



AGENDA
CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, OCTOBER 14, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
3:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO AGENDA**
- 4. ITEM REFERRED TO COMMITTEE**
 - a) O2014-0014: An Ordinance establishing the Cuyahoga County Property Demolition Program, and declaring the necessity that this Ordinance become immediately effective.
- 5. MISCELLANEOUS BUSINESS**
- 6. PUBLIC COMMENT UNRELATED TO AGENDA**
- 7. ADJOURNMENT**

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0014

Sponsored by: County Executive FitzGerald/Department of Development and Councilmembers Jones, Connally, Brady, Simon, Hairston, Conwell and Miller	An Ordinance establishing the Cuyahoga County Property Demolition Program, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, vacant and abandoned properties pose a threat to citizens' safety, contribute to an environment that fosters crime, slow community development, depress neighboring property values, and accelerate residential flight;

WHEREAS, numerous studies across the nation, state, and county demonstrate that eradication of vacant and abandoned properties lift property values in moderate and strong market areas;

WHEREAS, it is necessary to use the County's bonding capacity to fund a comprehensive effort to demolish unsalvageable properties countywide to buttress existing community and economic development efforts, accelerate property value growth and to protect and restore neighborhoods;

WHEREAS, strategic demolition in bulk is in the interest of public safety, blight removal, property value stabilization, fiscal responsibility, and long term economic development; and

WHEREAS, strategic demolition in bulk is a necessary initial step towards the creation of a comprehensive County housing policy and redevelopment strategy to promote a healthy housing market environment; and

WHEREAS, the Council intends to appropriate \$50,000,000.00 for the purpose of enabling strategic demolition of the aforementioned properties; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County departments.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Chapter 807 of the Cuyahoga County Code is hereby enacted as follows:

Chapter 807: Property Demolition Program

Section 807.01 Definitions

For the purposes of this Chapter, the following definitions will apply:

- A. “Applicant” shall mean a municipality or township located within Cuyahoga County. Applicants may apply to the Property Demolition Program via an authorized agent.
- B. “Dwelling” shall mean either a single-family residential structure or a housing unit located within a multi-family residential structure.
- C. “Land Bank” shall mean the Cuyahoga County Land Reutilization Corporation.
- D. “Round” shall mean each application round of the property demolition grant program administered by the Department of Development.

Section 807.02 Property Demolition Fund

- A. There is hereby created the Cuyahoga County Property Demolition Fund, which shall fund demolition programs to be administered by the County Executive through the Department of Development.
- B. The Property Demolition Fund may be used county-wide for demolition projects with end users both known and unknown, and post-demolition dispositions ranging from buy-hold-and-maintain strategies to site assembly for strategic development and construction. No portion of the Property Demolition Fund shall be allocated to pay the costs of applying for or administration of a demolition project; provided however that an applicant may allocate not more than two percent (2%) of any grant awarded pursuant to this Chapter to engage the Land Bank to act as the applicant’s qualified agent in administering approved demolition projects.

Section 807.03 Property Demolition Grant Program

- A. The Department of Development shall establish and administer a non-competitive, multiple-round grant application process for the purpose of issuing grants to demolish vacant and abandoned structures within Cuyahoga County.
- B. The Department of Development, in consultation with the Land Bank, shall establish eligibility criteria to evaluate applications received in

each round of the program. The eligibility criteria shall be established to evaluate the following factors, exclusively:

1. Whether the applicant has sufficiently identified a target area and/or spot demolition site(s) containing a demonstrable need for demolition;
2. Whether the structures identified by the applicant for demolition have been certified as vacant and abandoned;
3. Whether the applicant has identified a plan for redevelopment or maintenance of the property or properties;
4. Whether the applicant has sufficient capacity to administer the demolition, or intends to engage a qualified agent such as the Land Bank to administer demolition on its behalf; and
5. Whether the applicant has committed and is able to exercise the necessary police powers or has identified alternative legal authority to enable demolition of the identified structure or structures.

The Department of Development may, in consultation with the Land Bank, revise the evaluation criteria following each application round; provided, however that the revised criteria shall continue to meet the requirements of this Section.

- C. A grant shall be awarded to each applicant that meets the eligibility criteria established pursuant to this Section. No individual grant shall exceed \$1,000,000.00 in the first application round. The Department of Development may increase or decrease the maximum grant amount in subsequent rounds; provided however that no individual grant shall exceed \$2,000,000.00 in any round. Not more than \$10,000.00-per-dwelling shall be awarded for the demolition of any residential structure. Not more than \$100,000.00 shall be awarded for the demolition of any individual structure.
- D. Grants made pursuant to this Section shall each be subject to a grant agreement, which shall include the following commitments:
 1. A commitment from the applicant to take all legal actions necessary to enable demolition of the approved structures, including use of police power for condemnation;

2. A commitment from the applicant to abide by minimum demolition standards established by the Department of Development;
 3. A commitment from the applicant to place a lien on all nuisance-abated properties to be demolished except for those properties owned by the Land Bank or the applicant.
 4. A commitment from the applicant to competitively bid all demolition contracts funded in whole or in part by the Property Demolition Program.
- E. To be eligible for subsequent-round grants, an applicant must have satisfactorily fulfilled its obligations under its ongoing grant agreements, including having taken all legal actions necessary to enable demolition of not less than eighty percent (80%) of the structures previously approved for demolition.
- F. All contracts and agreements awarded pursuant to this Section shall be reviewed and approved by the Board of Control unless otherwise referred or transferred to Council for approval in accordance with Chapter 501 of the Cuyahoga County Code.
- G. The County Executive or his authorized designee may take all actions and execute all documents, contracts, amendments, and agreements between Cuyahoga County and the Land Bank as may be necessary to carry out the duties set forth in this Chapter.

Section 807.04 Reporting Requirements

- A. The Department of Development shall create and maintain an up-to-date listing of all demolition projects, including the following:
1. A list of all parcels and structures requested for demolition through grant applications;
 2. A list of all parcels and structures approved for demolition by the County; and
 3. The ongoing status of each demolition project.
- B. The Department of Development shall issue a report to Council following each round of applications, not less than annually, which shall include the listing specified in paragraph (A), a list of all applicants in each round, a list of properties approved for demolition in each round, a list of properties demolished in each round, the grant amounts awarded

First Reading/Referred to Committee: April 22, 2014
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 20__