members. Yet Cleveland AIA members have won 52% of all AIA Ohio Design Awards in that time frame.

Steven Litt has also argued in 2006 that Cleveland has had a legendary case of low self-esteem due to a half-century of economic decline and jokes about the Cuyahoga River catching fire. He pointed to the multiple significant architectural opportunities that were on the horizon at that time – projects by the Cleveland Clinic and Cleveland Public Schools, the Euclid Corridor and redo of the Innerbelt – for the city to redefine its image, strengthen our economy and make the city a better place to live.

And Litt accurately noted that “the transformation can't occur without a strong performance from architects, engineers and planners, and from the clients, patrons and elected officials who hire them. The problem is that Cleveland's slide in vitality, population and status since World War II has been accompanied by an equally long slide in design standards and achievement.”

In the same article, Litt defended MOCA's decision to engage an out-of-town firm for its project: “By doing so, MOCA could focus the spotlight on a rising star and help give Cleveland a reputation as a haven of innovation.” And that it was “unlikely MOCA could achieve the same level of attention by hiring locally because no local architects can match the credentials of those on the museum's short list.”

Litt's perspective was insulting and incorrect. The firms on MOCA's short list were big on renderings of unbuilt projects and short on legitimate achievement. MOCA selected the London-based firm of FOA with Principal Farshid Moussavi to design the project. At the time, her then 14-year-old firm showed only six completed projects on their website – three of which were restaurants and one of which was a small flat. The only project of consequence was the Yokohama Port Authority Terminal completed on 2002. The undulating platform was clever but reflects obvious quality control problems in even its most flattering photographs.

The disappointing result of MOCA's project indicates that its architect who had never done a museum or a project in the US was in way over her head and that her so-called 'credentials' were as illusionary as the Emperor's clothes. The building fails to capitalize on its exceptional site and instead presents an arbitrary piece of irrelevant geometry with streaked stainless steel panels and diagonally slashed windows that make users disoriented on the inside. The only



Top to Bottom:
1. Cuyahoga River Fire; 1969
2. Cleveland Clinic Miller Pavilion
3. Farshid Moussavi
4. Cleveland Museum of Contemporary Art



interesting element of the interior is the winding stair inside the overbearing midnight blue box with exposed steel and concrete floors which slashes its way to the fourth exhibit floor only to deposit guests under a large HVAC unit. Compared to Cincinnati's Contemporary Art Center by the late Zaha Hadid, a legitimate rising star at the time, Moussavi's sophomore effort would have been given a C- or less in an accredited architectural school.

The MOCA board did not know design excellence from a sewer grate - and built it, dramatically exposing the city's weak design culture.

1. Cleveland = "Blue Collar No Frills Myopia:"

Litt explained that his perceived dearth of talented architects in NEOH is attributable to the fact that Cleveland reflects "a blue-collar, budget-minded, no-frills myopia dates to the 19th-century industrial era. Innovative design is rarely embraced. Regard for architecture and civic design is generally low, apart from areas such as University Circle and the downtown Mall."

True.

Litt: "For evidence, look around. In the 1970s and '80s, the city countenanced demolition of half of the Warehouse District to make way for parking lots that serve the Cleveland Justice Center and other mediocre government buildings. Bland postwar office towers and brain-dead parking garages mar East Ninth Street and Superior Avenue. The lakefront is scarred by railroads and highways."

True.

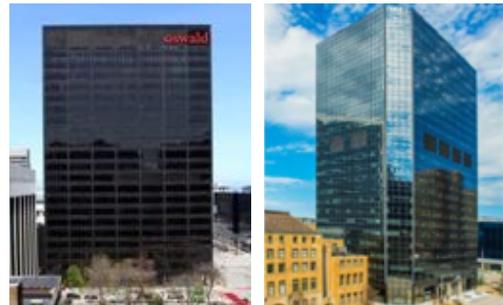
And those bland postwar office towers were virtually all deposited here by out-of-town architects.

- Erievue Tower: Harrison & Abramowitz, New York
- Bond Court/ Penton Media: SOM, Chicago
- East Ohio Gas/ 1717: Emery Roth & Sons, New York
- Central National Bank/ 600 Superior: Charles Luckman, New York
- Bank One Center/ 5/3: Hugh Stubbins, Boston
- One Cleveland Center: Hugh Stubbins, Boston
- Diamond Shamrock/ 1100 Superior: SOM, Chicago
- National City Center/ PNC: SOM, Chicago
- Eaton Center/ 1111 Superior: SOM, Chicago
- Justice Center: Prindle Patrick, Columbus
- 55 Public Square: Carson Lundin & Shaw, New York
- Cleveland Trust/ Ameritrust Tower: Marcel Breuer, New York
- Standard Oil/ BP Tower: HOK, Kansas City
- Westin Hotel: RTKL, Baltimore
- Skylight Office Tower; RTKL, Baltimore
- Ritz Carlton Plaza: RTKL, Baltimore
- Federal Reserve Bank Annex: HOK, Kansas City

Litt: "Architects alone are not to blame. Environmental design is



Top to Bottom:
 1. Standard Oil/ BP/ 200 Public Square; HOK
 2. East Ohio Gas Co.; Emory Roth & Sons
 3. Diamond Shamrock Center/ 1100 Superior; SOM
 4. Eaton Center/ 1111 Superior; SOM
 5. Justice Center; Prindle & Patrick
 6. 55 Public Square; Carson Lundin & Shaw
 7. Bond Court/ AECOM Center; SOM
 8. Erievue Tower; Harrison & Abramowitz



never a solo act, like painting or a sculpture. It's a product of the relationship between a designer and a client. Cleveland's design culture has been weak on both sides of the relationship."

True.

Litt: "Unlike other U.S. cities of similar size and circumstances, Cleveland has failed in recent decades to develop big architecture firms of national and international status, such as NBBJ of Columbus, Ohio, and Seattle; Hellmuth Obata + Kassabaum (HOK) of St. Louis and Kansas City, Mo.; or Skidmore Owings & Merrill (SOM) of Chicago."

True.

But if the local community repeatedly fails to give its own architects opportunities as it did here in the first half of the twentieth century, what do you expect? In fact, the very firms mentioned by Litt have repeatedly designed projects here in Cleveland – with limited satisfactory results.

NBBJ did Paul Brown Stadium and the Great American Ballpark in Cincinnati, the huge Miller Family Pavilion and Glickman Tower projects at Cleveland Clinic and the Julka Hall School of Education at CSU. HOK did the SOHIO/ BP Building, CWRU Enterprise Hall, Cleveland Browns Stadium, Jacobs Field/ Progressive Field and the addition to the Federal Reserve Bank here, as well as the Nationwide Arena in Columbus.

SOM designed the CWRU Law School, the Diamond Shamrock Tower (1100 Superior), the National City/ PNC Complex and Eaton Center/ 1111 Superior.

Of all of these projects, only HOK's addition to the Federal Reserve Bank deserves appreciation.

But Litt has fairly characterized the local profession's devolution downward from its stature 50 years ago. In the 1960's, Piet van Dijk had moved here from the great Eero Saarinen's Michigan office to head design at the Schaeffer Flynn firm's office, and he had successfully encouraged his Saarinen co-worker Norm Perttula to accept the position to head up design for Dalton Dalton & Newport.

Don Hisaka opened his practice in Cleveland in 1960 and was designing award-winning projects of varying scales and types and always doing so under budget. Hisaka's work garnered over 50 design awards and was published over 70 times in national architectural magazines.

Richard Fleischman started his own firm in 1961 after working with William Conrad after graduating from Carnegie Tech, now Carnegie Mellon University. His work has been honored with over 100 design awards. Less conspicuous but equally talented were Bill Blunden and Bob Barclay who had worked with



Top to Bottom:
1. Julka hall; NBBJ Architects, Columbus
2. Federal Reserve Bank Addition; HOK, Kansas City
3. Mansfield Art Center; Don Hisaka
4. Ohio Bell, Brecksville; Norm Perttula for Dalton Dalton + Newport



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Hisaka since 1970 before starting their own firm in 1974. Blunden had worked with Edward Durell Stone before being recruited to Cleveland by Dalton Dalton.

All of these architects were turning out exemplary work that was regularly winning local, state and national design awards and attention in national design and architecture publications. They made Cleveland an important stop for young architects looking for a good kitchen to cook in to begin their careers from top tier professionals with a genuine commitment to and understanding of design excellence.

Things are different today.

The successors to van Dijk, Paul Westlake, Ron Reed and Vince Leskosky have carried on with a commitment to design excellence after van Dijk retired, but the alumni and successors to the others have not been able to uphold those standards.

Litt says, "Local architecture firms tend to emphasize "service," which is a way of saying they give clients what they want and are not propelling design in new directions." True, for some, even most - but certainly not all. There are hosts of large-, medium- and small boutique firms in NEOH that are serious design firms. But if Litt is implying that is not at the same critical mass as it was in the 1970's and even 1980's, he is regrettably correct.

"Local clients, on the other hand, have not been visionary. Too often, they've imitated successes from other places and hired prominent out-of-town firms. The results often have been mediocre."

True.

Litt is correct that NEOH has a very weak design culture. There are many reasons for it:

2. Weak A.I.A.:

The American Institute of Architects is the national organization of licensed architects with 54,000 professional and 40,000 associate (non-licensed) members. Approximately two-thirds of the nation's licensed architects are members of the AIA. The AIA was founded in New York City in 1857 by a group of 13 architects to "promote the scientific and practical perfection of its members" and "elevate the standing of the profession."

The AIA says that it offers education, government advocacy, community redevelopment, and public outreach to support the architecture profession and improve its public image.

The AIA also works - aspirationally - with other members of the design and construction communities to help coordinate the building industry. AIA members are supposed to adhere to a basic code of ethics and professional conduct which are intended to assure clients, the public, and colleagues of an architect's dedication to the highest standards in professional practice. But while the Institute has a





AIA
Cleveland

Handbook of Professional Practice, the wide range of project delivery methods and services that an architect can and must provide have evolved to the point where today there effectively is no standard of care in the profession.

Nationally, the AIA had a TV commercial initiative a few years ago that attempted to raise the public's awareness that architects exist. Locally, the Cleveland Chapter of the AIA (CLEAIA) is AWOL and has been for over 30 years. Local architecture critic Steven Litt agrees.



The local chapter no longer even bothers to have monthly programs for its members. AIACLE does four events annually – all of them self-serving. They host a boat cruise on the Goodtime every summer, have a sand castle competition at Edgewater Park, host a golf outing every summer and host their own design awards program each fall to pat themselves on the back for their excellent work. Not even Steven Litt bothers to come to the AIA awards programs.

AIACLE hosts occasional lunch-n-learns that we all have in our offices where manufacturer representatives come in and give you a sales pitch on their products. Such initiatives do not constitute legitimate learning of substance that advance the skills of chapter members.



Both the Gund Foundation and Cleveland Foundation – two organizations that have urban design and neighborhood quality as part of their missions, have told AIA officers that they do not consider AIACLE or its architects relevant to their missions because of their failure for years to engage with the community. And AIACLE has characteristically failed to respond to this indictment.

And in 2019, when the Cleveland Foundation failed to even consider any Cleveland firms and instead hired an architect from New York City to design it a new HQ in Midtown Cleveland, AIACleveland demonstrated its ineptitude by remaining silent.



The Chapter has had a leadership problem for years. AIACLE has no criteria for the skills, experiences or interests for its officer positions. It is a popularity contest instead among a small clique of members. For a profession that champions qualification-based selection process for the hiring of architects, it is ironic at a biblical level that it cannot do the same for its own officers. Also, officers serve for only one year, so any Chapter President's objectives are limited by what one could reasonably expect to cajole a group of volunteer non-performers into action on a given subject.

And it must be noted that most of those in the chapter's leadership are really there to build their resumes, not necessarily because they have a platform or any initiative of consequence to address or advance.



The Chapter has also not had great success with its Executive Directors. Any professional organization's Executive Director needs to be an enthusiastic, outgoing individual with excellent communication skills, a strong energy level with good grooming to properly represent the chapter and its members. The recent hire is a failure on every measure.

Every other AIA chapter within 275 miles – including Akron! - has

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Top to Bottom:

1. Pittsburgh
2. AIA Pittsburgh's "Build Pittsburgh"
3. AIA Pittsburgh's "Design Pittsburgh"
4. AIA Pittsburgh's "Build Pittsburgh"



regular monthly programs of substance for its members. Not AIACLE.

Every other AIA chapter within 275 miles has programs that engage the community so architects and the AIA chapter are visible to the community.

Not AIACLE.

Cleveland's AIA Chapter has evolved with a culture of fear among its officers. There is a fear of speaking out on virtually any subject for fear that the chapter would offend or alienate someone. This has also kept the chapter from defending or advocating for their own members. When the Cleveland Foundation retained a New York City architect in 2019 for its new office building, the AIACLE Chapter President told me he was not in a position to make responding to this outrage and moral failure a priority.

Despite being informed by both the Cleveland Foundation and Gund Foundation that they do not view architects or AIACLE as relevant to their missions, this glaring message of contempt from the region's top two non-profits should have been a huge wake-up call for AIACLE. While this was discussed at the chapter's 2018 strategic planning session, AIACLE has done nothing since to make any effort to engage the community.

Pittsburgh, Columbus and Cincinnati chapters of the AIA have 501c3 foundations to archive member materials and fund community outreach programs and scholarships to develop and foster interest in the profession within the community and schools of higher learning. Not AIACLE.

AIAPittsburgh has an almost identical number of members in its chapter and an almost identical population to Cleveland. But its annual budget is 37% more than Cleveland's because it connects with its community with seminars and community development charrettes that generate traction - and income.

Most significantly, AIAPGH conducts "Build Pittsburgh" and "Design Pittsburgh" events every year in the Pittsburgh Convention Center. The Design Pittsburgh event brings elected officials, developers, bankers and architects from a broad geography to talk about the context for design in modern cities. The event draws 900 annually and generates a net profit for the chapter of \$95,000.

The Build Pittsburgh event includes a day of educational seminars on building science, new materials and ever-changing envelope codes that earn architects CEU learning credits which are needed to maintain one's license to practice and includes a trade show with building materials manufacturers, software makers, and related vendors. This event draws 1000 people and generates \$105k annually for

the chapter.

In Cleveland, the local AIA chapter's annual design awards program is a 'pat-yourself-on-the-back' event that only architects attend. In Pittsburgh, for a number of years, AIAPGH made its annual design awards program legible to the entire community by paying \$12k to have a magapaper – much like the *Plain Dealer's* Friday Action Tab – the week before the awards program that included a photo of every nominated project with an identification of what it was, where it was, who designed it and a paragraph describing the project's noteworthy attributes.

So everyone in the city who got the newspaper saw projects that they drove by or banked in or ate a meal in and learned that architects existed in their community and that they designed projects that people used, worshiped in, saw their doctor in, went to the bank to deposit money or shopped there.

By comparison, AIACLE borders on the invisible.

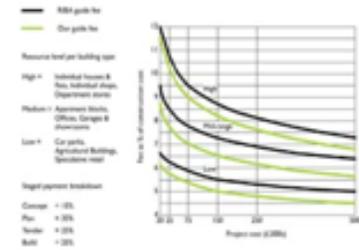
3. Consent Decree with Justice Department:

Fifty years ago, one of the documents AIA prepared and made available to its members were schedules of recommended fees. These documents presumed a full scope of services intended to protect clients and the public and assure the architects' involvement in observing construction to verify conformance with the contract documents.

The documents only identified possible *ranges* of fees based on project size and type. For example, a \$2 million school project might justify a service cost or fee of 6% - 8% of the cost of construction. Variables would shape the discussion, calculation and negotiation based on site conditions, the program of elements, the probable complexity of the construction type and delivery method.

For a lab or hospital building, a \$2 million project might justify a 7% - 9% service cost, though it has been so long since I saw the 'green sheets,' these are simply examples of how the documents were offered as a general guide to both architects and owners.

The reason there is now no real standard of care in the profession is that in 1972, the US Justice Department filed suit against the AIA, alleging that the recommended fee schedules constituted price fixing and were a violation of anti-trust laws designed to prevent monopolies.



While every architect in the county and the Institute's officers knew that the Justice Department's lawsuit was serious bullshit, as a dues-based organization, the AIA was afraid that a protracted legal fight with the Justice Department could bankrupt the organization and in 1972, the AIA reluctantly entered into a Consent Decree with the Justice Department.

The real injustice in the JD's suit was the incorrect assertion that the AIA's service cost guidelines prescribed fees across the industry and that they were universally followed. Given that the guidelines includes ranges of 2% in every category on every project size (which amounted to 25% - 50% of the total fee), the idea that the AIA determined fees and eliminated competition was absurd.

The AIA had little choice: Abolish the recommended fee schedules - and enshrine that abolition into its rules, or face a lawsuit it could lose, with the potential imposition of a hefty fine, and expensive legal fees. Justifiable as the decision was, this milestone was a major factor in the ultimate commoditization and marginalization of architectural and design services in the US.

Whenever a service is commoditized, sooner or later most providers are forced to gradually pare back services, and in the end be forced to sacrifice quality on the altar of competition. That is precisely what happened to architects - in the US.

The outcome is that design service fees are stripped of all buffers for absorbing the costs of project change, which only further frustrates clients' desires to find providers who can ensure control of construction time and cost growth (Nelson, 2018).

A scientific research study by Paul Tilley and Stephen McFallen in the late 1990's is illustrative. They surveyed contractors and designers, receiving 491 responses from architects and 327 from contractors to investigate changes in design and documentation quality over the previous fifteen years and to determine whether there is a causal relationship between reduced design fees and increased project costs due to a reduction in design quality, that could cause problems downstream in the construction process.

To ensure that the survey addressed only pertinent issues, two workshops – one for contractors and one for design professionals – were undertaken as part of the background investigation stage of the study. The workshops identified a number of design and documentation attributes as having a direct impact on the quality of design and documentation achieved, as follows (in order of importance):

Design Quality Attributes

1. Functionality
2. Relevancy
3. Proper Examination of Design Proposals
4. Constructability
5. Site Compatibility
6. Economy

Documentation Qual. Attributes

1. Accuracy
2. Clarity
3. Final Checking
4. Coordination
5. Completeness
6. Timeliness
7. Conformity

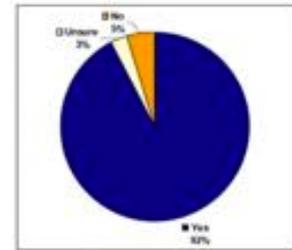


Figure 2.25 Response for whether there had been an increase in documentation problems.

Top to Bottom: Tilley-McFadden Survey Outcome Graphs, 2000

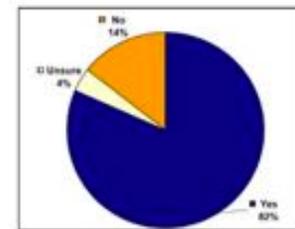


Figure 2.6 Contractors response for whether the decline had been greater in documentation than design

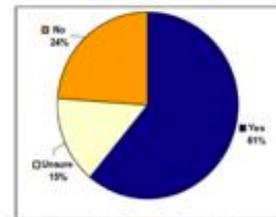


Figure 2.7 Designers response to whether the decline in documentation quality had been more significant than the decline in design quality

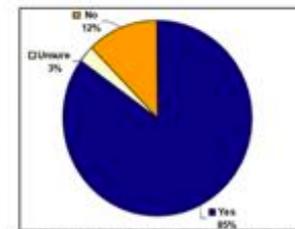


Figure 2.23 Response for whether there had been an increase in design problems

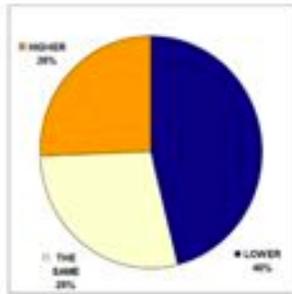


Figure 2.17 Level of fees obtained from public versus private sector clients

Top to Bottom:
 1. Tilley-McFaden Design Fee Survey Graphs



- | | |
|-------------------------------|---------------------|
| 7. Material Selection | 8. Certainty |
| 8. Aesthetics | 9. Relevance |
| 9. Material Efficiency | 10. Standardization |
| 10. Ecological Sustainability | |
| 11. Life Cycle Costs | |
| 12. Innovation | |
| 13. Expressiveness | |

The survey indicated that there was significant disagreement between designers and contractors over the quality of documentation.

Contractors felt that there was serious decline in all areas except Standardization. Overall, **52% of designers and 69% of contractors felt that design quality had declined, and 68% of designers and 88% of contractors felt that documentation quality had declined.** Both groups also agreed that the decline in documentation quality had been greater than that of design.

As the fee runs out, architects cut back on the extent and quality of documentation in order to stay in business.

Survey results showed that both designers and contractors felt that the degree of incorporation of the design quality attributes had improved marginally over the previous 12-15 years, with some exceptions:

- Contractors thought that proper examination of design proposals had dropped significantly; and that Constructability had declined.
- Both contractors and designers felt that Ecological sustainability had improved significantly.

To examine changes in design fee levels, designers were asked to indicate the project fee percentage required to provide a proper service and standard of care, produce quality design and documentation and make a reasonable profit for projects of differing sizes/price ranges and complexity over the specified time periods.

3.A. 21% Fee Reduction:

When designers were asked to indicate the fee levels needed to be submitted to actually win the work, the responses revealed an average decline of approximately 21% for all 3 project complexity levels over the previous 12 to 15 years.

Comparing the difference between the fee levels submitted now to the fee levels required now, responses revealed that the disparity between the two fee levels represented an average decline in real designer fee income of approximately 24% for all three project complexity levels. It appears that the levels of fees being obtained are well below those required to provide quality design and documentation

services.

The Justice Department did not and does not care.

3.B. Impact of Reduced Fees on Design and Documentation:

Designers confirmed that the reduction in fees over the previous 12 to 15 years has directly and negatively impacted the quality of design and documentation. The responses indicate that lower design fees have had a highly detrimental effect on most design attributes, with the two attributes affected most being proper examination of design proposals and innovation.

Designers indicated that the reduced fees levels have negatively affected documentation completeness, certainty, coordination and final checking. These results correspond directly with the design and documentation quality attributes considered by designers to have declined most in the level of incorporation. Other significant impacts of reduced design fees include:

- A reduction in the quality of the service being provided;
- Insufficient personnel to carry out the work, causing an overload on those available;
- A greater use of junior and inexperienced staff; and
- A lack of profit, leading directly to a reduction in the levels of in-house training, research and development.

The effect of the Consent Decree has been damaging to architects and the profession in part because of its timing. Architects began playing name-that-tune in their chasing of projects by quoting lower fees with a lower scope of services to attract business. Unsophisticated owners were at risk to fail to purchase scope of services that was matched with their project sites, programs or delivery methods.

During this period – and continuing today, we have seen architects' proposals that exclude submitting documents for permitting and having any interactions with building officials, exclude providing **any** construction administration, and exclude cost estimating or any obligation to provide redesign services if bids exceed budgets by 10% or more.

Coupled with the Arab Oil Embargo and the recession that followed the 1972 Consent Decree almost immediately, many firms began quoting service costs at cost - just to have some sort of cash flow.

These exclusions naturally place additional administrative burdens on owners that they are not qualified to undertake successfully. We have also seen proposals which identify the delivery of only a portion of the contract documents necessary to secure permits and bids to execute the project, which unwary owners discover too late in the process to avoid





paying extra for basic services that should have been in an established standard of care.

In addition to obliterating the architects' standard of care which serves to protect the health, safety and welfare of the public, the Consent Decree also weakened the profession as architects were forced to cut fees and eliminate margin to try and save their firms due to extreme competition. Those firms that took work at or below cost just to try and secure a cash flow and outlast what some viewed as a temporary pressure that they hoped would abate were naturally stunned when it did not abate.

Another impact of the Consent Decree was that the pressure to get by with diminished compensation left every architect trying to complete projects without resources to provide comprehensive design services where alternative design solutions were identified and explored before presenting options to one's clients.

Instead, the first legitimate design concept was developed and presented, hoping for early approval. Once approved, the historical phase referred to as "Design Development" phase was eliminated or seriously abbreviated. The DD Phase typically enables the architect to refine the initial conceptual design and examine in detail its implications with all existing conditions, the site, begin having structural, mechanical and electrical engineers exposed to the initial design for their input which typically results in refinement of the design.

In the Design Development phase, elements are shifted, plans are refined for exact dimensions for specific equipment and furniture is laid out to assure functional efficacy, alternative construction technology and methods are identified and evaluated to determine material applications, energy solutions and building science. Cost estimates are prepared to determine if the project's design is on budget and if not, alternatives to reduce cost are identified and

reviewed with clients to determine if the scope or available resources should be adjusted accordingly.

But the Consent Decree caused architects to short-circuit the DD phase or skip it altogether by moving directly into the preparation of construction documents.

As if the 1972 Consent Decree was not enough, in 1990 the Justice Department again came after the AIA, again invoking the Sherman Antitrust Act, which was enacted in 1890 to break up the industrial monopolies created by the 19th-century robber barons like Cleveland's John D. Rockefeller.

The 1990 Justice Department action grew out of an investigation begun in the Reagan Administration in which Justice Department lawyers hoped to increase competition in the pricing of architectural services like planning, designing and supervising construction of office towers, hospitals, airports and industrial parks – as if more competition was even possible or in the public's interest.

In an attempt to justify the JD's action against the AIA, Robert E. Bloch, chief of the antitrust section on professions and intellectual property staid, "It is certainly important from our perspective to let people in various professions know that competition plays as important a role in the professions as it does in any industry."

Except the \$7 trillion health care industry - or the sale of live music concert tickets.

Today, the medical care and insurance companies have put in place a price-fixing schedule that is far more specific and compelling than AIA's old ranges of recommended compensation in its original schedules. The health care industry's Usual, Customary and Reasonable (UCR) schedules establish detailed dollars and cents reimbursement parameters for every procedure and medication.

Yet the Justice Department stands by and does nothing, most likely because the insurance industry, hospital and doctor lobbies could and would resist any enforcement action with adequate financial resources to turn back the Justice Department, despite the fact that the UCR's constitute the very violations that the Sherman Antitrust Act prohibited in its enactment.

At the time of the JD's suit against AIA in 1990, AIA's attorney cried 'Bullshit!:' "Our position has always been that no laws were violated and the filing today does not establish that any laws were violated," said the lawyer, David K. Perdue, associate general counsel for the institute.

The 1990 suit charged that the AIA entered into an unlawful agreement to prohibit members from engaging in competitive bidding, discounting fees and providing free services. Under the settlement, the Institute did not admit wrongdoing but

was prohibited from having a code of ethics whose aim is to discourage competition.

The 1990 suit said that from August 1984 to February 1985, the AIA's Chicago chapter discouraged price competition. Lest the facts become obscure, the Chicago AIA encouraged its members to advocate qualifications-based selection process for architectural services where the criteria for selecting a design professions would rely more significantly on an architect's abilities, more so that his/ her proposed cost of services. Just as one would select a physician or financial advisor.

The Justice Department's complaint against AIA cited a policy statement adopted by the Chicago chapter that JD argued specifically prohibited price competition. In actuality, the Chicago Chapter simply advocated qualification-based selection, not the prohibition of price competition.

Lawyers for the Justice Department, who naturally declined to elaborate on their alleged evidence, maintained that the Institute was legally responsible for the actions of its local chapters. They said in the suit that the group's national officers endorsed the policy statement adopted by the Chicago branch - which has never been affirmed.

The suit said Thomas J. Eyerman, president of the Chicago chapter, was responsible for the distribution of 6,000 copies of the statement to institute members and purchasers of architectural services in seven states.

By comparison, The Royal Architectural Institute of Canada publishes a 56-page Guide to architectural fees for owners and architects to use. The Guide's Preface states:

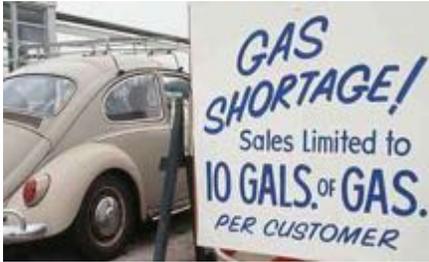
"This guide has been developed by the Royal Architectural Institute of Canada to assist Architects and their Clients in determining appropriate fees for Architect's services. Following the Second World War, expectations and roles within the design and construction industry were consistent and clearly understood. Architect's services for any building project were very much the same and builders generally performed in a consistent manner based on a standard set of conventions and procedures. Therefore it was relatively easy to identify a typical fee for services of an Architect for a particular building type. A schedule of fees for architectural services based on a percentage of the construction cost was widely accepted and used."

"Today the situation has changed and it is necessary to examine every single building project to determine the appropriate fee for an Architect's services. The practice of architecture and the provision of architectural services have evolved considerably. Today, the Architect and Client must agree upon a wide range of project requirements



and negotiate an appropriate fee based on the unique aspects of each project. Some of the reasons for this include:

- Widely different Authorities Having Jurisdiction and approval processes based on building type and jurisdiction;
- Increasingly complex and sophisticated building systems and technologies;
- Different forms of project delivery;
- Project phasing with multiple building occupancies at various different times;
- Numerous additional specialists to consult and coordinate;
- Additional (or reduced) levels of services depending on each project and its method of delivery;
- Wide variations in construction costs;
- New project design and documentation requirements such as Building Information Modeling;
- Requirements for third-party certification (such as LEED®);
- New demands for rapid construction and tight schedules;
- Greater overhead costs as a result of extensive and complex "Requests for Proposals" and new marketing expenses;
- Greater expectations for energy conservation and



building performance;

- Extensive submissions at various stages of project documentation.

"Because of these significant changes in the design and construction industry, it is impossible to assume that the same professional fee will be appropriate for all projects even if the projects are of the same size and the same building type. Requirements will vary and this document will help all parties in determining the appropriate fee for an Architect's services for their unique building project."

So what Canada publishes as a tool to arrive at fair and equitable fees for architects to protect the public's health, safety and welfare, the US Justice Department has determined to be price-fixing by architects, while allowing the medical and insurance professions to overtly and explicitly fix remuneration for every medical procedure and medication imaginable - with impunity.

As a result, the profession is weakened nationally and subjected to unreasonable financial risk.

3.C. The Arab Oil Embargo:

During the 1973 Arab-Israeli War, Arab members of the Organization of Petroleum Exporting Countries (OPEC) imposed an embargo against the United States in retaliation for the U.S. decision to re-supply the Israeli military in order to gain leverage in the post-war peace negotiations. The embargo both banned petroleum exports to the targeted nations and introduced cuts in oil production. Several years of negotiations between oil-producing nations and oil companies had already destabilized a decades-old pricing system, which exacerbated the embargo's effects.

The October 1973 Oil Embargo acutely strained a U.S. economy that had grown increasingly dependent on foreign oil. The efforts of President Nixon's administration to end the embargo signaled a complex shift in the global financial balance of power to oil-producing states and triggered a slew of U.S. attempts to address the foreign policy challenges emanating from the US long-term dependence on foreign oil.

In 1973, OPEC demanded that foreign oil corporations increase prices and cede greater shares of revenue to their local subsidiaries. In April, the Nixon administration announced a new energy strategy to boost domestic production to reduce U.S. vulnerability to oil imports and ease the strain of nationwide fuel shortages. That vulnerability would become overtly clear in the fall of that year.

The onset of the embargo contributed to an upward spiral

in oil prices with global implications. The price of oil per barrel quadrupled in only six months, imposing skyrocketing costs on consumers and structural challenges to the stability of whole national economies. Since the embargo devalued the dollar, a global recession and high inflation resulted. U.S. allies in Europe and Japan had stockpiled oil supplies, and thereby secured for themselves a short-term cushion, but the long-term possibility of high oil prices and recession precipitated a rift within the Atlantic Alliance.

European nations and Japan found themselves in the uncomfortable position of needing U.S. assistance to secure energy sources, even as they sought to disassociate themselves from the U.S. Middle East policy. The United States, which faced a growing dependence on oil consumption and dwindling domestic reserves, found itself more reliant on imported oil than ever before, having to negotiate an end to the embargo under harsh domestic economic circumstances that served to diminish US international leverage.

To complicate matters, the embargo's organizers linked its end to successful U.S. efforts to bring about peace between Israel and its Arab neighbors.

3.C.1 Effects

The oil embargo was the primary cause of the 1973-1975 recession. But U.S. government policies also contributed to the recession and the stagflation that accompanied it, including Nixon's wage-price controls and the Federal Reserve Bank's stop-go monetary policy. Wage-price controls forced companies to keep wages high, which meant businesses laid off workers to reduce costs.

This naturally decreased demand for renovation and new construction. At the same time, companies couldn't lower prices to stimulate demand which fell when people lost their jobs. To make matters worse, the Fed raised and lowered interest rates so many times that businesses were unable to plan for the future. As a result, companies kept prices high which worsened inflation. They were afraid to hire new workers, worsening the recession.

The oil embargo aggravated inflation, already at 10 percent for some commodities, by raising oil prices. It came at a vulnerable time for the U.S. economy. Domestic oil producers were running at full tilt. They were unable to produce more oil to make up the slack. Furthermore, U.S. oil production had declined as a percentage of world output.

As a result, the oil crisis worsened the recession, adversely impacting the design and construction markets particularly. First, higher gas prices meant consumers had less money to spend on other goods and services, which lowered demand. It also weakened consumer confidence. People were forced to change habits, making it feel like a crisis that the government tried unsuccessfully to resolve. This lack of confidence made people spend less.

For example, drivers were forced to wait in lines that often snaked around the block. They woke up before dawn or waited until dusk to avoid the lines. Gas stations posted color-coded signs: green when gas





was available, yellow when it was rationed, and red when it was gone. States introduced odd-even rationing: drivers with license plates ending with odd numbers could get gas on odd-numbered days.

It also reduced the national speed limit to 55 miles per hour to conserve gas. Nixon instituted daylight savings time year-round for 1974 and 1975. The oil embargo gave OPEC new power to achieve its goal of managing the world's oil supply and keeping prices stable.

Thanks to variable interest rates, the resulting inflation made almost the entirety of lending-based construction stop dead in its tracks. Commercial firms who avoided public sector projects were forced to try and survive by chasing work from schools and governments – sectors already among the most severely impacted with short-selling from architects reeling from the Consent Decree.

As a result, the architectural community in NEOH got smaller. Architect friends of the people in our firm moved to Houston and Atlanta. Many who were still employed were under-employed with part-time employment or rolled back salaries.

4. Economic Downturns

Central to the weak design culture of Northeast Ohio is the economic downturn from which the region has never fully recovered.

Crain's Cleveland Business Jay Miller wrote in June 2017 about attorney Jon Pinney's City Club speech on June 8 of that year where he pronounced the NEOH economy to be in last place.

Pinney cited fresh national media coverage, including *Forbes'* "Best Cities for Jobs" survey, which ranked Cleveland last out of 71 major metro areas, and *Business Insider's* ranking of the country's 40 best and worst regional economies, where Cleveland also placed last.

As *Business Insider* reported, Cleveland had the highest February 2017 unemployment rate, at 5.7%, among the 40 biggest metro areas, and its job growth was the second-lowest, with non-farm payroll employment rising just 0.3% between February 2016 and February 2017.

One of Pinney's points is that real data on how well the city is and is not doing is not centralized or shared, making progress and developing consensus on remedial tactics unlikely. Census Bureau reports that show the region's population decline and when the Labor Department announces the monthly unemployment rate that low hanging fruit is useful.

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But Pinney highlighted the need to pay more attention on a regular basis to other measures of the region's performance to compare our performance to other regions. He closed his City Club address with a "grand challenge" to business and civic leaders to face up to the region's poor showing when compared to the rest of the country and find solutions to the region's economic sluggishness.

Pinney named names of the older white men who have headed up the region's economic development and foundation organizations for decades and failed, and finally challenged them to get out the way for a new generation of leaders.

In Columbus, for example, Columbus 2020, the region's economic development agency, posts on its website updated monthly data on the size and composition of the regional workforce, including a graph which shows if the employed workforce is growing or declining and a pie chart of which industries employ the most people. It's an example of an "economic dashboard."

Greater MSP, an economic development agency in the Minneapolis-St. Paul region, goes further. Its "Regional Indicators Dashboard" tracks changes in more than 50 economic, environmental and social outcomes and how the region ranks with a peer group of regional economies. It includes everything from average weekly wages to percentage of the population with a college degree to the cost of electricity.

Don Iannone, a Highland Heights-based economic development consultant, produced a dashboard for Ashtabula County after becoming CEO of the Growth Partnership for Ashtabula County in 2014. It provided a wide variety of regularly updated information for several years covering data on employment and business formation in the county.

But because the economy was struggling, business and civic leaders weren't always happy to see their economic difficulties on display on the Internet.

"People didn't like the bad news. They just didn't," he said. But to him, it was a necessary regular assessment. "I said, it's actually like going in for a physical and the doctor gives you all the news, good and bad," Iannone said.

In 2005, the Federal Reserve Bank of Cleveland produced an economic dashboard proposal for the Fund for Our Economic Future, a collaboration of foundations and other philanthropies that focuses on regional economic development. The goal was "to encourage and advance a common and highly focused regional economic development agenda that can lead to a long-term economic transformation of the Northeast Ohio (NEO) economy."



Top to Bottom:
1. Jack Kleinhenz
2. Peter Truog
3. Bill Koehler





Above, Top to Bottom:
1. Brad Whitehead
2. Tremont Neighborhood
3. White Flight
4. *Cleveland Scene* headline, June, 2018



The work, said one economist who worked on the project, was noble, but was overwhelmed by other priorities at the time.

"The great recession had a major influence on how we could approach this activity," said Jack Kleinhenz, an economist now running Kleinhenz & Associates in Cleveland Heights. "In 2005, the economy started to go in the tank and everybody was preoccupied, I hate to say it, more by survival," another sign of a weak economy and lack of leadership.

Recently, the Fund for Our Economic Future released "2 Tomorrows," a report on the challenges facing the 18-county Northeast Ohio economy. "We are not innovating and investing to the level needed to drive and sustain global competitiveness," the report stated. "We need to change what we consider success."

Beyond basic economic concerns, the report focused on the concentration of poverty in the region and on racial inequalities in economic outcomes and challenges to create good jobs and rising incomes across the region.

It also offers a set of measurements to track how well the region is succeeding at meeting those challenges. "What gets measured gets done," the study argued.

"In '2 Tomorrows,' we put forth what we think is an effective way to measure the economy that looks like the right things," fund president Brad Whitehead said. "We'll be doing it quarterly, and it's an open question whether anyone else will salute it."

Its measurements look beyond the basic economic metrics and create a "Growth & Opportunity Scorecard" that creates measurements for metrics such as the growth of young businesses, the effort to improve prosperity and how well economic growth is shared across all people in the region.

"We began by thinking, blank slate, what would a successful regional economy look like?" said Peter Truog, director of civic innovation and insight at the fund. He called it an effort to "look at a group of peer cities and see how we stack up."

Team Northeast Ohio, the regional economic development nonprofit, does gather information on the region's economy and workforce. While it issues quarterly data to news media, it uses the data primarily to encourage businesses and site selectors considering expanding in the region.

Its president, Bill Koehler, does see the need for greater sharing of the information its researchers gather and would like to see some organization, not his, take a lead role in gathering and sharing that information.

"We need a common place where (this) data resides," Koehler said. "But even if there is a centralized place where all the data is, we still have to have a common understanding of what the right performance

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drivers and metrics are, and all of us have to align our strategies around that. It's not happening enough and people are starting to recognize and challenging those of us in the economic development community to take on the responsibility of doing a better job."

In April 2019, Daniel McGraw of the *Cleveland Scene* reported on the continuation of economic decline and the absence of growth in Cleveland. A new report by the University of Minnesota entitled "*American Neighborhood Change in the 21st Century: Gentrification and Decline*," examined poverty and causes in the country's top 50 metro areas. Its subjects of interest are the degree to which neighborhoods are experiencing economic growth, displacement of low-income people, concentration of poverty, and abandonment. Metro Cleveland's summary reflects:

"The Cleveland region features two central cities, Cleveland and Akron. The region's neighborhoods are experiencing powerful economic decline and virtually no gentrification or growth. The only significant pocket of gentrification appears to have occurred in the Tremont area, and the number of people displaced is, on net, in the hundreds.

By comparison, nearly half of regional population lives in a strongly declining area. Those same neighborhoods include about 65 percent of low-income population. Despite losing nearly 10 percent of their population since 2000 – 166,000 people – they have seen a 30 percent increase in low-income population and a 49 percent increase in residents in poverty. They have also seen massive white flight, losing 212,000 white residents, or 20 percent of their entire white population, since 2000.

In Cleveland's suburbs, declining areas are undergoing poverty concentration. But neighborhood decline is much more severe in the cities of Akron and Cleveland, where about 75 percent of population lives in a strongly declining area. In Cleveland proper, poverty concentration is less frequent than outright abandonment, and much of the city's eastern half is growing poorer while losing low-income and middle-income population alike."

Amy Hanauer of the Economic Policy Institute observed in May 2019, "I can't tell you when or whether a recession is coming. But I can tell you what it means for a place like Ohio when one arrives and what Ohio needs from policymakers, state and federal, to be ready and to recover. After a generation of underinvestment in families, communities and sustainability, the upcoming downturn is a crucial moment to fix the economy by addressing gaping societal needs.

Four points are clear for Ohio and other places.

- Recessions are much harder on some economies than on others—this goes for states, like Ohio, that are hit harder, and for communities, like manufacturing communities, poor rural communities, and much of the black community.
- Recessions start earlier and end later in America than in the financial press, in terms of pain they visit on people. In Ohio, we no



Top to Bottom:
1. Jon Pinney
2. George Zeller
3. Brendan Duke
4. Veronica Kalich





Below:
1. The Oval at The Ohio State University
2. Nationwide Children's Hospital
3. Short North District
4. The Ohio State Buckeye Football



longer fully recover from recessions, so each new downturn leaves a residual permanent setback.

- States have insufficient capacity to take on the challenges of a recession. Federal action is essential to get the recovery we need which is unlikely at present.
- Recessions are not only economic challenges cured the instant unemployment creeps downward or some jobs come back. In fact, recessions cause long-term damage—to savings and earnings, yes—but also to children's development, family stability, and long-term physical and psychological well-being.

As reported by Olivia Austin in *The Plain Dealer* in 2015, Ohio has yet to recover all the jobs lost not only to the Great Recession, but the one in 2001. Ohio lags the nation in job growth. During the same time, most jobs that have been created are low-wage jobs.

According to George Zeller, an economic research analyst, Ohio's employment is still 42,000 below pre-recession levels. Nationally, the recession ran from December 2007 to June 2009. The Ohio labor force reached its lowest number of jobs in 2010. The same year, the state had its highest post-recession unemployment numbers, which were over 10 percent.

Zeller says that Ohio lost 225,100 jobs (4%), from 2000 to 2015, which have still not been recovered. The nation already has recovered the jobs lost stemming from both recessions.

According to Brendan Duke, Ohio has been creating jobs at a much slower pace than the nation. Duke, a policy analyst at the Center for American Progress in Washington, D.C., observes, "National job growth was faster than Ohio's job growth from 2011 to 2015."

A major characteristic of Ohio's job loss since 2000 has been the disappearance of manufacturing jobs, which dropped from 18% in 2000 to 13% by 2015 according to analysis by Veronica Kalich, who chairs the economics department at Baldwin-Wallace University.

The job loss indicates diminished demand for space and for the corresponding architectural and construction services required to deliver it.

The impact of a profound and lingering economic downturn is obvious in limiting job opportunities, restraining job growth and reducing the number and quality of opportunities available to everyone - including architects. Young graduates can discern the difference between Cleveland and other communities. They can only have to look to Columbus to see a different and better storyboard.

And Cleveland's so-called "leaders" have, as Pinney has rightly called it, failed to set the table, collaborate and forge an agenda for the region that is effective and comparable to that of Pittsburgh or Columbus.

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An increasingly impoverished metro area represents diminished demand for the services of architects. As a result, Cleveland's design culture has regressed and remains in a weakened position.

5. Population Loss:

Since 1970, Cleveland's population has fallen from 750,879 to 385,525 in 2017. That's a drop of 49%!

So half of the people here decided they were better off living somewhere else. Some just moved further out of the county, exacerbating suburban sprawl. In 1970, the population of Cuyahoga County was 1,721,300. Today, it's 1,243,727, a decline of 28%, which is still significant.

Importantly, Cleveland's population is projected to continue its decline in the next two decades with estimates varying from 4.6% to 11.1%.

Yet, Columbus is projected to grow by 250,000 – 500,000 over the next twenty years. This growth is attributable to a number of distinguishing factors:

- The Ohio State University attracts approximately 75% of its students from outside the greater Columbus area. Students come and see the Short North District, enjoy non-chain restaurants, find affordable housing, experience that getting around town is relatively easy, shopping is good, sports are mostly top tier, they make friends and they stay after graduating.
- Like Cleveland, hospitals in Columbus are significant and have become a powerful economic development engine with massive growth and expansion as the population continues to grow. OSU's Wexner Medical Center, Riverside Methodist Hospital, Mt. Carmel Health Systems and Nationwide Children's Hospital draw residents to the city who, like OSU students, see the many attributes of the city, make friends and stay after completing their residency terms.
- Retail is accessible, fun and is of a reasonably high quality with Short North's boutiques and the large suburban malls with Saks, Nordstrom and Ikea at Polaris.
- Columbus has a vibrant restaurant scene. Cameron Mitchell is the Michael Symon of Franklin County and now has seven restaurants, each with a different theme, and all are excellent. In virtually every Columbus neighborhood, there are good to above average non-chain restaurants with a number of standouts.
- Columbus has serious sports. While it lacks NFL and Major League Baseball teams, Ohio State's football program is consistently significant nationally. Columbus also has the NHL Blue Jackets hockey and MLS Columbus Crew soccer teams that are well supported. And if you live in Columbus and hunger for



Top Down:

1. Columbus' German Village District
2. Columbus Nationwide Arena District
3. Honda Marysville, OH Plant
4. Cleveland Clinic Miller Pavilion
5. "Pint House" in Short North District





an NFL or MLB experience, you can drive to Cincinnati in an hour and a half and see the Reds or Bengals.

- Columbus has vibrant urban neighborhoods. While many are familiar with German Village immediately south of the CBD, there are also quality neighborhoods contiguous to the CBD such as Bexley, Grand View Heights, Italian Village, Clintonville, Indianola Terrace and others where one can still find affordable housing and fixer-uppers. Half of the housing stock in Columbus is masonry which ages well and can be restored economically if neglected briefly, while Cleveland's wood frame neighborhood stock is vulnerable to demolition if neglected. The average listing period of a home for sale in Columbus is 33 days. In Cleveland its 133 days.

- Columbus has Big Dog employers beyond the hospitals (42,000+) and OSU (32,111) that provide a stable employment base: The State of Ohio government (23,859), JP Morgan Chase (20,475) Nationwide Insurance (13,400), the US Government (13,800) and L Brands (7,800).

- Columbus has a world class zoo and attracts top tier music industry performers to its arena and Shottenstein Center at OSU.

On the manufacturing side, greater Columbus has 10,700 employees at the Marysville Honda plant and 2,344 employees at Whirlpool making appliances.

The top 20 employers in Columbus account for 183,340 jobs. Cleveland's top 20 employers employ 134,908, 27% fewer than Columbus.

In Cleveland, the Cleveland Clinic is the top employer (32,251), followed by University Hospitals (14,518), the Federal Government (11,254), Progressive Insurance (8,379), Cuyahoga County (7,776), the Cleveland School District (6,953), City of Cleveland (6,757), MetroHealth (5,823) and KeyBank (4,812).

In 1970, the population of Columbus was 539,677. Today it is over 880,000, a growth of 63% to compare with Cleveland's decline of 49%.

One significant fact about Columbus that indicates its desirability over Cleveland and many others is that a deep dive on population by the Mid-Ohio Regional Planning Commission is that of the top 100 US cities, Columbus is the **only** city whose population is growing – in every age category.

The explanation for this at a recent AIA Ohio Valley Convention presentation, paraphrased, sounds like, "People come here to go to school or work at one of the hospitals, they see Short North, see how easy it is to get around, they see the entertainment in the Arena District, they see top tier

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sports, affordable housing and reasonable taxes, and they make friends - and stay. Parents may get a place in the Outer Banks when they retire, but they keep their home here and still spend their summers here because their children and grandchildren are here."

When you do not have a stable population base that recognizes and appreciates your architectural history and assets, it is very difficult to foster a semblance of a design culture with any fortitude or resilience.

6. A Weak University Context:

Philadelphia has U. Penn. The integration and alignment of the university's interests and the region's civic interests has produced billions of dollars of improvements in the past 15 years and created thousands of jobs.

Pittsburgh has Pitt and Carnegie Mellon. The University of Pittsburgh Medical Center (UPMC) alone has created billions in new construction throughout the city and created thousands of jobs in the past 15 years also.

Litt noticed that the University of Cincinnati "followed a similar route" to Bilbao in attempting and achieving a comprehensive transformation of its campus. Litt is to be forgiven for stating incorrectly that UC's transformation occurred from 2000 – 2015 and crediting only George Hargreaves, head of landscape architecture at Harvard.

By 1970, UC, a dense campus with an aggressively undulating terrain and a main campus area of 137 acres, was an unfortunate hodge-podge of neo-classical buildings from the early part of the 20th century and careless additions, expansions and new buildings that lacked any redeeming character, resulting in a campus with no cohesion, continuity or pleasing green spaces.

In the early 1970's, president Warren Bennis guided UC, originally a city college, to become a state school and access a source of funds to remove buildings that blocked student movement. The University got Ron Kull, a UC architect with the City as a loaned executive and formed a 90-person organization of four departments to develop a master plan and then work with Hargreaves and focus on the campus transformation.

Kull and the university were bold enough to see that a high percentage of UC's buildings constructed after 1950 had to go create suitable educational and green space.

Kull became campus architect in 1990, and Kull and the university were able to sell a sweeping master plan to the Ohio Board of Regents to fund it. Kull brought in starchitects for numerous projects including Henry Cobb from I. M. Pei's office, Thom Mayne/ Morphosis, Michael Graves, Frank Gehry, Cambridge Seven, Leers/ Weinzapfel, Bernard Tschumi, Charles Gwathmey, Peter Eisenman and David Childs.



Top Down:

1. University of Pennsylvania, Philadelphia
2. University of Cincinnati
3. University of Cinn. Student Recreation Center; Morphosis
4. University of Cinn. Conservatory of Music; I. M. Pei
4. University of Cinn. College of Design Art Architecture & Planning; Peter Eisenman





Top Down:

1. University of Cinn. College of Engineering; Michael Graves
2. University of Cinn. Pavilion; Leers Weinzapfel Assoc.
3. University of Cinn. Moltz Center; Frank Gehry
4. University of Cinn. Scioto/ Morgans Residence Halls Renovations; Richard Fleischman Architects
4. University of Cinn. Crawley Center; Studios Architecture



But UC also had alumni Erik Suerbrop/ Studios Architecture design the Crawley Center for Academic Research and Cleveland architect Richard Fleischman who designed the renovation of the Morgan and Scioto Towers residence halls. The master plan and each project also successfully reconciled the tricky problem on UC's hilly campus of separating service vehicle traffic from student pedestrian movement.

Countless newspaper and magazine articles have chronicled and praised the UC's Master Plan efforts as a model to follow. The *Los Angeles Times*, the *Chicago Tribune* and *The Plain Dealer* as well as magazines like *Architecture*, *Trends*, and *Architectural Record* have all covered aspects of UC's Master Plan. *The Chicago Tribune* opined of UC: "The spectacular revamp is one of the most significant acts of campus planning since Thomas Jefferson laid out his 'academical village' at the University of Virginia... "

Litt has observed, "In the process, the university has developed powerful skills as a client, enabling it to get the best from the designers it hires."

"Cleveland needs to follow suit. But how? There are many possible ways."

Anyone who has lived here for any reasonable period of time cannot conceive a point in time where Cleveland State University will have any traction in the community as an economic development engine.

Case Western Reserve University is too small an institution with a revolving door at its president's office in the recent decade to be a factor in playing a transformative role in the community and its economy in the way the University of Pennsylvania has for Philadelphia.

6.A. No Accredited Collegiate Architectural Program Here:

Case Western Reserve University's architectural program lost its accreditation in 1972.

Of the four accredited schools of Architecture in Ohio, none are ranked in the Top 20. While the University of Cincinnati was one of the top 10 programs for many years, it now is ranked #26 of the 2019 Best Architecture Schools by niche.com. Ohio State's program is ranked #30, with Miami University at #38 and Kent State at #49.

Carnegie Mellon's program has risen to #11 nationally in the Design Intelligence survey and #12 in the niche.com survey. The architectural programs at Washington University (St. Louis), Rice University and Cornell University are considered the top programs in the US today.

Despite being a state with four accredited programs, the absence

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of a top tier program means that highly motivated and talented students and faculty are not seeking their education in NEOH or in Ohio. This also means that those students are less likely to return here to work at that stage of their careers.

7. Lack of Commitment to Local Architects:

Plain Dealer art and architecture critic Steven Litt has pointed out that the University Circle area “desperately needs formal design review systems at the district and city levels. Today, the district is the only one of 16 community development areas in the city without an extensive public design review system. That’s ridiculous for a part of town likely to experience the most job growth and physical development in the coming decade.”

“Most of all, civic leaders need to realize that design matters as much as entrepreneurship, education, medicine and high-tech industry. Like the other fields, design will be one of the major fields of urban competition in the 21st century. Cleveland, which is lagging in the race, needs to pick up the pace or risk falling further behind.”

The CMNH, MOCA and Cleveland Institute of Art projects – all by out-of-town firms, illustrate just how far behind Cleveland is. When the city’s key arts and museum boards – presumably populated with the city’s brightest and most artistically inclined individuals - do not know what constitutes design excellence to engage competent architects – regardless of their location – and engage with their architects in a process that elicits design excellence, we are very far behind indeed, for it reflects a diminished design culture within the very socio - economic - intellectual circle that gave Cleveland its distinguished architectural legacy in the first half of the twentieth century.

Litt’s lack of just criticism of such actions and results compels one to imagine that he is apprehensive to wield his mighty sword to enable a much-needed dialogue with the community regarding the nature of design excellence where Cleveland is so lacking in the urban competition he references.

Litt wrote that the Renwick “project exemplifies the work of Westlake Reed Leskosky at its finest. And it’s through such projects that the firm continues to recruit young architects to Cleveland, contributing to the city’s brain gain even as it expands in five other cities.”

In actual fact, the headcount at WRL has been 80 - 100 for the past two decades, so their growth has been elsewhere, and there is no real architectural brain gain in Cleveland.

Litt has previously attempted to portray Cleveland as an export center for design services while the facts overwhelmingly prove this to not be the case. WRL/ DLR and Vocon have both grown their firms by opening offices in other cities, indicating in no



Top Down:

1. Cleveland Museum of Natural History Expansion design by Fentress Bradburn, Denver
2. MOCA; FOA/ Farshid Moussavi, London
3. Cleveland Institute of Art; Stantec, Pittsburgh
4. Cleveland Botanical Center; Graham Gund, Boston
5. Case Western reserve university Village 115 Dormitory complex; Goody Clancy Architects, Boston





Top to Bottom:
1. Piet van Dijk FAIA
2. Norm Perttula FAIA
3. Don Hisaka FAIA
4. Richard Fleischman FAIA



uncertain terms that their hopes and efforts to develop and sustain a strong architectural firm with quality commissions now requires efforts best invested elsewhere.

8. Top Tier Local Architects Did Not Develop and Keep Talent:

Piet van Dijk moved to Cleveland in 1969 from Saarinen's office in Michigan to head up the design team for what became the Celebrezze Federal Building.

In the early 1970's, there were a half dozen local firms of consequence with major design architects at their helm: van Dijk, Don Hisaka, Norm Perttula at Dalton Dalton, Bill Blunden, Fred Toguchi and Richard Fleischman.

Don Hisaka left Cleveland for Boston in 1980 to practice and teach at Harvard.

Fred Toguchi was tragically killed in a car accident in Tokyo at the age of 60 in 1982.

Today, there is only one firm that is recognized by local *Plain Dealer* architecture critic Steven Litt as a top tier firm: Westlake Reed Leskosky, now a part of the DLR Group. Successors to the Dalton van Dijk Westlake firm, principals Ron Reed, Vince Leskosky and Paul Westlake kept the commitment to design excellence alive after van Dijk retired in 2006. Westlake bought out Reed and Leskosky to enable an ownership transition. Both Reed and Leskosky are semi-retired while Westlake is heading DLR's performing arts practice group's worldwide efforts.

In hindsight, only the van Dijk firm harbored talented architects for the next generation. Westlake, Reed and Leskosky "carried Pete's pail up the hill for decades" to earn the right to continue to lead the firm after PVD's retirement.

But the exclusivity of the firm's leadership meant that other talented architects left the firm after they had spent enough time to learn that the sharing of important commissions would be a rare opportunity available to a very small core.

Richard Fleischman's legendary temper and fluctuating workload created a perpetual revolving door where few lingered at his firm for very long.

Hisaka left town, which saw Bill Blunden and Bob Barclay carry on as the rest of the office left town or scattered into other area firms.

Toguchi died tragically on vacation while Perttula delivered a steady tenure at Dalton Dalton Little & Newport. Cal Dalton, a civil engineer, and his two brothers, Robert and James and cousin George became partners of founder father

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Byron Dalton. In 1956, DD became the first firm in the city to offer architectural and engineering services under one roof.

In 1965, the firm acquired the Akron firm of Beiswenger Hoch & Arnold, expanding the firm's service to highway, bridge, heavy civil and sanitary design. The firm merged with the firm of Robert Little in 1972. DDLN was acquired in 1984 by California-based URS Consultants and URS was acquired by AECOM in 2014.

Rather than developing and building the firm's capabilities internally, the DDLN/ URS firm built its strength through merger and acquisitions. When I called AECOM to get Perttula's contact information, no one left at the firm even knew who Norm was, though he had recently been contracted by the firm to work on a sensitive renovation and addition project on the West Point campus.

Outcalt Guenther Rode & Bonebrake was founded in 1942 by Richard Outcalt and Carl Guenther, a Western Reserve University graduate. While not a design powerhouse, OGRB designed the downtown campus for Cuyahoga Community College during the Hough Riots and placed a brick and precast concrete Brutalism campus atop an at-grade level of parking. The CCC Metro Campus buildings were organized around a large central plaza with a six-level library at the heart and a series of covered walkways to connect the buildings.

While some have criticized the campus design for 'turning its back on the community,' at the time the project was planned and built (1969), the community was not a kind or welcoming setting and OGRB's design buffered the learning environments from distraction effectively. *Plain Dealer* architecture critic Steven Litt labelled the campus, "gloomy."

The OGRB firm also did the Hopkins Airport main terminal which was originally lauded for its functionality. Perhaps its most notable project after CCC is the main classroom building at Cleveland State University, an unabashedly Brutalist precast concrete beast which CSU has begun trying to cover with additions lacking in compatibility.

The OGRB firm became Outcalt, Rode, Kaplan & Curtis by 1971. Guenther, who left the firm in the late 1960s, died in 1978. Outcalt retired in 1971 and died in 1977 at the age of 72.

In 1972 the firm became Rode, Kaplan, Curtis & Woodward. By the early 1980s the company had evolved into Kaplan/Curtis, which did designs for the Western Reserve Historical Society library in 1984 and



Top Left, Clockwise:
1. Paul Westlake FAIA 2. Ron Reed FAIA
3. Richard Outcalt & Carl Guenther
4. Cleveland Hopkins Airport master Plan
5. Cuyahoga Community College main campus
6. Vince Leskosky FAIA



Fire Station #36 on East 131st St. The firm became Richard H. Kaplan, Architects by 1991 and did the redesign of Mall A that year.

9. Weak Zoning, Landmarks Commission & Architectural Review Boards:

Our region's design culture has been weakened by the cancer that has spread through our community development organizations and the downstream developments that have resulted therefrom.

Developers of Dexter Place at West 28th Street and Franklin in Ohio City are securing approvals to construct a six-story building with 112 apartments and 8800 sf of ground floor retail space on lots that are zoned for two dwelling units. And Mayor Frank Jackson's boat monkeys



Above Left, Clockwise:
1. Dexter Place, Ohio City; Dimit Architects
2. & 3. Church & State; LDA Architects
4. Typical Leader Building Apartment; Berardi & Partners Architects; Columbus, OH
5. Leader Building Renovation



on the Board of Zoning Appeals will rubber stamp this project just like they have rubber stamped every other out-of-scale, non-conforming project that completely ignore national guidelines for development in historic districts – because Frank Jackson does not give a shit about neighborhood integrity and respecting a vernacular architecture. He wants more tax money from additional density, and he does not care one bit how he gets it.

This same set of values have spawned a legion of terrible multi-family apartment buildings along the Franklin and Clinton Ave. historic district streets in Ohio City, all of which disrespect the materiality of the neighborhood, setbacks, parking densities, massing, and the rhythm and syntax of the neighborhood's vernacular.

Originally imagined to be useful organizations that would protect and defend such characteristics in Ohio City and other neighborhoods throughout the city, community development non-profits have become pro-developer in Cleveland and are now seen by most residents as hostile to their interests in preserving and protecting the qualities of their communities that drew them there.

Cleveland City Council's Development, Planning and Sustainability Committee in April 2019 signed off on a tax incentive package for Dexter Place that includes a 15-year abatement on new taxes as a result of the improvements to the property. The package also includes a 30-year, tax-increment-financing plan that would help the developer with debt service for the project. So the only benefit to the city is the income tax from the 'new' residents. And so our design culture drops a few more degrees below 'Bad,' with the BZA giving Jackson what he wants in the hope that their 'service' pads their resume in some way.

A few blocks away, the Church & State development is under construction, featuring a 10-story apartment building in an area of two- and three-story industrial, institutional, commercial and residential buildings. This over-scaled development is driven by developer greed, an inept, weak and developer-biased community development organization and a city hall with no regard for its historic neighborhoods. The project also features a Purina Dog Chow-style checkerboard exterior design that emphasizes its discontinuity in scale and design.

A manifestation of this erosion of our design culture is the low standard that the community accepts in its built environment today. Dozens of downtown buildings have been renovated – most with historic tax credits – for multi-family apartment occupancy. And they are all building standard (=low) in quality. Despite often being in grand century-old office buildings, the common areas are simply painted and the upper floors carved up into the same generic apartments with the same maple or

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white kitchen cabinets and granite countertops, exposed floors and exposed ceilings. The developers of the Leader Building converted a multi-tenant office building into 224 apartments and did not even bother to replace the 1970's modern main lobby reception/ guard desk with anything more appropriate - yet they still got their \$7 million historic tax credit.

Despite commanding \$2/sf/month for rents, developers do not do anything to create distinctive or high end units, including the dated and poorly constructed "9" in the former Ameritrust Tower by Geis Companies, thanks to their weak in-house design department and the lack of knowledge on what constitutes design excellence among top executives.

New multi-family designs here – and most other places as well - invariably feature the same gratuitous material changes from those who work to conceal their lack of skill at composition and materiality. And clichés of the day – projecting or canted bay windows, slashing angles in plan or elevation (Downtown Hilton) also feature prominently as we struggle to find our way back to design excellence.

Another manifestation of the erosion is that we have a number of outstanding talented architects who are starving to death in plain sight while lesser talents are flush with work. The Blunden Barclay firm ceased operations long before their talent dried up, forcing Bill Blunden to move to the Cleveland Clinic to manage mega-projects by starchitects who relied on him to red-line their contract documents.

And we have Robert Maschke, Steve Kordalski, Steve Bucchieri and John Waddell all practicing in relative obscurity despite their high skills. All are talents deserving of more and better commissions.

Architectural Review Boards exist to protect a community's architectural integrity. Yet in Cleveland, appointment to ARB's is often a political favor repayment where untrained and/or unqualified individuals are tasked to serve and given a voice when they should keep silent, concealing their ignorance.

And there are currently no guidelines or standards given to ARB's as tools to use to evaluate the merits and liabilities of designs proposed for approval.

Further, ARB's are advisory to the Planning Commission, so their authority has limits. And law departments are reportedly regularly cautioning ARB's from being too hard on developers who are proposing substandard designs for fear of the cost of property rights litigation if their mediocre plans are challenged.

As a result, Cleveland suffers from scores of mediocre - at best - project designs throughout the city, particularly on multi-family projects where gratuitous material changes and cliché design features are proposed in an attempt to mask the lack of design talent, quality materials and/or refinement reflected in the projects proposed.

10. Weak Developer Community:

It must also be noted that local developers have their own weak standard of design and invariably choose to contain the risks by managing project costs by employing mediocre architects and using inexpensive materials and quick-to-erect wood construction in lieu of masonry or poured concrete construction, the standard throughout Europe.

The Jacobs Group:

David and Dick Jacobs built a respectable real estate empire developing regional shopping malls in the 1960's through to the 1980's. They operated out of a granite-clad three-story office building in Westlake filled with contemporary art. Originally a builder of strip retail centers, by 1992, the Jacobs brothers were the fourth largest retail developer in the country with 40 enclosed



Top to Bottom:

1. Erievue Plaza with original fountains; Harrison & Abramovitz, New York
2. Galleria addition to Erievue by Pietro Belluschi, Chicago





Top to Bottom:

1. Key Tower & Marriott Hotel; Cesar Pelli, architect; The Jacobs Group
2. Ameritrust Tower (unbuilt); Kohn Pederson Fox (KPF), Architects
3. Galleria & Tower at Erieview; Peitro Belluschi, architect; Renovation by Eberhard Architects LLC
4. One Chagrin Highlands, KPF Architects; The Jacobs Group
5. Dick Jacobs
6. Greg Geis



regional malls in 16 states, as well as over 30 Wendy's restaurants and a number of Marriott hotels.

As their success grew, so did their sophistication and their interest in good design - even in their shopping malls. In the late 1980's, Dick Jacobs began to focus on downtown Cleveland. In 1986, he bought the Cleveland Indians to keep the team in Cleveland, and the 38-story Tower at Erieview, and he invested in renovating both, adding a retail galleria to Erieview. Jacobs Field, now called Progressive Field, opened in 1994 as the Indians' new home.

Jacobs built Cleveland's first world class multi-tenant office building in 1988 with an adjacent Marriott Hotel, both designed by starchitect Cesar Pelli.

Jacobs developed the master plan and initial buildings at the 630-acre Chagrin highlands development at the Harvard Rd.-I-271 interchange. Jacobs hired the much-heralded Kohn Pederson Fox architectural firm from New York to design the first speculative multi-tenant office building.

Jacobs had been impressed with KPF's outstanding design for the Ameritrust Tower on Public Square that Jacobs was primed to erect following the success of the Society Center project. But Ameritrust's decline and subsequent merger with Society Bank saw the merged bank occupy its HQ in Society Center in 1992 which was renamed Key Tower when Society and KeyBank merged in 1994.

The *Plain Dealer* labelled Dick Jacobs "the quiet leader who saved the Indians" in his 2009 obituary when he died at age 83.

Following the deaths of David and Richard Jacobs, Cleveland lost its only star developer who really knew what design quality was - and how to achieve it.

In the years since, there has been a great deal of activity from commercial developers, but none of the results have been of the quality delivered by the Jacobs brothers.

Geis & Hemingway:

Geis Company is now the second generation of a suburban industrial contractor-turned-developer who dominated the southeast side of Cleveland from 1980 - 2000.

One of Northeast Ohio's better-known construction businesses, Streetsboro-based Geis has grown into architecture, design and hospitality over the last decade. Collectively, the Geis Companies now employ more than 300 people. The brothers bought the business from their parents, Erwin and Katherine Geis, who died in 2002 and 2013, respectively.

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Brothers Greg and Fred Geis redeveloped the former Ameritrust complex in downtown Cleveland into a hotel, apartments, and a Heinen's grocery store and offices. But they did so with an in-house design team that lacks strength and creativity as the results indicate. Geis wants to be an urban developer but lacks the sophistication to elevate the city's brand identity. Jacobs knew who to turn to and was willing to pay for design talent. But Geis is a DIY kind of guy. Geis also built Cuyahoga County's new headquarters next door.

Together, the Geis brothers tried to transform a suburban industrial real estate business into a major player in the city of Cleveland. They won a deal to build Cuyahoga County's headquarters. And they remade the empty Ameritrust complex, an apparent albatross on East Ninth Street downtown, into a mixed-use property called The 9 that delivered a dated design before it opened.

In 2016, the older brother Fred sold his interest in the company to his younger brother, Greg who then gave up his position in Hemingway Development, which is no longer part of Geis. The brothers still are partners in more than 50 properties, and they don't plan to stop making investments together. Fred is now focused on Hemingway projects with partners Jim Doyle and Michael Panzica, and expects to keep hiring his brother's companies to handle services such as construction, architecture and financial analysis.

The Geis umbrella now includes interior design and furniture sales, through a company called GDOT Design, and project-consulting services through Geis Capital. That recently formed financial division also has investment capacity through the sieG Fund - the name "Geis" spelled backward and a play on "Sieg," the German word for victory.

Greg wants to pursue smaller projects, tricky projects, some on his own and some as part of the refashioned Hemingway, which has no employees aside from the three principals. The Hemingway portfolio includes the Link59 business park in Midtown Cleveland which features buildings that are busy and garish buildings.

Scott Wolstein:

The second-generation developer has spent the latter part of his career among the elite of national real estate, working with everything from global investment funds to publicly traded real estate investment trusts. He won that status as he transformed the family real estate company to a Beachwood-based, publicly traded powerhouse with, at the end of his tenure, 500 shopping centers.



Top to Bottom:

1. Geis suburban industrial product
2. Geis/ Hemingway Link 55 in MidTown Cleveland
3. Scott Wolstein
4. Flats East Bank, Phase I; URS/ AECOM
5. The Centric; Bialosky Cleveland





Top to Bottom:
1. Buckeye Commons; LDA Architects
2. McKinley Place; Lakewood; RDL Architects
3. 22 Exchange; Akron; Bialosky Cleveland Architects
4. Mitch Schneider



An early career attorney at Thompson Hine, Wolstein has been in the trenches of urban development since the early 1980's, assembling land on the east bank of the Flats, where he and his mother weathered the 2008 financial crisis to deliver the Flats East Bank Neighborhood. They also had to work their way through three different architects to complete the project's design and construction.

In 2018, he joined forces with a big institutional firm, DRA Advisors, to buy 200 Public Square, the former BP America skyscraper on Public Square.

Wolstein acknowledges that developers have not focused on making Cleveland a fun place for people to live, particularly young people; "We've transformed downtown and we've made Cleveland a place that is an acceptable alternative for a young person to start a career," he said. "They can live here and have fun and I don't think that was true for a long time. For my mother, the Flats has been the opportunity to fulfill a lifelong dream for my late father. She was devoted to him alive and now to his legacy. She's embraced this as more than a real estate deal and it's honored my father's memory."

Wolstein has also sharply and fairly criticized Cleveland's lack of leadership and the waste of money expended on the disastrous Global Center for Health Innovation. In a 2019 interview, Wolstein lamented that the \$400+ million (cash and debt service) spent could have delivered a significant economic development to benefit the community if leveraged in public-private partnership projects instead.

Mitch Schneider/ First Interstate Properties, Ltd.:

Mitchell Schneider is the founding principal of First Interstate. Schneider first practiced real estate development law at Kahn Kleinman. In 1989, he created First Interstate and Legacy Capital Partners, a real estate private equity firm that is an affiliate of First Interstate.

Initially a developer of typical building standard strip centers, Schneider prefers to brand his identity with the 2003 Legacy Village Center in Lyndhurst that attempts to reprise a New Urbanism kind of revisionist Main Street experience. But sidewalks do not connect all parts of the complex, so its reality does not deliver to its aspiration. On opening day, I watched scores of shoppers trample landscape materials to walk down the slope to get to Giant Eagle.

Legacy Village includes 700,000 SF of lifestyle retail, restaurants, a hotel, and office space and claims to have over 10 million visitors annually. About a month after its opening, architecture critic Steven Litt complained in *The Plain Dealer* that Legacy Village was "a shopping center in

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the midst of a vast parking lot". He stated that the design, which sets some restaurants apart from the "village" mall area, created problems for foot traffic, and decried the center as a failed experiment in New Urbanism.

First Interstate also developed Battery Park in the Detroit Shoreway neighbourhood. Designed by city architecture, a firm noted for its neo-historicism pastiche, the 15-acre site has increased significantly the density in this historically Italian neighborhood on a bluff overlooking Lake Erie. The 328 new units are a mix of single-family homes, townhomes, and loft units.

First Interstate is also the developer of Avon Commons, a traditional strip center with big box anchors, as well as strip centers at Avon 611, Hawthorne Valley, Mentor Commons, Oakwood Commons, Steelyard Commons, Willoughby Commons and One University Circle, a decent high-rise multi-tenant project in University circle.

Dick Pace/ Cumberland Development Co.:

Pace was previously a letterhead partner at what today is known as Westlake Reed Leskosky/ DLR Group, arguably the best architectural firm in Cleveland. Pace was made managing partner in 1992, and left the firm in 2001 to start his own development company. Armed with patient investors, Pace's first two projects were the Cleveland Clinic Foundation Operations Center in Independence and the Baker Electric Building renovation in MidTown.

Pace has been working on the Cleveland North Coast Harbor and recently completed Phase I, a small but well-designed Harbor Verandas project right next to the Rock and Roll Hall of Fame and Museum. Pace has approval of a 3-phase \$700 million development he plans to carry out with partner Trammel Crow Co. of Dallas on the 20 acres north of Browns Stadium.

Pace has the potential to be the town's developer of quality projects in the years to come.

Adam Fishman & Randy Ruttenberg/ Fairmount Properties:

Prior to forming Fairmount in 1998, Ruttenberg was at DDR with Scott Wolstein. Fishman began his real estate career at Victor S. Voinovich Co. as a leasing agent prior to a term as a market leader at Trammel Crow Co. before becoming managing partner of Cleveland Real Estate Partners which was the sold to Deloitte.

Fairmount does medium- to large mixed use developments of varying qualities. First and Main in Hudson features a pastiche of historical forms which was mandated by Hudson's zoning laws. Their College Town development in



Top to Bottom:
1. Flats East Bank Phase II; Dimit Architects
2. Legacy Village
3. Battery Park; city architecture
4. One University Circle; Dimit Architects
5. Dick Pace
6. Harbor Verandas; Dimit Architects





Top to Bottom:

1. Adam Fishman (L) & Randy Ruttenberg (r)
2. First & Main; Hudson, OH
3. College Town; Kent, OH
5. Pinecrest Retail
6. Pinecrest Apartments (front)
7. Pinecrest Apartments (Rear)



Kent had no such zoning laws, but still ended up with a New Urbanism vocabulary without real precedent or justification. But it satisfied the mayor and KSU's president who were both desperate for a better entry sequence than the SR 59 Haymaker Parkway road intrusion that had been foisted on the community in 1968-1975.

Fairmount also worked with Wolstein on the Flats East Bank Phase I and II developments.

Their latest effort is the large Pinecrest mixed use power center in Orange Village just east of I-271. The center features a mix of retail, hotel and apartment occupancies without a cohesive architecture. The 'back' side of the apartments are particularly underwhelming.

Stark Enterprises:

Stark has over eight million square feet of space in nine states, most of it in Ohio. The portfolio consists of retail, office, apartment, hotel, and student housing properties. Stark Enterprises was founded in 1978 by Robert L Stark when he purchased his first single-story commercial property in Mayfield Heights, Ohio while completing his J.D. at Case Western Reserve University.

To date, Stark has developed over 45 commercial and residential properties, increasingly focused on dense mixed use projects with New Urbanism architecture.

Stark's Beacon project atop Richard Fleischman's 515 Euclid parking garage is a 28-story apartment tower designed by Boston's NADAAA Architects. Beacon's facade features staggered windows much like the firm's Kendall Square project for MIT.

Stark is best known locally for the Eton Collection and Crocker Park developments which both feature a kitschy pastiche of historical forms in suburban shopping centers that attempt to look like Main Street from the 1920's. Stark includes streetscaping, landscaping and quality signage in his projects. Stark claims to be the first developer to "cross over" from shopping center to lifestyle centers.

Stark aspires to be a significant downtown developer. While his Beacon project may not earn him acclaim, his nuCLEus mixed-use project two blocks south started with big aspirations. Stark hired Columbus-based NBBJ to design the project, who split the work between three of its offices. The resulting design looked like the architectural mash-up it was.

The first design unveiled in 2014 of the \$500 million project featured a 54-story tower with a deeply sculpted jenga-block-like exterior of glass with recessed balconies.

A flying hotel 'bridge' mass connected the 500-unit

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residential tower to a large retail, apartment and parking element at East 4th Street and a 200,000 sf office component. The tower, hotel and East 4th St. mixed use component were all designed by different offices of NBBJ and shared only glass as a common material. But the hotel was a taught glass bridge form with a truss structure inside while the tower was a punched facade with balconies producing deep shadows and the East 4th Street mass was a mix of angled exterior forms for the apartments, horizontal ribs at the garage with recessed glass retail at the street.

Stark and NBBJ apparently neglected to verify their subsurface conditions before designing a \$500 million project and presenting it for approval to the city and the public.

While a simple phone call to any of the contractors involved with the Hilton Hotel, Federal Building or Key Tower/ Marriott Hotel projects would have confirmed that downtown, bedrock is approximately 200' below grade, Stark chose to rethink the project altogether and scrapped the original design and NBBJ.

While local architecture critic labelled the original design "extraordinary," Stark's re-work of NuCLEus instead features two parallel towers with 80,000 sf of commercial space, 350,000 sf of residential space and 400,000 sf of Class-A office space. The mixed-use plan for nuCLEus now calls for two 24-story towers, one at 310 feet in height with apartments and the other at 353 feet with office above retail dining and parking functions. The project's scale has been downsized to 250 units and the hotel component has been eliminated.

Other local developers include the Millennia Companies who have acquired Key Tower and the 925 Euclid Building in mege-deals, as well as the Garfield Building which now sports the over-rated Marble Room restaurant and more building standard apartments. Millennia's update of Key Tower was second rate. They now own 1000 units in Cleveland.

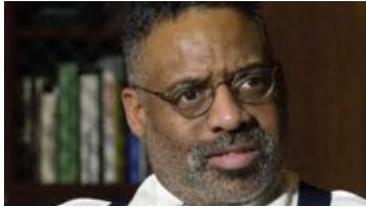
K+D Group is a developer/ owner of apartment properties in the region, having been started in 1984 by Doug Price II and Karen Paganini. They now have 13,000 units in 40 buildings and are now renovating downtown historic properties into building standard apartments, often with historic tax credits. When they acquired the historic Terminal Tower complex last year, historic preservation professionals locally cringed, uncertain if the project's renovation will, like K+D's other efforts, be second rate.

11. The Institutional Failure of Local Government:



Top to Bottom:
1. Eton Collection
2. Crocker Park
3. The Beacon
4. Original nuCLEus design in 2014
5. Original nuCLEus design in 2014
6. Revised nuCLEus design in 2019





Top to Bottom:
 1. Mike White
 2. Nate Gray
 3. Frank Jackson
 4. *The Scene*: GCC Objects to Q Renovation Story
 5. The Scene: Cuyahoga Council Votes for Arena Deal
 6. GCC Protest: "Not All In"
 7. The Scene: Cavs Withdraw from Arena Project



Cuyahoga County Council votes in favor of Quicken Loans Arena transformation funding



Cavaliers withdraw from \$140 million Quicken Loans Arena transformation project



NEOH has experienced decades of graft and corruption from and with its elected officials. While the Jimmy Dimora debacle rings loudly, the greater harm – and piracy, most likely occurred with former mayor Mike White and his bagman, Nate Gray. Many wonder how much money White had to give to Gray to compel him to keep his mouth shut and go to prison about the millions in kickback money he had funneled to White for design and construction contracts on the Hopkins Airport and Browns Stadium projects.

For over forty years dating back to Perk and Forbes, our elected officials sought and accepted kickbacks for favoritism in awarding contracts for design and construction services. My first-hand knowledge reflects an understanding with local Republican officials that 10% of every check you received for your services was to be returned in cash to either the mayor or the Chair/Vice Chair of the Republican Party.

After the Dimora debacle - which involved peanuts compared to the millions stolen in previous administrations, voters were encouraged to imagine that the problem was a three-commissioner form of county government, so we voted in a new elected administrator. It appears to have changed nothing.

Cleveland mayor Frank Jackson has been in office for eleven years and has done nothing. The 2019 article in *The Scene* was a scandalous indictment of just how little Jackson even puts in to showing up for work – at all.

Rather than chronicle a seemingly endless litany of government ineptitude and corruption, the recent renovation of the Quicken Loans Arena is a compelling example of Cleveland's Behind Closed Doors Machine that makes the public pay for lavish improvements to public facilities to enable rich white men to get richer.

The Scene reporter Mark Nayman's thorough 8-14-19 article on the funding for the project illustrates the problems. But the context is also important:

A year after the 'wildly successful' hosting of the 2016 Republican National Convention at the 22-year old Quicken Loans Arena, the Cavs, the City, the Greater Cleveland Partnership, the County and even US Representative Marcia Fudge showed up to surprise the public and Cleveland City Council – duly elected representatives of the body that owns the facility, to announce that the facility was shit and needed a \$140 million 'transformation.'

Among the arena's alleged shortcomings were concourses that were too narrow, entrances were small where people must line up to enter (security functions today still dictate a funneling of people), wayfinding around the facility is confusing (It's still a doughnut - how hard is that?), and there is no gathering space for events. The Cavs needed more space for bars, public dining and 'public gathering.' This from

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our resident Lie Machine.

"Officials" claimed that the facility lacked pizzazz and the ability to attract big-name acts. Let's see, we hosted the RNC in 2016 and beat out every other city in the country for the privilege. If the arena had ANY deficiencies of consequence, we would have not won that race. Cavs CEO Len Komoroski said that we would not be able to compete in the "short-term years ahead." Let's see, shortly after the RNC, Paul McCartney played a few shows at the Q...

In talking out of both sides of his mouth, Komoroski admitted that the Q's 'event load' has been one of the highest in the country, with more than 200 ticketed events each year, but he said that we have missed out on some top-grossing tours - without naming a single one.

Lest The Lie Machine go completely unchecked, in 2017, the very year the deal was approved by both the Cuyahoga County and Cleveland City Councils despite enormous citizen opposition, the Q logged the highest concert and event attendance in the arena's history.

With notable performances in 2017 by Lady Gaga, Coldplay, Tom Petty and the Heartbreakers, Bon Jovi, Red Hot Chili Peppers, NKOTB, Queen + Adam Lambert, Guns N Roses, Katy Perry, Bruno Mars and Eric Church, the Q ranked 18th in the United States and 40th worldwide for venues with the highest ticket sales.

Of the 700 public sports and concert venues in the US, Quicken Loans Arena ranked in the top 7%.

No space for gathering? There is a large plaza between the arena and Progressive Field with very wide walkways outside. Radio and TV stations routinely accommodate thousands here as did the Cavs with their watch parties during the 2016 championship run.

For security reasons, people will still have to line up to enter anyway, no matter what the renovation response.

Better wayfinding signage will not cost \$140 million.

And when completed, the arena will still be a doughnut-shaped bowl.

Not only had the suggestion of the facility's obsolescence been proffered in private, and the assertion was accepted by elected officials and GCP, who agreed - without any public discussion or debate, to pay for half of the project so Dan Gilbert could sell more T-shirts and beer. The initial cost was stated to be \$140 million, though with debt service, the actual cost will be closer to \$280+ million. Quite a difference from The Lie Machine. Your mortgage is how much you borrow. Your amortization is your cost to pay it back.



1. Republican National Convention at Quicken Loans Arena, 2016
2. Quicken Loans arena security portals at Entry



The architect had already been hired - another out-of-town firm, and the design had already been done - all in secret. Typical.

The media fell in line, even saying that public debate would happen because the area is such "an economic juggernaut for the region."

In August 2017, when local religious and community leaders objected to the proposed taxpayer funding of the Arena's "transformation," the Cavaliers scrapped their plans.

Local 'leaders' had attempted to fast-track the project by exercising their ability to extend the Sin Tax to dedicate the project's funding without public approval so the Cavs could start the project immediately without even a discussion on the proposed scope, design or cost.

Construction had been scheduled to start in June but had been held up by the prospective referendum being placed on the ballot by groups arguing that the city's neighborhoods were not benefiting from



Above: *Cleveland Jewish News*: Sides take shots at each other after arena deal dies
Below:

1. *The Scene*: GCC Choreographs Masterful Opposition
2. *Jewish News*: Jewish community leaders protest the Q renovation plan



the arena's makeover. The Cuyahoga County Progressive Caucus, which had been leading the fight to stop the renovation, said in a statement it was "very pleased" with the Cavs' decision to then abandon the project.

"Despite their stated reason for the cancellation, the real reason is that the citizens of Cleveland spoke loud and clear in their opposition to the project by gathering 13,000 valid signatures to force a referendum on the issue," the group said. "The Cavaliers, Mayor Jackson and Cleveland City Council all know that the project would have been soundly defeated at the ballot box. This is their way of saving face."

The Cavs had argued the arena was overdue for a face-lift and that the remodeling would help attract major concert acts and other events.

The Q, as it has been known locally, hosted the Republican National Convention in 2016 – indicating that it was lacking for nothing! Again, the Arena in 2017 was ranked in the top 7% of all public sports facilities in the US.

The Q's facility has not been a factor in booking any national events to Cleveland. If an act passes on performing in Cleveland, it is due to the city's size and demographic and NOT the design or capacity of the Q! The Cavs' assertion that the proposed renovation would attract more events was complete bullshit. The Lie Machine.

The pro-'transformation' team also said the project would create over 2,500 construction jobs – a gross exaggeration - and all of those jobs would be temporary, and that the project would increase the arena's job base to 3,200 – another gross exaggeration and any additional employees would be part-time vendors selling T-shirts and beers, and increase tax revenues – in what way? - for the city and other neighborhoods. That's how Cleveland's Lie Machine manages their propaganda.

US representative Marcia Fudge went so far in endorsing the project by asserting that a new facility could cost as much as \$500 million, solidifying her position as a Charter member of The Lie Machine!

11.A. The Hijacking of Public Monies Away from Economic Development Architecture, Arts & Culture:

Quoting the entirety of Sam Allard's article in *The Scene* on 8-14-19:

"On Sept. 30, after two years of construction, the Rocket Mortgage Fieldhouse will open its renovated doors to the public; that is, to members of the public with tickets to the Black Keys. With massive new frontage on Huron Road, an

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endoskeletal curtain of LED panels, 42,000 square feet of wide-open atrium space and a very weird name, the downtown arena will be, in many visible respects, transformed.

Until recently, the facility where the Cleveland Cavaliers play was known as Quicken Loans Arena, named after owner Dan Gilbert's Detroit-based mortgage lending company. The costly upgrades of the past two years were financed both with Gilbert's own cash and a slew of public bonds, the principal and interest on which the city of Cleveland, Cuyahoga County and Destination Cleveland, the region's tourism bureau, will be paying down every six months until 2034.

Acquiescing to this financial arrangement — what leaders in Northeast Ohio have referred to since late 2016, without a trace of irony, as a “public-private partnership” — was surely one of the most shameful, spineless, heedless acts by local elected officials in recent years. Not only did the city and county happily mortgage portions of their futures to line Gilbert's pockets, they desecrated basic tenets of democracy in the process.

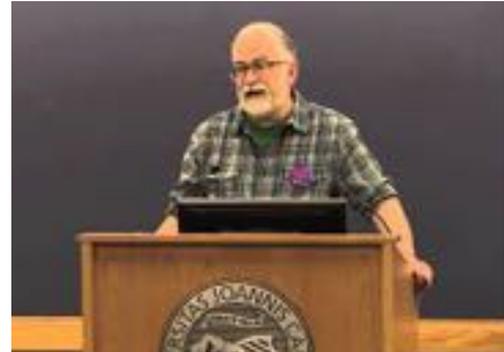
No accounting of the tenures of Cleveland Mayor Frank Jackson, Cuyahoga County Executive Armond Budish and Cleveland City Council President Kevin Kelley will be complete without underscoring this odious episode: the one where they sold out their constituents, residents of the second-poorest city in the country, for a billionaire.

There was, however, an inspiring countervailing force.

Through the first half of 2017, during what were characterized — again, without irony — as “negotiations,” elected leaders' cowardice and stupidity were challenged, exposed and ridiculed by a powerful grassroots opposition movement.

Led by the Greater Cleveland Congregations (GCC), a regional organization of faith groups, the #NotAllIn campaign effectively fought back against the propaganda of the Q Deal. Organizers refused to take for granted the conventional wisdom about the deal's merits and demanded more money from Dan Gilbert, better stewardship from elected leaders, and a modicum of honesty from the news media.

Hundreds of progressive activists and allies joined the cause. It was the most powerful and well-coordinated organizing campaign Cleveland had seen in decades. The issue, which became shorthand



Top to Bottom:

1. Randy Cunningham
2. GCC pins for protestors on their visit to Dan Gilbert in Detroit.
3. Rev. John Lentz (Forest Hill Presbyterian Church) in Detroit: “We shouldn't be giving millions to a billionaire.”
4. GCC Website Home Page





for the city's "Downtown vs. Neighborhoods" debate, resonated with Clevelanders for obvious reasons. For starters, the vast majority of them weren't regular, or even irregular, attendees of events at the arena. By the Cavs' own estimates, Cleveland residents made up only 10 percent of ticket holders at Cavs games, and only 5 percent at concerts and other events.

Moreover, this was months after a citywide income tax increase, premised (per Frank Jackson) on the desperate need for additional resources to pay for essential city services. Infrastructure was crumbling; infants were dying; children were being poisoned by lead in their homes; teenagers were attempting or committing suicide at higher rates than in any other city in the country, in many cases to escape the gun violence ravaging their neighborhoods; bus fares were continuing to rise; wages weren't.

Why on earth, given these realities, would the city devote long-term precious resources to the Q? Cuyahoga County — what was in 2017 still regarded as a legitimate government entity — had "maxed out" its credit card, and the public was already paying through the nose for capital expenditures at all three downtown sports arenas via the sin tax on cigarettes and alcohol. That tax had been renewed by county voters in 2014 after an expensive propaganda campaign financed largely by the teams. 'Keep Cleveland Strong,' the yard signs threatened.

City Council was not interested in any of this. Their top priority in early 2017 was securing a supermajority so that they could pass the Q Deal legislation as an emergency measure. Frank Jackson and Kevin Kelley ultimately managed to persuade anti-deal Councilman Brian Cummins to join the pro-side, promising support in what was shaping up to be a contentious election in his Ward 14. (Jackson and Kelley's support didn't amount to much; Jasmin Santana defeated Cummins later that year.)

But Council got its two-thirds majority. The city was to be responsible for the largest chunk of public funding, and the ordinance greenlit a projected \$97 million in revenue from future admissions taxes at the Q. This is revenue that was then (and still is) paying off cost overruns on the original Gund Arena construction. It was scheduled to be unencumbered in 2023, meaning that the city could at last begin using it to pay for essential city services. But it will now go toward paying down the renovation bonds.

The sole purpose of passing the legislation as an emergency ordinance was to preemptively block, or at least complicate, a citizen referendum drive.

But the referendum drive came anyway. The Service Employees International Union (SEIU) 1199 and the Cuyahoga County Progressive Caucus, an outgrowth of the Northeast Ohio Bernie Sanders campaign, joined forces with GCC to gather more than 20,000 signatures to take the Q Deal ordinance to a vote, a display of civic force by which even many activist leaders were surprised.

Kevin Kelley and city council's lawyers conspired to block the signatures with a bogus constitutional argument. They were now not only subverting the will of the people via legislative underhandedness, but actively working against them, spending nights and weekends in dedicated service to the idea that their constituents should not have a say in how the city's dollars are spent.

Naturally, the #NotAllIn campaign amassed further energy and righteousness in response. And despite letters from the titans of Cleveland's business community in support of the deal, the Supreme Court of Ohio sided with the referendum seekers. (Frank Jackson, who'd previously called the deal "one of the best the City of Cleveland has ever made," tried to spin the Supreme Court case as a neutral adjudication of two equally valid interpretations of the law.) The Supreme Court was clear: Kevin Kelley and Council Clerk Pat Britt had overstepped their authority. The Q Deal legislation would go to a vote.

This was an outcome that Dan Gilbert and local elected leaders could not abide. It was to be a vote in the City of Cleveland only, so the referendum would not have the benefit of support (as the Sin Tax did) from whiter and wealthier voters in the suburbs.

The battle, almost unbelievably, seemed won. It was said to be the first time in the United States that a grassroots campaign had stood up to sports franchise owner and defeated him. It was historic.

That is, until the Greater Cleveland Congregations caved, snatching defeat from the jaws of victory.

Despite the opposition's broad coalition of organizations and volunteers, GCC had lead the charge all along and held the trump cards. The five signatories on the referendum petitions were all GCC members. And so in late August, 2017, they were able to withdraw the petitions unilaterally, eliminating the possibility of a vote and clearing the pathway for the gussying up of Gilbert's palace — "Cleveland's living room," in the promotional language.

GCC went into spin mode immediately. Its leaders said they had secured a good-faith commitment from Armond Budish, through mediators, to explore the idea of building mental health crisis centers, one of three central asks when they



Top to Bottom:
1. Cavs and Cuyahoga County propose to split the cost of upgrading Quicken Loans Arena.
2. Project Cost is \$280 million.
Opposite Page: *The Scene*: The Q Deal is Officially Dead



initially pitched a "Community Equity Fund" to complement the deal.

But everyone sensed there had been pressure behind the scenes. Four of the 43 dues-paying member congregations — including Armond Budish's own Park Synagogue — had already abandoned GCC because of growing controversy and intra-church tension, and others were thought to be on the precipice. Congresswoman Marcia Fudge was exercising her influence as well, reportedly making calls to church leaders and asking "what it would take" to kill the deal.

At the time, top GCC members told Scene that the withdrawal had been a strategic decision. Scene had reported in considerable depth on the deal and the #NotAllIn campaign, and we were assured that the details of this larger strategy would be revealed to us in due course.

That never happened.

Two years later, GCC is nowhere to be found on the activist scene. Whatever happened to them? What grand strategy was afoot? And what have new local activist coalitions learned from GCC's mistakes?

SCENE & HEARD

The Q Deal is Officially Dead

Posted By Sam Alford on Mon, Aug 28, 2017 at 5:15 pm



The Quicken Loans Arena renovation deal is officially dead.

Even as they pulled out of the deal — a complex four-party financial arrangement negotiated in private with regional leaders — the Cleveland Cavaliers touted its merits, casting blame upon local organizations and disdaining Clevelanders who dared intervene.

The deal would have “significantly upgraded one of the oldest arenas in the NBA,” a press release lamented. It would have made the Q “more competitive for the long term.” It would have “created over 2,500 project-related construction jobs, grown The Q’s permanent job base to 3,200, increased tax revenue to the City’s General Fund and neighborhoods, extended the Cavaliers lease for The Q to 2034, rehabbed 40 gym courts and floors in the city of Cleveland’s rec centers and all Cleveland Metropolitan School Districts high schools.” And of course, it would have

To answer these questions, we first went directly to the source: the GCC “Strategy Team” — more or less its board of directors. The two most visible pastors back in 2017 had been Jawanza Colvin, of Olivet Institutional Baptist Church, and Richard Gibson, of Elizabeth Baptist Church. Both are Strategy Team members.

Colvin’s secretary took a message but said he was unlikely to have time for an interview. Gibson advised via email that he wasn’t the person to talk to, but said he’d meet with the strategy team to think about a response. Rev. John Lentz, of Forest Hill Presbyterian Church, said he wasn’t the person to talk to either. Same with Rev. Linda Robinson, (who was also one of the five signatories on the Q Deal petitions). Rabbi Rob Nosanchuk, of Fairmount Temple, was traveling, but said he’d meet with GCC organizers and the strategy team to provide a response.

Ultimately, GCC organizer Thomas Nobbe sent the following message, attributed to Rabbi Nosanchuk:

“GCC remains focused on its work around criminal justice, gun violence reduction, education and health equity issues. We have been particularly focused on building a coalition to push for a pre-booking mental health and addiction crisis center in Cuyahoga County that would keep individuals in crisis from

being needlessly incarcerated and thus reducing the jail population. We are making great progress and will have more to report in the next number of months.”

Our reporting found that GCC has indeed been meeting regularly with Prosecutor Michael O’Malley and Judge John Russo about the mental health crisis centers. But in May, Donna Weinberger, the Strategy Team member who’s been leading the criminal justice efforts, said that while they were “continuing to push for” the crisis centers, they weren’t ready to go public beyond that point. Unsubstantiated rumors have been swirling that a location has been found and money has been located for at least one such crisis center. Meanwhile, County Executive Armond Budish has repeatedly insisted that the crisis centers were never promised. Until a U.S. Marshals report documenting inhumane conditions at the jail, and eight deaths in the second half of 2018, he never showed any interest in them.

GCC’s real strategy over the past two years, say current members, has been recruitment. GCC calls it their “strengthening power” campaign. The goal has been to take a step back and find ways to re-energize — in some ways to re-start — the organization after the Q Deal debacle. It’s what one member, who spoke on condition of anonymity, called “retrenchment mode.”

“GCC’s not been doing nothing,” the member said. “They’ve been doing close to nothing. The main goal has been to recruit new institutions. They’re a little cagey with the numbers, but they’ve had some success.”

Another source with knowledge of GCC’s operations in 2017 said that what should have happened after the petitions were withdrawn was a public apology to the community.

“Everybody within GCC was crushed,” they said, “But instead, they turned inward. The strategy was to protect the organization.”

Two other members agreed, saying that the rationale for withdrawing the Q Deal petitions was nothing less than the survival of the organization. There was an understanding that enormous pressure had been exerted, but members were not apprised of the specific pressure points at the time.

“Among the rank and file membership, nobody knew anything about it,” one source said. “It was like, what the fuck happened? It showed some of us how ensconced and calcified the power structure in the county is.”

Even pastors who were ostensibly part of the leadership team weren’t entirely in the loop, one Pastor told Scene.

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There were accounts of Marcia Fudge phone calls, of "big money" on the line for at least one Synagogue. Toby Cosgrove, the Cleveland Clinic's departing top man, was said to have made calls on local leadership's behalf. Carole Hoover, the daughter of former Olivet pastor and civil rights activist Odie Hoover — and a Frank Jackson confidante — was rumored to be in on the action as well. In the same way that Dan Gilbert had personally lobbied City Council to win support for Q Deal legislation, the biggest wigs in town were hopping on phones to try to fracture GCC.

But this was all secondhand. It was all "a big secret."

GCC leadership, in a 2017 email to members, did say that individual meetings could be scheduled to answer questions.

"It was a classic back-room deal," one GCC member said. "But the thinking was that moving forward with the referendum would pose an existential threat [to GCC.]

Steve Holecko, the political director of the Cuyahoga County Progressive Caucus, agreed with the assessment, saying he "felt sorry for" GCC organizer James Pearlstein during that time.

"He was in a position that he knew would make the organization look bad, but he felt he had to go through with it," Holecko said. "There was always a disconnect between GCC and the rest of us. Are you in this to make a deal or are you in this to stop the renovations through the referendum process? For the people who signed and circulated petitions, it was never presented to them that this was to leverage a deal, and it would have been difficult to get support if it had been presented that way. GCC knew that."

Yvonka Hall, one of the CCPC's leaders and spokespeople at the time, said GCC's last-minute maneuver "caught everyone off guard." There had been an assumption that if a deal were being considered, CCPC and SEIU would be consulted. But that didn't happen.

"GCC was the only agency with its names on the petitions," she said. "We learned the hard way that we could never do anything like that again."

Holecko said that progressive activists had been "fired up" to go through the referendum process. "The atmosphere was ecstatic," he said. And he still feels that while GCC had the legal right to withdraw the petitions, they had a moral right to communicate

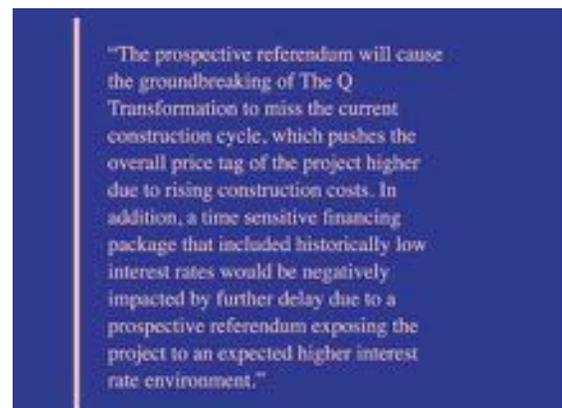


Above, Clockwise:

1. Marcia Fudge
2. Toby Cosgrove
3. Carole Hoover
4. Yvonka Hall
5. Steve Holecko

Below:

1. Sports magazine headline
2. Sports magazine tombstone text box



their intentions to the broader activist community. Immediately after the withdrawal, GCC leadership retreated. They were seldom available for public comment.

Organizer James Pearlstein had been providing *Scene* with regular updates. But after the withdrawal he went almost completely dark. He suggested that more information would be available at a later date. Pearlstein is no longer with GCC; he moved to Washington D.C. in 2018. He declined to be interviewed for this story.

Yvonka Hall still speaks with rage about the Q Deal, and what it says about the region's priorities. And while she was frustrated with GCC, she said that they are still welcome to participate in local progressive activist causes.

"They've been specifically invited to the table when we've formed other [issue-based campaigns]," she said. "We're a small community and we have to coalesce. But honestly, right now they're off the radar."

When Cleveland Lead Advocates for Safe Housing (CLASH), the coalition that forced City Hall to act on lead poisoning, announced in early 2019 a comprehensive piece of legislation that they planned to take to the ballot, representatives from seven member organizations stood together for the press conference: Cleveland Lead Safe Network (CLSN), the Single Payer Access Network (SPAN), the Cuyahoga County Progressive Caucus, Black Lives Matter Cuyahoga County, Cleveland End Poverty Now Coalition, Organize Ohio, and the Cleveland Democratic Socialists of America (DSA).

GCC had been asked to participate — many thought the lead issue would be a natural fit for them — but they ultimately declined, opting to focus on their Strengthening Power campaign.

One CLASH member who worked with GCC in 2017 said that it's difficult for an organization to focus on recruitment when "the lifeblood of any organization is action."

"The Q Deal [opposition] was the most meaningful challenge to the local power structure in decades, and now they want to just go out and talk to other congregations? People can smell bullshit. But people also don't want GCC to lose credibility because it's such a huge power base."

Among the lessons that activists learned from the Q Deal campaign, several mentioned that there hadn't been a deep enough understanding of, and appreciation for, the various power dynamics at work in the county. Back-room deals can happen when powerful people operate in the shadows.

That's why a group has now formed to "Power Map" the county, the goal of which is to educate activists and to

build power for themselves, to move from single-issue campaigns to lasting political power.

A current member of GCC, who was also involved in the CLASH efforts, told *Scene* that the immediate and most obvious takeaway was the need for broader representation on petitions and among decision makers.

"There was a deliberate effort, by CLASH, to ensure that it would take a broad consensus to deviate from any plan," they said. "That was the problem with the Q Deal. One institution controlled everything. And even within GCC, the way it's structured, a major decision could be made by a small number of people."

But it's important to remember, the GCC member said, that GCC is made up of people who aren't, strictly speaking, activists.

"It skews, older, whiter, more well-connected," they said. "They tend to be involved because they love their church or synagogue and have a vague sense of injustice. It's so different from the activists in CLASH, who are begging for an invitation to the next protest."

While these are totally different worlds, both are required to make lasting change.

"GCC will always have power because they can get 1,000 people in a room. And look, you need the retired white ladies from Cleveland Heights, and you also need the Yvonka Halls of the world," the GCC member said. "When they're both rowing in the same direction, that's when you can run a winning campaign."

Randy Cunningham was standing behind the lectern at the CLASH press conference, representing both the Progressive Caucus and the Democratic Socialists of America, describing himself as a "graybeard emeritus member."

Cunningham is also something like the dean of local community organizing, and certainly its resident historian. He told *Scene* that the lessons from the Q Deal are similar to lessons that community organizers learned a generation ago.

Current progressive activists must ask two questions, he said.

"The first is, how do you fund sustainable organizing without becoming hostage to your funders? Who needs the FBI," he asked, "when you have the foundations? The foundations talk a big game about social change, but their real goal is to define the paradigm of issues and maintain control of the grassroots."

The second question, Cunningham said, is how to make organizing the basis for political campaigns and elected office.

"Those two questions have to be answered before there's a substantial leap forward," he said. "But progress is being made. GCC was the only game in town in 2015. But look at the organizations now!"

(He referenced, with enthusiasm, the work of Black Lives Matter, including recent protests at the county jail; Clevelanders for Public Transit; and CLASH).

"These young organizers are getting so much experience from running these campaigns. These are good organizers! I'm so damn glad to see these younger people taking the reins. And I'm so damn glad to see that they're learning. CLASH could've been another Q Deal, but it wasn't. CLASH was a victory. Now the key is stringing victories together."

As for GCC, Cunningham agreed with the activists who said that before long, they'd be back, and that reconciliation would not be difficult, given the right issue. The enemy of my enemy, as the saying goes, is my friend. But Cunningham also cautioned that GCC, through no fault of its membership, will never really be interested in rocking the boat.

"If they really wanted to make change, instead of just playing at making change," he said, "the answer is to quit preaching and start meddling."

The impact of the Arena project - its very conception, the hiring of an out-of-town architect in secret, its behind-the-scenes design - and the utter absence of a public discourse about the design's merits and weaknesses - and the financing of the project - on our design culture is that it demonstrates all too vividly the lack of objectivity and honesty among the community's leaders, elected officials and power brokers who fail to put the earnest interests of the public at the forefront, all the while picking our pockets for their pet projects without our approval, knowledge or consent.

Long before the 'crisis' at the jails became common knowledge, the city and county have had a flagrant need to address the functional and maintenance liabilities of the Justice Center. The answer to the question will be VERY costly. It is gratifying to see that the programming of the facility and the definition of needs has recognized the connection between policies, behaviors and the size and cost of the facility to both construct and maintain. But if history wills out, the answer will be incorrect because it will be contaminated by our dysfunctional culture and



Above: "Rocket Mortgage Fieldhouse's" new disappointing and boring north elevation.

political system here.

And in a community where its design culture has a shred of responsibility, the community's needs are to be addressed openly and objectively so that priorities can be developed that are responsive to our most significant and meaningful needs.

That does not happen here.

And that is a serious problem because if we want to climb out of our dismal standing in so many measures of what a city is supposed to be, we need a functional government with legitimate leaders who focus on the legitimate needs of the community first - and we need an effective and active design culture to support it.

12. Weak Architectural Press:

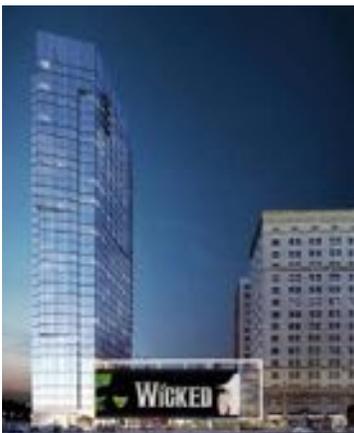
With the demise of the *Free Times* in 2008 and *Northern Ohio Live* in 2009, Cleveland now has a single voice with the assigned responsibility to discuss and critique architecture.

For 38 years, Wilma Salisbury was at *The Plain Dealer*, initially as dance and music critic. Salisbury has a Masters in Music and music theory from the University of Michigan, and a BA of Arts in music from Sst. Olaf College in Canada.

Despite an absence of formal education in architectural history, architectural theory or an in-depth knowledge of Cleveland architects, Salisbury took a course on architecture at Harvard and gamely wrote on architecture, and did a respectable job of reporting on and critiquing new projects in the city.



1. Wilma Salisbury
2. Cuyahoga County Juvenile Justice Center; Ralph Tyler Cos.
3. Seidman Cancer Center; Cannon Design
4. Lumen Tower; SCB Architects



Salisbury had her favorites, particularly Piet van Dijk. And while Wilma's attention on Piet and his work was not inappropriate for its merits, she tended to essentially ignore the remainder of the city's cast of similarly talented architects.

Steven Litt came to *The Plain Dealer* in 1991, taking over Wilma's role as the paper's art and architecture critic, having had the same post for the *Charlotte News and Observer* from 1984 - 1991.

Litt studied art at Brown University and went on to obtain a Masters of Science in Journalism from Columbia University in 1980. Litt was also a Journalism Fellow at the University of Michigan where he edited *Dimensions*, the university's annual student publication. Once in Cleveland, Litt took courses at Cleveland State University in city planning, urban design, sustainability, statistics, economics, public finance and planning law (2009-2014).

In his early Cleveland years, Litt drank the Kool-Aid of Paul Volpe, a principal of the city architecture (CA) firm, an office long committed to post-modernism and a pastiche of historical motifs. Volpe positioned himself by serving on community organizations in MidTown and Little Italy,

CA sought and got numerous planning and urban design study commissions, though few reflected any advanced thinking or design. For their study for the Wick District in Youngstown, their planning failed to recognize the 90 -foot change in grade between the Smoky Hollow neighborhood and Wick Ave. northwest of the planning area. And their language on residential vernacular included references to Victorian styles to be followed which were obviously copied from a prior effort as the project context had no Victorian buildings whatsoever in any of its 80 acres.

CA has done numerous townhouse development projects throughout the area. In the words of one of their consulting engineers, "It's all cookie-cutter. They are all the same. They just play with the facades enough to keep from getting called out for it. I almost feel guilty charging a fee because there is no thinking whatsoever going into these. They just tell us to repeat exactly what we did on the last one."

Litt gave a great deal of attention and praise to Volpe and CA in his early years in Cleveland. In recent years, Litt has tended to be a scribe to the establishment and is increasingly rarely critical in his reporting, despite a continuous stream of terrible projects from CLE MOCA (Moussavi), the Cleveland Botanical Center (Gund), the Cuyahoga county Juvenile Justice Center (Ralph Tyler Cos.), UH's Seidman Cancer Center (Cannon), SCB's Lumen Tower (SCB) at Playhouse Square, or even the underwhelming \$277 million Taussig Cancer Center (Wm. Rawn) at Cleveland Clinic.

Litt's critique of Taussig was interesting for it was essentially

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the first time in his then 27-year history in Cleveland that he wrote a critique that addressed the actual user's experience. Until Taussig, Litt tended to deal with architecture as basically a opaque objects, without regard to function and the kind of user experiences it provided.

Litt also found nothing inappropriate or lacking in Taussig's scale-less facade facing Carnegie Ave. with an all-glass facade facing south. Given the world's increasing awareness of sustainability, the inappropriateness of all-glass façades facing south or west due to excessive heat gain and increased energy loads, and the failure of Taussig to relate to the adjacent articulated buildings by Cesar Pelli and Cleveland's Perspectus firms, Litt was AWOL in his critique of the project's exterior.

And in recent years, Litt has essentially stopped critiquing architecture. He *reports* on architecture and rephrases the press releases given him by clients and their architects, but he has not attempted a critique since his April 2017 article on Taussig. Litt recently informed me that he does not intend to critique Sir Norma Foster's \$500 million Samson Pavilion Health Education Campus for the Cleveland Clinic and Case Western Reserve University. Litt's July 2019 article *described* the facility - with 30 photos - but he did not critique it, and for some reason, Litt does not intend to. This is the biggest and most significant project - and most expensive - project ever built here and it warrants a complete examination because it is also a collaboration between the two largest hospitals in the region.

In a 'one horse town,' Litt must be aware that the hand that feeds him information so he can do his job and earn a living cannot be ravaged if he expects to continue to be on the receiving end of information to enable him to write stories and earn a living.

But if Litt is unable or unwilling to critique projects, then he needs to remove 'architecture critic' from his masthead and business cards and the *Plain Dealer* needs to turn over this responsibility to someone else.

Litt has also been timid about critiquing a project's design when it is first announced and the renderings, models and presentation materials trotted out. Litt has told me that he thinks it is premature to critique design until it is completed. This is, of course, complete bullshit. The whole purpose of architectural criticism is to facilitate healthy discussion about the pertinent aspects of a project's design at a point when it is possible to make improvements, fix mistakes and improve the quality of the built environment! As the most expensive of all of the art forms, it is too little too late - and too easy - to take note of a project's failures *after* the fact - when it's too late and too expensive to attempt remedy.

And Litt has failed to develop and maintain a dialogue with



Above: Taussig Cancer Center, Cleveland Clinic; William Rawn Architects
Below: Cleveland Clinic/ University Hospitals Health Education Center; Sir Norman Foster, London, England



the community or its architects on design quality. Yet Litt acknowledges that the community's design culture is weak.

Developing and maintaining a design culture with resiliency and purpose is impossible without a strong architectural press and an effective and attentive voice to critique projects - as they are announced, and participate in community debate on their strengths and weaknesses. This is how a community develops and maintains a culture of design excellence.

13. The Lazy Bias of "Experience" as the Criteria for Architect Selection:

All too often, those here who are charged with selecting an architect lack knowledge on what constitutes design excellence. They most often fail to identify their needs in any dogmatic manner, so

they are unaware what their criteria for their facility should be to guide their examination of alternative architects to arrive at the best decision.

Instead, they dumb down their process, imaging that they can't be wrong if they simply adopt 'experience' with their project type as the most relevant criteria for selection.

One has to look no further that the dozens and dozens of atrocious school designs being deposited all over the City of Cleveland with the help of the \$2 billion tax levy, all done by a few terrible architects with a long list of ugly school projects they have been depositing for years.

"Experience" firms do not value design skills or creativity. It is not what they market or understand. It is not a skill set they posses, so they do not recognize it if and when they ever see it. And it is impossible for them to recruit design talent because no one with any talent and any aspirations to design projects that make a positive impact will choose to work for Experience firms lacking in a commitment to design excellence.

Additionally, 'Experience' firms have narrow market segments and tend to repeat the same solutions and mistakes and are typically slow to see new trends or innovation, let alone follow them to say nothing of leading. "We always do it this way" has been uttered hundreds and thousands of times to kill a new or unfamiliar idea.

When health care design professionals were discussing care teams and new protocols for patient experiences in the 1990's at conferences on health care design, people were telling hospital administrators that their historical biases in favor of physician-run and physician-dominated hospitals - like the Cleveland Clinic- had better wake up because "the so-called experienced architect you are hiring have been making the same mistakes for 30 years."

While it may appear logical and even responsible on the surface, using 'experience' as the most significant criteria for architect selection is selfish. It means that the client is unable or unwilling to throttle up staff time required to educate a firm who may not have done a related project before. Yet to execute a project, every client must identify and communicate their needs, protocols, work processes, goals and operations practices to their architect, regardless of the architect's experience.



Above: Shafran Planetarium, Cleveland Museum of Natural History; Westlake Reed Leskosky/ DLR Group

Our first restaurant project was selected as one of the eight best projects - of any kind - in the US. Our first office building project was selected as one of the best eight projects - of any kind - in Ohio and it won first place in the Build Ohio Competition, beating out the \$200 million Key Tower project - and every other one.

"Design" is subjective criteria. "Experience" is seemingly objective. But as the Cleveland Museum of Natural History project illustrates, GOOD and relevant experience are the product of aptitude and cognitive skill. Fentress-Bradburn is a firm founded in 1980. They showed CMNH a half dozen museums, only two of which dealt with nature.

The Cleveland Museum of Natural History's expansion and renovation is a classical example of 'Experience-Biased Idiot Thinking.' After a yearlong search, CMNH in 2007 hired Denver's Fentress Bradburn "to design its \$30 - \$50 million expansion." Also considered were James Stewart Polsheck (New York) and Cleveland's Westlake Reed Leskosky. WRL had previously designed the wildly successful and award-winning Shafran Planetarium project for CMNH.

CMNH had staged a brief mini-competition between the firms, giving them a modest stipend that was at best one-fourth of the value of the time each firm invested to present a concept to illustrate the approach and skills they would bring to the project.

CMNH told WRL principal Paul Westlake FAIA that they picked F-B for the project's design and implementation because they had more experience doing natural history museums. Westlake mused that CMNH had not researched the firm's work history to know that none of the key personnel who had worked on the two relevant

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projects were still working at the F-B firm.

F-B's initial designs were poor regarding circulation and addressing the significant grade change between the Wade Oval entry and the bottom of the hill on which CMNH nests, to say nothing of its massing and appearance. When a new Executive Director arrived at CMNH, F-B's initial plans were scrapped and they were told to start over.

F-B developed a design that Steve Litt in his June 2019 article described as "blocky, angular forms resembling a slice of the Rocky Mountains - not surprising given the architectural firm involved," based in Denver. Litt did not mention that their second design for CMNH reflected the same roof lines from their National Museum of Intelligence and Special Operations in Ashburn, VA.

But Cleveland is 1330 miles from Denver, and the inappropriateness - and poor design - of F-B's two schemes should have been rejected when first presented.

At least CMNH finally balked when they learned the cost of F-B's design. But it spent six years on F-B's design fees before it saw the light and it was not coming from Denver.

CMNH has only 260,000 annual visits. James Hambrick, CMNH Board VP finally stated, "The F-B design was well beyond our capacity (to fund), and we would have been foolish to start it." F-B had planned a 100,000 sf exhibit wing. CMNH's anxiety compelled them to attempt another mini-competition, this time with a challenge to design something they could afford.

WRL responded with "more regionally appropriate imagery" that symbolized water and the region's evolution from the Ice Age, and a 50,000 sf exhibit wing. It also featured more glass and was visually accessible and inviting from Wade Oval. CMNH has already raised \$86 million in its ten years following announcement of the expansion, well short of the \$150 million goal.

Executive Director Evelyn Gates PhD left in 2017 after completing the parking garage and a \$14 million Wildlife Center. A reassessment of the F-B design was initiated and CMNH pitted F-B and WRL firms against one another to see who could better meet the \$150M budget.

Fortunately for Cleveland and CMNH, WRL prevailed. But how many hundreds of thousands of donor dollars



Above: Original CMNH Design; Fentress-Bradburn Architects

Below:

1. National Museum of Intelligence and Special Operations; Fentress-Bradburn Architects

2. CMNH 2019 Design; WRL/ DLR Group

3. CMNH 2019 Design; WRL/ DLR Group

4. CMNH 2019 Design; WRL/ DLR Group





Top to Bottom:
 1. Crains Cleveland Business Opinion Headline; 7-14-19
 2. The Scene headline; 8-16-19
 3. Dunham Tavern



14. Lack of Leadership:

As previously noted by attorney Jon Pinney's critique of the community's so-called leaders, the group of aging (mostly) white males who have been leading the region's important foundations, agencies, non-profits and political subdivisions for decades have failed miserably and need to move out of the way for new leadership.

This author has penned a separate white paper on the absence of leadership in the region that dates from decades prior.

According to Cleveland State history professor J. Mark Souther, author of *"Believing in Cleveland: Managing Decline in 'The Best Location in the Nation,'" one can trace the origin of a legacy of inaction and incompetence to mayor Ralph Locher (1962-1967) who is known for banning all rock concerts at Public Hall (1965) and elevating racial tensions by failing to utilize government monies to achieve any meaningful urban renewal in the city's most challenged areas which lead to the Hough Riots (1966). In 1967, Locher called Martin Luther King "an extremist" when he visited Cleveland.*

It was no big surprise that Carl Stokes became the first black mayor of a major US city after Locher's term. While Stokes brought blacks into city hall jobs and initiated Cleveland: Now!, a public private partnership that was to revitalize Cleveland neighborhoods, it accomplished nothing.

Whether it was intentional or not, our so-called leaders and politicians conspired over the past decades to spend huge chunks of the public's money to create large and costly projects that managed to make rich white mean wealthier and keep everyone's eye off of the ball in realizing that the city was not moving forward and was, in fact, regressing. The Chamber of Commerce which became the Growth Association and finally the Greater Cleveland Partnership installed itself as a lead cheerleader for these initiatives, often taking embarrassing positions that reflected a lack of vision and leadership.

When Forest City Chairman Albert Ratner proposed that the best location for the Rock-and-Roll Hall of Fame was an invisible parcel behind Tower City which Forest City had not been able to develop or sell to anyone, GCP President Joe Roman - who happened to be a tenant in Ratner's building, readily agreed. Fortunately, Rock Hall architect I. M. Pei disagreed and nobody else listened to Roman or Ratner.

When the chamber of commerce lacks efficacy, the community notices. So do visiting economic development missionaries and people investigating alternative sites for business opportunity location and development. And when a community's leaders lack credibility, job grows slows or falls back and population leaves, hurting everyone.

14.A. Betrayal by the Cleveland Foundation:

The ineffectiveness of the Cleveland Foundation has been well documented. In an August 11, 2019 editorial in the *Plain Dealer*, former Shaker Heights schoolteacher Paul Springstubb chronicled the CF's distribution of funds which has lagged far behind foundations of all sizes in neighboring cities. Springstubb, whose family has a 150-year history in Cleveland, observed "...if the Cleveland Foundation began acting like most community foundations with comparable assets, this city might benefit from tens of millions of additional dollars in grants, annually."

While the national Foundation Center's study identified that distribution rates increase with asset size, Springstubb observed, "Not in Cleveland." Of the 19 foundations in the US with assets of \$1 billion or more, CF ranked 17th. The average of all such foundations was 9.9% of assets with the median at 11%. The Cleveland Foundation's distribution rate is 5%, less than half of the median.

In 2018, Cincinnati, Dayton, Toledo, Akron, Springfield and even Richland County foundations had distribution rates in excess of that of the CF. The Columbus Foundation whose assets are almost identical to the CF's had a distribution rate of 11%, a 120% higher distribution than the CF.

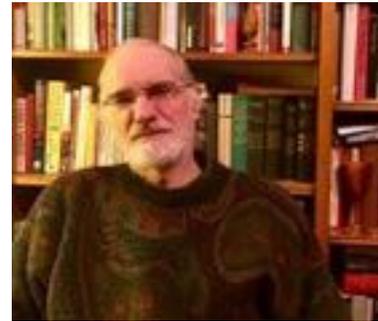
The community's needs remain significant. Cleveland's child poverty rate is 48.7%, "the worst of any large city in the U.S." Springstubb asked the critical question: "Has our community foundation been focused on growing assets at the expense of mission?" The answer is obvious.

In 2019, the Cleveland Foundation announced that it was going to pursue building an HQ for its operation.

CF started out on its HQ process by stubbing its toe, attempting to buy a site that the Dunham Tavern in MidTown had purchased in 2012 with donor funds to expand their garden and education initiatives. A group of Dunham board members felt that selling this land to CF betrayed their mission and their prior fundraising representations to acquire the land and they sued their fellow board members to block the sale. The parties negotiated a settlement with CF proceeding and ignoring editorials in the *Plain Dealer* about CF finding a better site.

The Advisor of Cleveland's American Institute of Architects chapter reached out to CF's arts and culture officer Lillian Kuri to offer her a list of Cleveland architects that were felt to be appropriate for their consideration. Kuri stalled and rescheduled the meeting and never returned calls or emails and then CF then released its design from a New York architect, betraying their compact with the Cleveland community – at a biblical level. And without ever even talking to AIA or any Cleveland architects – if only to cover their tracks.

A non-profit donor-based organization committed to the community and – in its mission statement – the betterment of all Clevelanders



Top to Bottom:
1. Paul Springstubb
2. Dunham Tavern Sign
3. MidTown Tech Park I
4. MidTown Tech Park II
5. Dealer Tire HQ
6. The Cleveland Foundations New HQ; S9 Architecture, New York





Top to Bottom:
 1. *Crain's Cleveland Business* Opinion Headline; 7-14-19
 2. *The Scene* headline; 8-16-19
 3. Dunham Tavern
 4. Cleveland Foundation website



completely ignored the rich talent base of Cleveland architects and without justification or explanation, engaged a New York architect who, in fact, delivered a spectacularly uninspired design that fails to represent CF or the community in its form, articulation or materiality.

By hiring a New York architect to design its new HQ without even talking to any of Cleveland's outstanding architects, the Cleveland Foundation even betrayed its mission, its donors and its community.

The Cleveland Foundation's mission: "The Cleveland Foundation's mission is to enhance the lives of all residents of Greater Cleveland, now and for generations to come, by working together with our donors to build community endowment, address needs through grantmaking, and provide leadership on key community issues."

How then is it in the interest of all residents to NOT work with a talented Cleveland architect on the CF HQ?

How is that leadership on a key community issue? It is not leadership. It is a complete betrayal of CF's own mission.

And the message it sends when the CF is paying lip service to leading the charge with its designated program areas of Education, Neighborhoods and Arts and Culture, is that CF itself refuses to invest in the design excellence of the city's architects. In their response to the criticism of my Opinion piece in *Crain's Cleveland Business*, CF issued a prepared statement that attempted to justify by asserting that the New York Architect it selected for the HQ design was distinguished. So are dozens and dozens of architects right here in Cleveland.

Their prepared statement also claimed that they always intended to have a local architect function as an architect of record (AOR). It's a bit like claiming after the fact that you intended to pay for the cookies you took from the cookie jar and walked out of the store with.

1. Why should we believe them?
2. Why didn't their wordy press release announcing the design mention that?
3. Why have they not announced then - or now - who that architect-of-record is?

An AOR does the detailed construction drawings and specifications once the project is designed. Farming out the creative work to a New York firm and having a local firm do the grunt work says that we do not care that Cleveland's creative and talented architects are again shafted by the continuation of this established trend line – this time on a small and very simple building type! – as an indication that even donor-based community foundations will not look to their own community for design skills.

So the significance and meaning of CF's actions in their message

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that if you have an ounce of talent and want to do projects here that matter, don't bother trying to make a living in Cleveland as an architect. The city's elite do not respect or trust you to do anything but clean up after and do the dirty work for someone better from out of town. Except that CF's published HQ design proves their choice is not better.

The CF follow-up press release also made the absurd statement that the majority of the project's monies would be spent here. Duh. The statement is a remarkable attempt to take the community's eye off of the ball. The architect's fees will amount to approximately only 8% - 10% of the project's cost. Of course the majority of the project's cost will be spent here – on construction. That is not the point.

The point is that the CF had an opportunity and a civic, moral and ethical obligation to examine the skills resident in the community - the very community where their mission statement says that they are to "enhance the lives of all residents of Greater Cleveland..." and they failed when they shit on Cleveland's architects.

The prepared statement also referred to creating some sort of a civic district in MidTown. Preposterous. What civic assets will be located there, when and at whose expense? A fire station? It's a block away already. The new police station is already just west of East 55th Street on Chester. The assertion is a desperate attempt to suggest that the CF project – only a 40,000 sf \$7million building, will have some sort of transformational effect on MidTown. It is utter nonsense.

It is a bit like claiming credit for the heavy lifting and meaningful initial risk-taking in MidTown which has already been undertaken by Geis, Hemingway Development, UH, Dunham Tavern and Dave's Market. And a civic district at East 66th and Euclid is simply not going to happen. We must now add dishonesty to CF's actions and statements.

Cleveland's architects deserve a social compact with the community that involves investing in our own people as the human resources they are. If we continue to fail to provide quality opportunities for our talent as the CF has, that talent will continue to migrate to markets where those opportunities exist.

So we all need to see clearly the hypocrisy of chatter about 'Saying Yes' and workforce development concurrent with this time when the best and brightest in the design professions here are given the message time and time again, 'If you want to design something important in Cleveland, move to New York or London.'



Above: Ronn Richard, Cleveland Foundation CEO & President
Below:

1. Allegheny Conference website
2. Downtown Pittsburgh, 1940



Retired Shaker Heights teacher Paul Springstubb in an August 2019 *Plain Dealer* letter to the editor nailed CF for distributing only 5% of its assets yearly. In actual fact, CF's 2017 distribution was only 4.0%.

Springstubb identified that of the 19 foundations tracked by the Foundation Center with over one billion dollars in assets, CF placed 17th out of 19. The survey indicated that the median distribution of all 19 foundations was 11%, more than double CF's distribution. Springstubb also identified that all foundations in Ohio had distribution rates higher than CF. The Columbus Foundation whose assets are nearly identical to CF's has a distribution rate of 11%, 275% that of the Cleveland Foundation.

Philanthropy consultant Bill Somerville, author of *Grassroots Philanthropy*, observes, "The justification of philanthropic sacrifice lies in the needs that

surround us – the pain, suffering and injustice that can be denied only by those who shut their eyes against it.” Springstubb pointed out that Cleveland’s child poverty rate of 48.7% “is the worst of any large US city.”

In 2014, Chicago raised its minimum wage - it is now \$13/hr. They also made it easier for residents to receive the Earned Income Tax Credit. Since 2011, Chicago’s poverty roll has fallen by 130,000, half of which are children. A family earning \$24k/yr. receives a credit of \$6000, effectively raising one’s salary by 25%.

CF founder Fred Goff in 1914 defined a simple mission for CF: to fund “such charitable purposes as will best make for mental, moral and physical improvements of the inhabitants of Cleveland.”

CF responded to Springstubb’s editorial with a prepared press release, claiming that the Foundation Center’s survey “is comparing apples to oranges” because an unspecified number of the foundations with the median distribution rates have a significant amount of their assets in donor-advised funds. CF failed to identify the number or identity of any other foundations and their percentage of donor-advised assets. One imagines that if there were compelling examples, CF would have identified them instead of making generalizations.

When CF’s spokesman admitted that CF has only 11% of its assets in donor-advised funds, instead of creating an excuse for its paltry distribution as intended, he confirmed that CF has more freedom and latitude in its giving than the other foundations in the survey. The spokesman claimed that CF’s payout rate was comparable to the one other foundation surveyed that has a high percentage of trust assets. That single alleged other foundation was not identified, nor was its percentage of donor-advised assets – and how their giving compared to that of the CF.

Reporter Sam Allard reported in the 8-21-19 issue of *The Scene* that CF’s spokesman also admitted that CF’s distribution rate at five percent has remained constant for 20 years, recalling the late Peter Lewis’ July 2002 moratorium on philanthropy with his *Cleveland magazine* indictment of area boards for their conservative and unimaginative conduct which he attributed to an over-population of conservative lawyers on those boards. Of CF’s 15 board members, three are attorneys and five are from the banking, finance and investment industry. The CF website identifies 80 employees of the foundation. An admission by CF intending to imply stability in its distribution instead reflects a two-decade legacy of under-performing.

The contours of CF’s response to Springstubb’s fact-based editorial is that, absent facts, CF expects to be forgiven for its dismal performance because it has more freedom than those



1. Pittsburgh Aliquippa Steel Mill
2. Carnegie Mellon University robotics lab
3. Carnegie Mellon University Software Engineering Institute; Bohlin Cywinski Jackson Architects, Wilkes-Barre, PA
4. Carnegie Mellon University Computer Gates-Hillman Science Complex; Mack, Scogin, Merrill Elam Architects, Atlanta



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foundations whose distributions are more than double that of the CF.

In this context, tolerance requires diverting one's eyes from the central fact that CF has by objective comparison been under-performing for 20 years, and, it appears, intends to continue to do so. This and the leadership vacuum that creates and enables it is intolerable.

CF needs to conduct an honest and deep self-assessment and accept the fact that it needs to completely re-scale its impact as an organization.

Like the Silicone Valley Big Tech backlash after the 2016 election where *New York's* headline declared "Donald Trump Won Because of Facebook," CF's statements reflect a complacency that CF is making the world a better place. And while that is true, the rate and degree of its efforts are sorely lacking, and CF is in denial about it, much the same way Facebook and Google were slow to take decisive action when it became clear that Facebook posts were fueling the Rohingya genocide in Myanmar.

CF's board and staff need to escape their smugness and expand their emotional repertoire to understand that they must play a larger and more significant role for the community. They need to spend more time out of their board room where everyone tells them what they want to hear, and spend more time out in public getting yelled at.

People here are waking up. Some have never dozed off. Jon Pinney woke up hundreds, perhaps thousands. The community needs conversations that acknowledge where things have gone wrong – and not gone right enough - and where people in leadership positions have not performed adequately. Those conversations need to examine how other Rust Belt cities like Cleveland are dealing effectively with the issues relevant here. The WVIZ program in 2018 that focused on Pittsburgh and Louisville was compelling and relevant. And those whose behavior and performance that has been sub-standard have got to go.

Pittsburgh has a 70+-year history of collaboration that Cleveland lacks.

Supported by a booming regional energy-production industry, rebounding manufacturing sectors, notable research-and-development capabilities, and a deep and stable corporate base, Pittsburgh has outstripped both national and Pennsylvania job-creation rates over the past years. With an unemployment rate below the national average, a growing base of human capital, and continued signs of economic growth, the region has become a leading metro area for job creation.

A great deal of Pittsburgh's success can be attributed to the



Above: Pittsburgh's Station Square, early 1900's

Bottom: Pittsburgh's Regional Collaboration



region's collaborative approach to economic growth and job-creation efforts. Key public and private-sector stakeholders, including the Greater Pittsburgh Chamber of Commerce, the Pittsburgh Regional Alliance, and the Pennsylvania Economy League of Greater Pittsburgh work together through the Allegheny Conference on Community Development to develop and implement a unified regional agenda for job creation.

The Conference uses this unique structure to tap the leadership, vision, and commitment of CEOs and corporate executives throughout the region to drive regional advocacy, business investment marketing, project management, and public policy research and development activities in affiliation with its partners. This commitment to private-sector leadership is emphasized through the Conference's Regional Investors Council, comprising over 300 top regional employers contributing leadership and financial support to the organization.

Cleveland has no organization like the AC, and our region has no history whatsoever of collaboration among its economic development, political or community organizations.

The Allegheny Conference was launched in the 1940's to improve air quality in the then "Smoky City" and to better unify regional development efforts. The Allegheny Conference continues to build sustainable prosperity by making Pittsburgh a location of choice for workers and business investment, strengthening communities, and energizing tomorrow's economy. With 70 years of tangible public-private partnership results, today's Conference partnerships reach across state lines to build economic collaborations throughout the tri-state area (PA, OH, and WV). Major efforts include:

- The Tech Belt, an initiative to encourage investment across a region from northeastern Ohio to northern West Virginia.
- Joining with chambers of commerce from 11 other states and two Canadian provinces to support a federal agenda that recognizes the economic power and potential of the Great Lakes region.
- Partnering with leaders and citizens from a four-state, 32-county region surrounding Pittsburgh to envision a common future through the "Power of 32" initiative.
- Supporting Growth from Within by providing support to existing, stable local businesses is a key focus of Pittsburgh's efforts to promote economic



Top to Bottom:
 1. Pittsburgh Regional Alliance
 2. Pittsburgh Regional Alliance Web banner
 3. Allegheny Conference "Next 75 Years" banner
 4. Pittsburgh Regional Alliance "Regional Focus" banner
 5. Pittsburgh Vital Statistics



Pittsburgh Regional Alliance
 A Top 10 U.S. Economic Development Organization - The Standard

Markets the benefits of conducting business in the 10-county Pittsburgh region to companies all over the world that are growing, relocating or expanding.

The PRAlliance offers a complimentary package:

- A team of professionals who deliver the PRAlliance's services to meet your business needs.**
- A vast network of public and private leaders and professionals from across the 10-county region.**
- Streamlined Services:** One location business development promotion, research, training and analysis, access to private networks, rapid alignment and execution, fast execution response.



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growth. The Greater Pittsburgh Chamber of Commerce founded CompetePA, a statewide coalition of business organizations and employers, supporting business climate improvements.

The Greater Cleveland Growth Association, City of Cleveland nor the Cleveland foundation have done anything remotely similar. Cleveland mayor Frank Jackson has made a show of conducting a Sustainability summit every year that accomplishes nothing except deceive a segment of the community into believing that Cleveland and Frank Jackson are actually doing something about sustainability. At the 2018 summit, the city's money for the event was used by students who created a song about - not sustainability - but instead, about how great Frank Jackson is.

The Pittsburgh Regional Alliance, which has been recognized as one of the top regional economic development organizations in the US, targets regional economic sectors for growth through market research, supply chain strategies, project management and national and global marketing. The Pittsburgh Regional Alliance's Pittsburgh Impact initiative offers businesses that have a track record of job creation and job retention expansion support services, helping small businesses in the region identify new markets, grow, and create more jobs. In 2011, businesses and developers in the Pittsburgh region announced 286 projects in the pipeline representing nearly \$1.5 billion in capital investment and a total impact of 17,000 new and retained jobs.

Public sector leaders from throughout the 10-county region have also taken an active role in promoting business growth and encouraging private-sector job creation. Through the Tri-County Airport Partnership, the counties immediately surrounding Pittsburgh International Airport worked together with the Conference and other stakeholders to prepare 2,000 shovel-ready acres for private investment. The Regional Air Service Partnership, another public-private effort, focuses on strengthening and expanding air service to critical markets, including the establishment of a direct international flight to Paris.

Both the City of Pittsburgh and Allegheny County have redevelopment authorities which offer a range of business-support programs, including initiatives focused on site development, entrepreneurship, small-business development, and financing and work in partnership with a strong network of community development organizations.

Most strikingly, since the steel industry's heyday in the middle of the last century, the Pittsburgh region has evolved to develop a more robust and diversified industrial base. The region's most concentrated industries in 2011 reflect strength in many manufacturing sectors, as well as in energy, business management and corporate headquarters, health care, education, and finance.

Unlike Cleveland, Pittsburgh has developed an Innovation Economy but on a regional collaboration, two words which seem to be kryptonite to Cleveland's so-called leaders.

Long a national hub for manufacturing, Pittsburgh has made development of advanced manufacturing and retention and expansion of existing industries a key focus. The region is now home to nearly 3000 advanced manufacturing firms, which, along with the existing strong research and



- Top Down:
1. Pittsburgh's Innovation economy Portfolio cover
 2. Pittsburgh Brookings Institute Workshop on Innovation Competition
 3. Pittsburgh 2019 "Innovation & Opportunity Conference" Program
 4. Pittsburgh Innovation Works Jobs Council





Top Clockwise:
1. Pittsburgh mayor Richard Caliguri;
2. Richard Cyert, CMU President
3. David Roderick, US Steel President



development base at the region's leading universities and over 100 private sector R&D operations, provide a solid foundation for development, commercialization, and production of innovative new products.

In addition to providing skilled graduates and R&D output to regional industry, Pittsburgh's universities have also taken an active role in partnering with regional manufacturers to support job creation. The University of Pittsburgh's Manufacturing Assistance Program (MAC) offers technical assistance and job training support to regional companies, helping them increase productivity and efficiency. Carnegie Mellon University's world-class Robotics Institute also works with manufacturers, partnering on industry-sponsored research projects and providing companies with access to top-rate research resources and students with pathways to careers in the region.

In addition, the University of Pittsburgh, Carnegie Mellon University, and the University of Pittsburgh Medical Center have collaborated to foster creation of a nonprofit support and investment network to commercialize spin-off technologies and bring innovation to market.

The Conference actively works to ensure that the Pittsburgh region reaps the economic benefits of the Marcellus Shale gas through an active energy supply chain initiative that reaches beyond drilling to downstream uses of natural gas as an alternative fuel and manufacturing feedstock, new targeted workforce deployment efforts and increased focus on public-private sector collaboration.

The Regional Alliance's energy supply chain initiative

communicates with businesses already in the region about new energy-related opportunities and identifies supply chain gaps to be filled through business expansion and relocation. Early successes to date include new investments by Hunting Energy, BOS Solutions, and Valerus.

The Allegheny Conference is a founding partner with Innovation Works, the region's lead organization for supporting and funding start-ups and spin-offs, in creating the Energy Alliance of Greater Pittsburgh. The alliance is a public-private partnership with more than 100 members working to increase the scale of the region's energy industry, create and retain jobs and investment and advance our leadership in environmental sustainability.

Regional collaborative efforts to encourage major energy developments have paid dividends. Shell Oil recently chose the Pittsburgh region as the preferred site for a multi-billion dollar ethane cracking facility which will produce a range of chemicals from the region's natural gas reserves. In addition to creating hundreds of jobs building and operating the plant, the facility should unlock opportunities for associated petrochemical industry development and job creation in the region.

A tangible example of the value and benefits of the collaborative style of the AC can be seen in their 1985 initiative. Our Oliver Realty parent company's chairman, Ernie Buckman, came into our monthly management meeting and announced that the AC on which he sat had concluded that the US government's aversion to protective price supports for the steel industry and foreign competition from countries whose governments were providing manufacturers with price supports meant that greater Pittsburgh would lose all of its 40,000 steel manufacturing jobs that pay an average of \$40k/ year - in the next 10 years.

And AC had decided that it would act aggressively to replace those 40,000 steel jobs with 40,000 AI jobs because Carnegie Mellon was already recognized as the nation's leader in robotics and AI thanks to a series of large research grants from the Defense Department. AC had created a series of three- and four-person SWAT teams and Ernie announced that his was headed to Boston the following day to pitch the first group of tech giants to lease space in the Station Square redevelopment on the far side of the river.

Buckman's SWAT team included Pittsburgh Mayor Richard Caliguri, Richard Cyert, the president of Carnegie Mellon, and David Roderick, president of US Steel. Caliguri and Roderick were to explain that Pittsburgh was acting purposely to become the nation's capitol for AI and that everyone wanted and needed all of the tech giants to be a part of it and, in fact, *their* future success depended upon their participation. Buckman's job was to lay out the real estate – the city had identified large masonry warehouses

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constructed just south of the CBD originally for barge traffic storage that were being repurposed for loft-type office space. And Buckman brought with him leases for each floor - 25,000 sf - with \$25/sf/yr. rent rates filled in – at a time when the Pittsburgh market in the CBD was \$18/sf. Such space was then renting for \$35/sf in Boston.

Cyert's job was to humbly highlight C-M's significant achievements in robotics and AI which were well known throughout the tech industry already, at which point Roderick would break in and state that if anyone had any concerns about finding qualified personnel, he was to say, "Just tell us what kind of curriculum or workforce development initiative it's going to take to help you commit, because the guy sitting right here is the President of Carnegie Mellon who can and will make that happen!"

And they came back with signed leases! It took Pittsburgh longer than 10 years to replace those 40,000 steel jobs with 38,000 AI jobs, but they did it by cooperating and collaborating and selling the region's well-being. This response did not solve the pain suffered by the steel workers who lost their jobs and had their lives turned upside-down.

But this effort successfully plugged a gaping hole in the western PA economy before it caused irreversible damage. AND it provided a foundation for the development of an economy with a vibrant innovation advantage that continues to pay dividends and create more high-wage jobs today.

A tad over two hours from Cleveland and the lessons from the AC have never been imported to NEOH.

15. Minority Business Enterprise Practices:

It is difficult to make this point at a time where American society is overrun with racism so that it may be objectively understood and discussed.

The Minority Business Development Agency (MBDA) was originally established as the Office of Minority Business Enterprise by President Richard M. Nixon on March 5, 1969.

The purpose of Minority Business Enterprise (MBE) programs was to give supposedly disadvantaged minority firms an opportunity to work with established qualified firms on important public projects and in doing so, learn from their established counterparts and strengthen their own firms in order to grow their firms in stature and skill.

MBE's must be 51% owned by African Americans Asian/ Pacific Islanders, Hispanics or Native Americans. According to the Minority Business Development Agency, minorities own more than 8 million firms, and account for nearly \$1.4



Above: Pittsburgh's award-winning Riverwalk project.

trillion in revenues annually.

Various states and cities establish targets for set-aside and MBE projects which are typically 10% - 20% of the value of a contract.

In 2014, when New York increased its Minority and Women-Owned Business Enterprise (MWBE) goals for public contracts from 20% to 30%, the Association of General Contractors (AGC) sued the state for failing to release documents via New York's Freedom of Information Law (FOIL). The AGC was concerned that the state had not conducted a proper contract analysis before declaring the increase of the MWBE goal to 30%.

The AGC stated that the 30% goal does not reflect the availability of MWBEs statewide. The AGC also questioned a study - performed by Mason Tillman Associates Ltd. of Oakland, California - that was paid for by the state in consideration of its employment goals for state contracts.

There have been cases where contractors have been charged with crimes for impersonating MBEs. In New York, the owner of Eastern Building & Restoration was sentenced to 3.5 to 12 years in prison for fraudulently receiving over \$800,000 from public construction contracts for impersonating as an MBE from the years 2012 - 2014.

When large public projects come along - like the Browns Stadium, the Cleveland Museum of Art, the Convention Center/ Global Center for Health Innovation, Hilton Hotel, Quicken Loans Arena Renovation, etc., these MBE quotas can be hard to fill because there are not enough firms and manpower in our marketplace to deliver a high percentage of minorities in the time frame allowed.

For example, on the Cleveland Browns Stadium, now



1. Robert Madison FAIA
2. Ralph Tyler PE
3. Jill Akins AIA



referred to as First Energy Stadium, the architects hired for the design of the project were HOK Sports (now known as Populous) who has designed most of the baseball and football stadiums in the US. Their selection was justified, due to the specialized nature of the facility type. HOK/ Populous has designed 16 NFL stadiums and five major NFL stadium renovations in the US.

But the City of Cleveland with Michael White as mayor required a high percentage of MBE participation. As a result, Robert Madison International and Ralph Tyler Companies were both given work on the \$283 million project to do to comply with the MBE hiring goals. Both Madison and Tyler are African-American. Both have repeatedly - and in Madison's own words - "continuously" benefitted from MBE programs over the decades.

MBE programs are responsible for Tyler's getting pieces of contracts for architectural services on Hopkins Airport expansions, the Cleveland Public Library, and the US Federal Courthouse. At one point, Tyler had offices in Detroit, Philadelphia, Pittsburgh and Newark where he also had hoped to capitalize on his race.

During the last 20 years, Madison's firm "has continuously been involved with major projects including the Cleveland Public Library, the Downtown Hilton Hotel, Cleveland Jack (Horseshoe) Casino, Cleveland Medical Mart and Convention Center, GCRTA Euclid Corridor Health Line, Cleveland Museum of Art, Upper Chester Housing, Cleveland Museum of Natural History, Quicken Loans Arena, Cleveland Browns Stadium, Rock and Roll Hall of Fame and Museum, Great Lakes Science Center, GCRTA Waterfront Line, Willard Park Garage, Cleveland Hopkins International Airport Concourses C and D, and the North Coast Harbor Master Plan."

With the exception of the GCRTA Waterfront Line, every one of these projects was designed by a prominent architect other than Madison.

Often, the roles given to MBE firms are not significant, reflecting that the apportionment of work is more driven by the percentages of the contracts which are to be awarded to the MBE team members than a role of consequence that actually enhances their knowledge and expertise as the MBE programs originally intended.

For example, on the Cleveland Museum of Art Expansion designed by Raphael Vinoly, according Jeffrey Streaan, Director of Design and Architecture at CMA, Madison's responsibilities included preparing Exit Plan Documents for Phase 1 and Phase 2 which clarified how the museum would remain operational during construction. In other words, all they did ay lay out where the exist signs would got during renovation and expansion. RPMI also prepared the contract documents for the relocation of the museum café - designed by someone else - to temporary space during our construction. Translation: Crumbs off of the table.

Madison's firm earns repeat assignments as an MBE because they are now effectively the only African-American firm in town. Ralph Tyler Companies was a factor until recently. In the 1970's, Tyler, a civil engineer, rented space from our firm and was one-man band,

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trying to get whatever he could from municipalities, especially Cleveland where Ralph Perk had previously appointed him Service Director at the request of council president George Forbes.

Forbes saw to it that Tyler got some sewer renovation projects. Tyler started his own firm in 1979 which he claimed grew to 95 employees.

In 2006, *The Scene* published a story entitled "What's That Smell?," reporting that the Cleveland Schools were awarding school design work to Ralph Tyler Companies. Reporter Lisa Rab wrote, "Tyler went to Ohio State with former Mayor Mike White, and the two remained pals throughout White's dozen-year reign. During that time, his firm helped design such high-profile projects as Browns Stadium, the Cleveland Public Library, and the new federal courthouse. He became one of the best-known minority contractors in the state."

"But he's also a familiar name inside the Cleveland office of the FBI. In indictments filed in 2004 and 2005, federal prosecutors accused someone known as "Vendor 1" -- whom documents and public reports reveal to be Tyler -- of playing a central role in Nate Gray's East Cleveland bribery mill. They allege that Tyler was a middleman who shuttled cash from contractors to Gray, who then made deliveries to Mayor Emmanuel Onunwor."

"According to the feds, CH2M Hill, a Colorado engineering company, hired Tyler in January 2000 as a consultant to help it win a \$3.9 million contract to manage East Cleveland's water and sewer system. Tyler agreed to pass CH2M's bribes on to Gray."

"A year later, Onunwor approved the CH2M contract without taking other bids. By the next year, the company was paying Tyler \$10,000 a month. The indictments allege that Tyler dutifully passed a portion on to Gray, who then delivered the mayor's cut in plain white envelopes."

"Meanwhile, the feds assert, Tyler was also bribing Onunwor directly. At one point, they say, Gray gave Onunwor \$8,000 in cash from Tyler. The mayor later helped get Tyler contracts in East Cleveland, but this didn't sit well with Gray."

"An indictment describes a September 2002 phone call in which the two men squabbled over their influence with Onunwor. Gray even accused Tyler of stealing "my mayor."

"For the most part, however, the scheme worked splendidly -- until Onunwor got caught. The FBI nabbed him in 2003 as he was leaving his office with \$700 in an envelope. Onunwor later admitted to steering contracts to Tyler at Gray's request."

"CH2M Hill was never charged. Its lawyer says that the company had a consulting contract with Tyler and that Gray



Madison's MBE Projects:

Left-right, Top to Bottom:

1. Cleveland Public Library
2. Downtown Hilton Hotel
3. Cleveland Jack Casino
4. Cleveland Medical Mart
5. Cleveland Convention Center
6. GCRTA Euclid Health Line
7. Cleveland Museum of Art
8. Upper Chester Housing
9. Cleveland Museum of Natural History
10. Quicken Loans Arena
11. Cleveland Browns Stadium
12. Rock & Roll Hall of Fame & Museum
13. Great Lakes Science Center
14. Willard Park Parking Garage
15. Hopkins Airport Concourse D





Above: US Federal Courthouse; Kallman McKinnell & Wood Architects, Boston
Below: Emmanuel Onunwor



was Tyler's subcontractor, but that CH2M Hill was unaware of Gray's payments to Onunwor."

"Both Onunwor and Gray were convicted on corruption charges. But Tyler was never charged. His lawyer claimed that the thousands of dollars Tyler gave Gray were legitimate consulting fees and that Tyler was "completely unaware" of the bribes."

"Yet these weren't the only accusations launched at Tyler. Four years ago, FBI Agent Christine Oliver wrote a secret affidavit requesting permission to tap the phones of Tyler, Gray, White, and others involved in a widespread Cleveland extortion scheme. She essentially alleged that the men were selling city and school contracts like Chicken McNuggets."

"Gray was at the center of the scam, Oliver asserted, acting as a "bag man" for White. Anyone who wanted a piece of city business -- be it building an airport parking garage or installing technology in schools -- had to pay him first."

"The affidavit mentions a confidential source, identified

only as the owner of a "well-established minority owned construction company," who told the FBI that bribes were often disguised as consulting or professional fees. The source noted that Tyler was in on the game. "Tyler's company received a number of city contracts, and has paid Gray for them," Oliver wrote."

"The contracts included work at Hopkins and the Cleveland water department. Both areas became targets of FBI investigations."

"So far, Tyler has avoided prosecution. He did not respond to *Scene's* interview requests. The U.S. Attorney's office says the East Cleveland case remains open, and FBI spokesman Scott Wilson says the agency continues to investigate Cleveland corruption."

Meanwhile, it appears that Tyler had not lost his friends in high places. Cuyahoga County Commissioners hired his company as the lead architect for the new juvenile detention center - a project for which he was spectacularly unqualified.

On the female side of the MBE equation, one firm has 'cornered the market.' Van Auken Akins Architects LLC is lead by Jill Akins who has broadened her firm's advertised skill sets to include architecture, interior design, construction management, sustainable design and master planning. Like Madison, Akins gets a piece of public works projects in the region where MBE quotas are incorporated.

The problem with MBE set-asides is that they wipe away or neutralize actual relevant criteria needed to achieve the best possible outcome for the given project. And the argument can be made that these projects that have routinely included Madison and Akins have not resulted in both firms elevating the stature of their employees, the depth of their firms and an elevation of their commitment to design excellence. In fact, Akins routinely hires young and inexperienced people right out of school rather than experienced professionals with resumes reflecting accomplishment and achievement on important projects of the calibre commensurate with the commissions Akins has had the opportunity to participate in and on.

The argument can also be made that without minority participation criteria, the Madison and Akins firms might not exist in any form remotely similar to their present status.

The question then to be asked is whether such programs should continue to exist. It can no longer be claimed that the Madison and Akins firms are disadvantaged due to any "lack of economic opportunity." To the contrary, they are specifically and significantly advantaged over non-minority firms and essentially guaranteed survival income that exists

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independent of qualifications in an open and inclusive marketplace.

In 2008, Barak Obama appealed for self-reliance among blacks and argued that members of the African-American community needed to face "our own complicity in our condition."

In 2016, Ibram Kendi, formerly known as Ibram Rogers, published "Stamped From the Beginning," to present "the definitive history of racist ideas in America."

By the end of Obama's second term and due largely to a series of police shootings of African-Americans throughout the country, polls revealed record-high support among Democrats for "special treatment" for African-Americans" (Sanneh, 2019).

Kendi's book has earned a National Book Award and he is now the founding director of the Antiracist Research & Policy Center at American University in Washington, DC.

It is beyond the scope of this essay to dissect racism in Cleveland and/or society as a whole. But Kendi points out that racists exist as two kinds: segregationists or assimilationists. Segregationists argue that black people are inherently defective or dangerous and need to be controlled. Assimilationists often fight against black oppression but also argue that black people need to change their behavior to catch up to white people and assimilate into society (Sanneh, 2019).

Kendi disapproves of talk of failure in the conduct or culture of black people that supposes that black people are somehow to blame for the effects of racism, as if they could have chosen to be unaffected by it or cause it to vanish.

In "How to Be an Antiracist," Kendi observes that policies can be either racist or antiracist. Kendi labels a policy racist if it "produces or sustains racial inequality." In this context, I believe that the current MBE quotas as applied to architect selection are racist and represent what many label reverse discrimination.

With the volume and profile of projects handed to the Madison and Akins firms consistently over decades, both should be large powerhouse firms, successfully navigating both public and private sectors and contending for and earning prominent and significant commissions on their own.

But they are not.

Because I am white and male, I am excluded from these opportunities, despite my skills and accomplishments.



Above: Dr. Ibram Kendi

Are decades of minority participation for architects eroding Cleveland's architectural community by denying the architectural community as a whole the opportunity to participate in large, significant public projects and grow from those experiences?

Conclusion:

It is not possible to determine the degree to which these factors act individually or in consort with one another to adversely impact the design culture of our community. But it is my conviction that all of these factors have played a role in causing the design culture that existed in Greater Cleveland in the 1970's to fall backwards, soften and settle in to a coma-like state.

Today, those with the responsibility and authority to retain architects for projects do not educate themselves or their constituents on what constitutes design excellence and develop and refine their own skills at identifying their needs and criteria that enable an informed examination of our talent marketplace to result in cogent decision-making.

Architects themselves have kept silent, failing to offer the marketplace training and/or leaning experiences that keep the profession and the excellent work of area practitioners in front of the public to enable awareness and examination. Economic downturns have hurt - badly. Our declining population has hurt. Low standards and greed among commercial and multi-family developers have hurt.

And the appalling lack of leadership in our elected officials and the officials in our community organizations up and down the line that have seen Cleveland's stature and stability tumble while trying to take everyone's eye off the ball with costly



public improvements - always designed by out-of-town firms, has been disgraceful.

The evolving dialogue about this vacuum and discussions about a new generation of leaders is long overdue. And our shrinking media needs to play a leadership role itself in addressing these problems and enabling a community dialogue that results in effective exchange of ideas and meaningful change - before it is too late. Because the ice is getting thin - and it's warming outside.

