



AGENDA
CUYAHOGA COUNTY COMMUNITY DEVELOPMENT COMMITTEE MEETING
MONDAY, MARCH 20, 2023
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
1:00 PM

Committee Members:

Cheryl L. Stephens, Chair – District 10
Pernel Jones Jr., Vice Chair – District 8
Sunny M. Simon - District 11
Michael J. Gallagher - District 5
Patrick Kelly - District 1

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. APPROVAL OF MINUTES FROM THE JANUARY 30, 2023 MEETING [See Page 3]**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2023-0041: A Resolution awarding a total sum, not to exceed \$25,000, to Burten, Bell, Carr Development, Inc. for the Tenant Engagement and Quality Housing Program from the District 9 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective. [See Page 5]
 - b) R2023-0050: A Resolution awarding a total sum, not to exceed \$10,000, to City Fresh for the purchase of a replacement diesel Class 4-7 truck from the District 3 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective. [See Page 16]

- c) R2023-0051: A Resolution awarding a total sum, not to exceed \$50,000, to the Julia de Burgos Cultural Arts Center for Arts and Culture Community Programming from the District 3 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective. [See Page 24]
- d) O2023-0004: An Ordinance enacting the right of county renters to Pay-to-Stay; and declaring the necessity that this Ordinance become immediately effective. [See Page 33]
- e) O2023-0007: An Ordinance amending Section 202.08 of the Cuyahoga County Code regarding the Department of Development and enacting new Section 202.09 to establish the Department of Housing and Community Development; and declaring the necessity that this Ordinance become immediately effective. [See Page 37]

6. MISCELLANEOUS BUSINESS

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.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY COMMUNITY DEVELOPMENT COMMITTEE MEETING
MONDAY, JANUARY 30, 2023
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
11:00 AM

1. CALL TO ORDER

Vice-Chairman Jones called the meeting to order at 11:11 a.m.

2. ROLL CALL

Mr. Jones asked Assistant Deputy Clerk Georgakopoulos to call the roll. Committee members Jones, Simon and Gallagher were in attendance and a quorum was determined. Committee members Stephens and Kelly were absent from the meeting.

3. PUBLIC COMMENT

Loh addressed the committee regarding the use of public funds to serve the needs of those experiencing homelessness.

4. APPROVAL OF MINUTES FROM THE JANUARY 23, 2023 MEETING

A motion was made by Mr. Gallagher, seconded by Ms. Simon, and approved by unanimous vote to approve the minutes from the January 23, 2023 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2023-0020: A Resolution amending Resolution No. R2016-0218 dated 12/13/2016, as amended by Resolution Nos. R2018-0067, R2020-0061 and R2022-0049, which authorized a Grant in the amount of \$2,500,000.00 to Variety Properties LLC for the benefit of a project located at 11801 - 11825 Lorain Avenue in the City of Cleveland, by

extending the Resolution sunset provision from February 28, 2023, to November 30, 2023; and declaring the necessity that this Resolution become immediately effective.

Mr. Trevor McAleer, Legislative Budget Advisor for County Council, addressed the Committee regarding Resolution No. R2023-0020. Discussion ensued.

Committee members asked questions of Mr. McAleer pertaining to the item, which he answered accordingly.

On a motion by Mr. Jones with a second by Ms. Simon, Resolution No. R2023-0020 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

6. MISCELLANEOUS BUSINESS

Mr. Jones extended a welcome to the European delegation from the Department of State's International Visitor Leadership Program. Mr. Dave Ensberg-Kleijkers, Director and Chief Executive Officer of National Youth Fund, Jantje Beton in the Netherlands, addressed the committee members and asked questions regarding the County's values and mission and asked what the major challenges and social issues are facing the region.

7. ADJOURNMENT

With no further business to discuss, Vice-Chairman Jones adjourned the meeting at 11:30 a.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2023-0041

Sponsored by: Councilmember Turner	A Resolution awarding a total sum, not to exceed \$25,000, to Burten, Bell, Carr Development, Inc. for the Tenant Engagement and Quality Housing Program from the District 9 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County received \$239,898,257 from the Federal Government through the American Rescue Plan Act (“ARPA”); and

WHEREAS, Cuyahoga County calculated 100% of the ARPA dollars as loss revenue under the U.S. Department of the Treasury Final Rule; and

WHEREAS, since all the ARPA dollars have been calculated as loss revenue, the ARPA dollars have been deposited in the County’s General Fund; and

WHEREAS, the County Executive and County Council have authorized \$86 million of the ARPA dollars for community grants to benefit the residents of Cuyahoga County (the “ARPA Community Grant Fund”); and

WHEREAS, of the \$86 million for community grants, \$66 million have been encumbered for equal distribution to each County Council District; and

WHEREAS, the Cuyahoga County Council desires to provide funding from the District 9 ARPA Community Grant Fund in the amount of \$25,000 to Burten, Bell, Carr Development, Inc. for the Tenant Engagement and Quality Housing Program; and

WHEREAS, Burten, Bell, Carr Development, Inc. estimates approximately 2,000 people will be served annually through this award; and

WHEREAS, Burten, Bell, Carr Development, Inc. estimates the total cost of the project is \$403,200 for two years; and

WHEREAS, Burten, Bell, Carr Development, Inc. indicates the other funding source(s) for this project includes:

- A. \$100,000 from the Cleveland Foundation’s Black Future’s fund – request submitted October 2022
- B. \$203,200 from the George Gund Foundation – request submitted November 2022
- C. \$25,000 from the City of Cleveland Ward 4 – request in-process
- D. \$15,000 from the Fowler Family Foundation – request submitted December 2022
- E. \$15,000 from Neighborhood Connections – request submitted January 2023
- F. \$15,000 from Other Community Support
- G. \$5,000 from the GSW Fund of the Mahoning Valley – pledged September 2022; and

WHEREAS, Burten, Bell, Carr Development, Inc. is estimating the start date of the project will be January 2023 and the project will be completed by January 2024; and

WHEREAS, Burten, Bell, Carr Development, Inc. requested \$25,000 from the District 9 ARPA Community Grant Fund to complete this project; and

WHEREAS, the Cuyahoga County Council desires to provide funding in the amount of \$25,000 to Burten, Bell, Carr Development, Inc. to ensure this project is completed; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue to provide for the usually, daily operations of the County.

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

SECTION 1. That the Cuyahoga County Council hereby awards a not-to-exceed amount of \$25,000 to Burten, Bell, Carr Development, Inc. from the General Fund made available by the American Rescue Plan Act revenue replacement provision for the Tenant Engagement and Quality Housing Program.

SECTION 2. If any specific appropriation is necessary to effectuate this agreement, the Director of the Office of Budget and Management is authorized to submit the requisite documentation to financial reporting to journalize the appropriation.

SECTION 3. That the County Council staff is authorized to prepare all documents to effectuate said award.

SECTION 4. That the County Executive is authorized to execute all necessary agreements and documents consistent with said award and this Resolution.

First Reading/Referred to Committee: February 28, 2023
Committee(s) Assigned: Community Development

Journal _____
_____, 20____



Cuyahoga County Council

2079 East 9th Street, 8th Floor • Cleveland Ohio 44115
(216) 698-2010

COUNTY AMERICAN RESCUE PLAN ACT APPLICATION

APPLICANT INFORMATION:	
Name of Requesting Entity (City, Business, Non-Profit, etc.): Burten, Bell, Carr Development, Inc.	
Address of Requesting Entity: 7201 Kinsman Road Suite 104 Cleveland, OH 44104	
County Council District # of Requesting Entity: District 9	
Address or Location of Project if Different than Requesting Entity:	
County Council District # of Address or Location of Project if Different than Requesting Entity:	
Contact Name of Person Filling out This Request: Sherita Mullins	
Contact Address if different than Requesting Entity:	
Email: smullins@bbcdevelopment.org	Phone: 216.341.1455
Federal IRS Tax Exempt No.: 34-1657533	Date: 11.22.2022

PROJECT DESCRIPTION

REQUEST DESCRIPTION (include the project name, a description of the project, why the project is important or needed, and timeline of milestones/tracking of the project):

Tenant Engagement and Quality Housing Program

Description of the project:

A joint project of Burten, Bell, Carr Development, Inc (BBC), and the Morelands Group (MG) of Shaker Square Alliance, this project will hire staff to recruit/train/support tenant leaders in connecting with tenants to hold apartment owners accountable for safe, decent and quality housing, thus preserving housing and arresting decline in 1,800 units of affordable housing within the MG Greater Buckeye footprint adjacent to Shaker Square.

We will accomplish this by building a network of tenant leaders to advocate for their rights; improving building code compliance by working with Cleveland's Building and Housing Director and her staff, a relationship already established; coordinating community efforts around safety and security; building a connection among building owners including the owners of Shaker Square for the upkeep of properties; and contributing to the beautification of the surrounding green space. This work is supported by a strong volunteer research team.

Why the Project is Important or needed:

The importance or need for this project can be viewed from several different perspectives. First, from the perspective of nearly 1,000 at-risk tenants of the Shaker Square area that are being neglected and abused by careless and predatory real estate speculators who value the real estate asset as chips on their investment "game board." Secondly, the success of this project affects the stabilization of the Shaker Square retail center and builds upon the \$12 million investment that the city of Cleveland has made with Cleveland Neighborhood Progress and Burten, Bell, Carr Development, Inc. Thirdly, the expansion of these predatory practices are raising alarms among Cleveland housing advocates. Similar forces have garnered the attention of housing advocates and public officials nationally, and local communities are being hit hard by the negative impact of these callous practices. Communities are looking for the type of collaborative strategies that link Tenant Rights and housing code enforcement into an effective force to hold these speculators accountable for the assets they are acquiring.

Timeline of milestones/tracking of project:

This project timeline outline considers growth and development in five distinct areas of activity:

- 1) **Organizational and staff development;**
 - 2) Expansion and impact of **Tenant Engagement;**
 - 3) Advancement of **Code Compliance** work and measured improvement of distressed properties;
 - 4) Targeted programs that build public **safety** partnerships with apartment owners and Fourth District Police;
 - 5) **Correlated work** in Beautification, Building Owners collaboration, and Infrastructure.
- Developments, goals, milestones, and breakthroughs will be identified under each action area.

A. First six months, January - June, 2023.

- 1) **Organizational and staff development** will include recruitment, interviewing and staff selection. BBC will allocate office space and onboard the staff. Staff training will include shadowing committee chairs and members of the Steering Committee. Subject matter experts will be used for training in Landlord-Tenant Law, operation of Cleveland Building and Housing Department and the Housing Code of the city. Staff will be trained in the operation and protocols of the Cleveland Municipal Housing Court. Training and staff development will be directed by the MG Convener, BBC's Executive Director and the Greater Buckeye Community Outreach staff.
- 2) **Tenant Engagement** Program will develop a methodology for characterizing tenant activity into roughly three types: (1) active engagement; (2) relationships in buildings with landlord and/or management; (3) needing

organizing. An additional type (4) is well-run property (showcase and market) – get involved with Property Owners Group. MG currently has examples of the three types of tenant activities. This will be applied across the entire footprint.

- 3) **Code Compliance** work is rooted in an established Building and Housing Work Plan describing conditions in high-priority sets of apartments within the Morelands Group footprint. Staff will become competent in the use of the Work Plan. Also, staff will meet with the key staff of the Building and Housing Department and will be oriented on the processes of introducing code issues and how to track these issues. Particular attention will be given to the implementation of the city’s newly created “Receivership Program”. Developed at the request of the MG, this program will address highly distressed properties with negligent owners. These properties will be preserved by placing control into “beneficial” ownership through the Receivership Initiative. The Receivership will be an essential part of the action plan for 2962 South Moreland, the condemned, boarded-up building whose neglect catalyzed the creation of the MG.
- 4) Roll out the new Fourth District/Buckeye neighborhood **Safety** Initiative. The MG Safety Committee and Chair, Robert Render, were instrumental in gaining funding for this US Justice Department, Byrne Grant. Now is the time to begin implementation.
- 5) **Correlated work** with Beautification, Building Owners collaboration, and infrastructure improvements will all three be in high gear in spring of 2023. Beautification will prepare for and begin its second year of “care and up-keep” agreement with the city Parks Division for the restored Helen Simpson Park. MG will be busy working to assist property owners in dealing with the hardships imposed by the infrastructure work on South and North Moreland. Also, Beautification will initiate a “Clean Street” program enlisting the support of property owners, partnering with the Buckeye Ministers’ Better Buckeye Program. A “litter free” pledge will be developed and “Clean and Green” signs will be promoted.

B. Second six months, July - December, 2023.

- 1) **Organizational and staff development** Develop ‘work plans’ for all five committees. These work plans will be the road map for the next six months. Staff training will focus on “subject matter” competency especially in Tenant Law and Housing Code Law. Subject matter experts will be engaged as trainers to develop the skills of the staff and interested committee members.
- 2) **Tenant Engagement** will focus on direct support to active, organized groups of tenants. Staff will work closely with Cleveland Municipal Housing Court to facilitate cases of rent withholding through rent-in-escrow. The expertise of Legal Counsel will be drawn upon.
- 3) **Code Compliance** work will be developing an assessment tool to determine more serious conditions in properties like persistent water infiltration causing mold, and structural and safety issues. This assessment tool will be used to “grade” the high-priority, troubled, properties contained in the Building and Housing Work Plan.
- 4) **Safety** Program will need the attention of the Quality Housing Program Coordinator to lend a portion of time to assist the Safety Committee in the outreach and organizing work designed by the Safety Committee.
- 5) **Correlated work**: The 3rd Annual Morelands Festival will be held in September 2023. Special attention will be given to enlisting tenants in the on-going work of the MG. Fall plantings will be continued in Helen Simpson Park. Work will begin with Property Owners on a grading and evaluation tool for featuring outstanding properties and identifying properties that “need work.”

Project end Date: January, 2024

Project Start Date:
January, 2023

Project End Date:
January, 2024

IMPACT OF PROJECT:

Who will be served:

This project will serve multiple elements of the Greater Buckeye /Shaker Square area: Tenants/Business Owners and the Stakeholder community outlined in the footprint on the attached document. First and most importantly, the project will serve tenants living in 77 multi-family properties in the project footprint; secondly, this project addresses the issue of the revival of Shaker Square itself; the success of Square and the quality of surrounding housing are linked. A third dimension is building a model for community-based tenant justice work.

How many people will be served annually:

1,800 units for about 2,000 people will be served annually. Nearly 2,000 tenants live within the footprint. The entire Buckeye, Moreland, Shaker Blvd, Larchmere area will be positively impacted by addressing the troubling decline of multi-family housing. This larger area (in addition to the 2,000 tenants) includes other rental properties, single family housing and surrounding businesses.

Will low/moderate income people be served; if so how:

Yes. The footprint is made up of a combination of low/moderate income people and households as well as working income residents. Recently, a systematic outreach to residents who might be eligible for ARPA funded “rental assistance” revealed that over half of the residents within the footprint met the guidelines making them eligible for assistance. The rental assistance program enrolled many tenants and brought them current with their rent. Legal Aid workshops and other forms of “tenants rights” outreach provide information and education about rights and how to access the proper authorities. Exercising these rights creates a fairer balance for tenants in the relationship of landlords and tenants. Also, by learning to exercise their rights, tenants have greater input into the quality of their living environments.

How does the project fit with the community and with other ongoing projects:

The visible decline in the quality of multi-family housing around Shaker Square affects every aspect of the Shaker Square/Buckeye community. Specific projects that are impacted by the success of this project include: the major effort to improve the Buckeye Road streetscape and stabilize the retail properties along Buckeye outlined in the *Buckeye Neighborhood Plan*; the work of area residential block clubs (like the E 128th Street Club and others) is supported and encouraged; the project area includes portions of two Cleveland Wards (4 and 6) and the project is strongly supported by both Council Members; mentioned earlier is the synergy of this project with the revival of Shaker Square. This community improvement project also has a close and collaborative association with the Woodhill Homes project, the two going hand-in-hand. Additionally, our joint project is working closely with a newly established Byrne Community Safety Grant which is in association with Partnership for a Safer Cleveland and the Fourth District Police.

If applicable, how many jobs will be created or retained (specify the number for each) and will the jobs be permanent or temporary:

Not applicable.

If applicable, what environmental issues or benefits will there be:

Environmental benefits range from the micro to macro. The *Tenant Engagement and Quality Housing Program* has a strong emphasis on community cleanliness and celebration of common green space. The Helen Simpson Park has been rejuvenated through our efforts; the revitalization project attracted over \$25,000 in material and labor from the national organization *Project Evergreen*. The Morelands Group is working collaboratively with initiatives like the Buckeye Ministers “A Better Buckeye,” and has placed great emphasis in its building owners and managers group on litter removal and clean green space; these pieces fit together as a multi-pronged environmental initiative. Another dimension is also impacted by this work: it has long been recognized that the loss of urban population to out-migration has a negative impact on regional environments. Suburban and exurban sprawl negatively impact the environmental quality of a “no-growth” region like Greater Cleveland. Housing stabilization, population retention, and public/private reinvestment contribute to the reduction of demolition material into landfills, contribute to cleaner air, and preserve the built environment.

If applicable, how does this project serve as a catalyst for future initiatives:

This joint initiative is catalytic in several significant ways: 1) Fair and just treatment of nearly 2,000 tenants and strong emphasis on building code compliance will have a stabilizing effect and lead away from the “speculative, predatory investment” that is gutting out valuable properties. 2) Achieving stabilization will allow the value of the “landmark district” to play an important role in shaping new constructive reinvestment in the community. 3) As said earlier the multi-family housing around the Square and the retail success of the Square are intertwined. The success of the *Tenant Engagement and Quality Housing Program* will contribute to the long-term success of Shaker Square. Initial discussions are being held concerning strategies for implementing a “Special Improvement District” in the area of the Morelands Group footprint. The opportunity for such a district is dependent upon the kind of stakeholder involvement and stabilization work that the Morelands Group project represents.

FINANCIAL INFORMATION:

Total Budget of Program: \$403,200 over two years as outlined here

	<u>Year one</u>	<u>Year two</u>	
Personnel			
Salaries two staff	\$ 108,000	\$ 108,000	
Benefits (20% per)	21,600	21,600	
Independent Contractor Supervisor	15,000	15,000	
Sub-total	\$ 144,600	\$ 144,600	
Operating Budget			
Equipment	\$ 4,000	\$ 2,000	
Office Supplies	2,000	2,000	
Indirect expenses	3,000	3,000	
Professional Development	3,000	3,000	
Contingency	1,000	1,000	
	\$ 13,000	\$ 11,000	
Program Budget			
Legal Assistance, Tenants	\$ 15,000	\$ 15,000	
Community Engagement	13,000	13,000	
Programmatic Activities	10,000	10,000	
Printing	6,000	6,000	
Postage	1,000	1,000	
	\$ 45,000	\$ 45,000	
Total per year:	\$ 202,600	\$ 200,600	Total for two years: \$403,200

Other Funding Sources of Project (list each source and dollar amount separately):
 \$100,000 The Cleveland Foundation's Black Futures Fund - request submitted October 2022
 \$203,200 The George Gund Foundation - request submitted November 2022
 \$ 25,000 City of Cleveland Ward 4 - request in-process
 \$ 15,000 Fowler Family Foundation - request to be submitted December 2022
 \$ 15,000 Neighborhood Connections - request to be submitted January 2023 for SSA
 \$ 15,000 Other Community Support - request still to be made
 \$ 5,000 GSW Fund of the Mahoning Valley (Gordon and Sarah Wean) - pledged September 2022

Total amount requested of County Council American Resource Act Dollars:
 \$25,000 for Tenant Engagement and Quality Housing Program

Since these are one-time dollars, how will the Project be sustained moving forward:
 The MG Project is currently an all volunteer project aimed at tenant justice, quality housing and stable neighborhoods. With this pending grant request and the overall budget, the volunteer effort is being linked with the stability of the well established and respected Burten, Bell, Carr Development, Inc. Infusing the strategies that have been developed by the MG initiative into an established CDC will help ensure the success and sustainability of these initiatives. With the alliances that the MG has gained, sustainability is enhanced. Finally, the mutual support of two Cleveland Council Members and the collaborative working relation with the Department of Building and Housing will help advance and sustain the objectives of the Joint Project. Just treatment for tenants and the restoration of quality housing will be sustained as the predatory factors are combated and removed.

DISCLAIMER INFORMATION AND SIGNATURE:

Disclaimer:

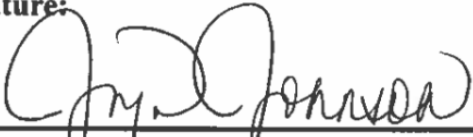
I HEREBY CERTIFY that I have the authority to apply for financial assistance on behalf of the entity described herein, and that the information contained herein and attached hereto is true, complete, and correct to the best of my knowledge.

I acknowledge and agree that all County contracts and programs are subject to Federal Guidelines and Regulations, the Ohio Revised Code, the Cuyahoga County Charter, and all County Ordinances including all information submitted as part of this application is a public record.

I understand that any willful misrepresentation on this application or on any of the attachments thereto could result in a fine and/or imprisonment under relevant local, state, and/or federal laws or guidelines.

I agree that at any time, any local, state, or federal governmental agency, or a private entity on behalf of any of these governmental agencies, can audit these dollars and projects.

Printed Name: Joy D. Johnson, Executive Director

<p>Signature: </p>	<p>Date: 11/18/22</p>
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Additional Documents

Are there additional documents or files as part of this application? Please list each documents name:

Morelands Group Footprint
Building a Strong Tenant Network
Morelands Group Brochure
TES Job Description
HQC Job Description

County Council of Cuyahoga County, Ohio

Resolution No. R2023-0050

Sponsored by: Councilmember Sweeney	A Resolution awarding a total sum, not to exceed \$10,000, to City Fresh for the purchase of a replacement diesel Class 4-7 truck from the District 3 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County received \$239,898,257 from the Federal Government through the American Rescue Plan Act (“ARPA”); and

WHEREAS, Cuyahoga County calculated 100% of the ARPA dollars as loss revenue under the U.S. Department of the Treasury Final Rule; and

WHEREAS, since all the ARPA dollars have been calculated as loss revenue, the ARPA dollars have been deposited in the County’s General Fund; and

WHEREAS, the County Executive and County Council have authorized \$86 million of the ARPA dollars for community grants to benefit the residents of Cuyahoga County (the “ARPA Community Grant Fund”); and

WHEREAS, of the \$86 million for community grants, \$66 million have been encumbered for equal distribution to each County Council District; and

WHEREAS, the Cuyahoga County Council desires to provide funding from the District 3 ARPA Community Grant Fund in the amount of \$10,000 to City Fresh for the purchase of a replacement diesel Class 4-7 truck; and

WHEREAS, City Fresh estimates approximately 1,000 people will be served annually through this award; and

WHEREAS, City Fresh estimates the total cost of the project is \$304,770; and

WHEREAS, City Fresh indicates the other funding source(s) for this project includes:

- A. \$110,000 from an EPA Grant;
- B. \$25,000 from the George Gund Foundation;
- C. \$40,000 from the Green Edge Fund
- D. \$26,000 from the Nord Family Foundation

E. \$5,000 from a private donation; and

WHEREAS, City Fresh is estimating the start date of the project will be January 2021 and the project will be completed by December 2023; and

WHEREAS, City Fresh requested \$98,770 from the District 3 ARPA Community Grant Fund to complete this project; and

WHEREAS, the Cuyahoga County Council desires to provide funding in the amount of \$10,000 to City Fresh to ensure this project is completed; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue to provide for the usually, daily operations of the County.

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

SECTION 1. That the Cuyahoga County Council hereby awards a not-to-exceed amount of \$10,000 to City Fresh from the General Fund made available by the American Rescue Plan Act revenue replacement provision for the purchase of a replacement diesel Class 4-7 truck.

SECTION 2. If any specific appropriation is necessary to effectuate this agreement, the Director of the Office of Budget and Management is authorized to submit the requisite documentation to financial reporting to journalize the appropriation.

SECTION 3. That the County Council staff is authorized to prepare all documents to effectuate said award.

SECTION 4. That the County Executive is authorized to execute all necessary agreements and documents consistent with said award and this Resolution.

SECTION 5. If requested or necessary, the Agency of the Inspector General or Department of Internal Audit is authorized to investigate, audit, or review any part of this award.

SECTION 6. To the extent that any exemptions are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution.

SECTION 7. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council,



Cuyahoga County Council

2079 East 9th Street, 8th Floor • Cleveland Ohio 44115
(216) 698-2010

COUNTY AMERICAN RESCUE PLAN ACT APPLICATION

APPLICANT INFORMATION:	
Name of Requesting Entity (City, Business, Non-Profit, etc.): City Fresh	
Address of Requesting Entity: PO Box 357 Oberlin, OH 44074 44333 St. Rt. 511, Oberlin, OH 44074	
County Council District # of Requesting Entity:	
Address or Location of Project if Different than Requesting Entity: <small>5701 Fullerton Ave, Cleveland OH 44105; 1925 Coventry Rd., Cleveland Heights, OH 44118; 605 E 222nd St, Euclid, OH 44123; 15460 Triskett Rd, Cleveland 44111; 50 E Bagley Rd., Berea OH 44017; 1688 Fulton Rd, Cleveland OH 44113; 4744 Broadview Rd, Cleveland OH 44109; 15425 Detroit Rd, Lakewood OH 44017; 50 Public Square, Cleveland OH 44113; 27333 Center Ridge Rd, Westlake OH 44145</small>	
County Council District # of Address or Location of Project if Different than Requesting Entity: 1, 2, 3, 5, 7, 8, 10, 11	
Contact Name of Person Filling out This Request: Anna Kiss Mauser-Martinez	
Contact Address if different than Requesting Entity:	
Email: annakiss@cityfresh.org	Phone: 216-469-0904
Federal IRS Tax Exempt No.: 52-2237568	Date: 2/1/2023

PROJECT DESCRIPTION

REQUEST DESCRIPTION (include the project name, a description of the project, why the project is important or needed, and timeline of milestones/tracking of the project):

In December 2020, City Fresh was awarded \$110,000 by the U.S. Environmental Protection Agency, through their Diesel Mitigation Trust Fund, for the replacement of our diesel Class 4-7 truck with an all-electric Class 4-7 step van. This award covers 47% of the cost of the new vehicle and we have sourced an additional \$96,000 in grants and donations to support the project, leaving us to seek local funds in the amount of \$98,770 in order to take ownership in time for our Spring 2023 season.

Transportation-related emissions are the second largest contributor to global CO2 emissions and, despite a brief respite during the pandemic year, are expected to grow. Our staff is eager to serve as a local test case for the viability of electric freight operations in Northern Ohio. City Fresh logs upwards of 19,000 miles each year with its diesel box truck. Conversion to an all-electric step van will reduce our annual diesel fuel consumption from nearly 3,000 gallons to zero, shrinking our total delivery-related carbon footprint by an estimated 35 tons, based on Oberlin Municipal Light and Power System's 2020 generation mix (which is 85% renewable).

City Fresh is also doing its part to reduce vehicle miles traveled (VMT), as well as food miles traveled. Business-as-usual scenarios predict an increase of 20% of VMT by 2050; the farm-to-fork distance traveled by the average piece of produce consumed in the US is over 1,500 miles. According to the Natural Resources Defense Council, the typical American meal originates from five different countries. City Fresh addresses this problem by keeping each bite's farm-to-fork journey to less than 70 miles.

For more than twenty years, beginning with our very first Fresh Stop in the Clark-Fulton neighborhood of Cleveland, City Fresh has targeted Northeast Ohio food deserts with a model created from the ground up to meet the needs of low-income households in Cleveland and communities of western Cuyahoga and Lorain counties. Unlike many nutrition support options, City Fresh is not food rescue, and does not rely on agricultural commodity foods. We work closely with local growers to provide a weekly rainbow of high-quality, high-nutrition fruit and vegetables while keeping Northeast Ohio food dollars circulating in the region.

With the support of Cuyahoga County ARPA funds, City Fresh will empower communities in Northeast Ohio to eat and live better, ensuring food sovereignty in the region and improving health outcomes for its citizens. We will continue to address the interrelated issues of food access, food affordability, local food infrastructure, health disparities, climate change, and support of small Ohio farms. We sincerely appreciate your consideration.

Project Start Date:

01/01/2021

Project End Date:

12/31/2023

IMPACT OF PROJECT:

Who will be served:

We are the only CSA operating in and prioritizing Northeast Ohio's food desert communities. Over 80% of our shares are delivered to these communities. City Fresh seeks to serve all income levels, and a socialentrepreneurial model using tiered pricing helps keep our low-income shares affordable.

We use 200% of Federal Poverty Level as our standard for defining low-income. Of our 15 markets in 2022, 10 were located in food deserts, and 32% of clients qualified as low-income. Our experience is that the percentage of low income shareholders equals or exceeds population percentages in each of our Fresh Stop locations.

How many people will be served annually:

1000

Will low/moderate income people be served; if so how:

Yes. We offer tiered pricing for low income individuals and families and participate in multiple nutrition incentive programs including Produce Perks, TANF Perks, WIC Perks, Senior Farmers Market Nutrition Program, and Produce Prescription.

How does the project fit with the community and with other ongoing projects:

City Fresh pick up locations are volunteer-driven, promoting neighbors helping neighbors through peer-to-peer nutrition education efforts. City Fresh partners with many organizations to enhance the vibrancy of communities and build food sovereignty in Northeast Ohio.

If applicable, how many jobs will be created or retained (specify the number for each) and will the jobs be permanent or temporary:

If applicable, what environmental issues or benefits will there be:

Our all-electric vehicle will remove 30 tons of carbon from the atmosphere. Additionally, local foods reduce transportation of meals from an average of 1,500 miles to just 70.

If applicable, how does this project serve as a catalyst for future initiatives:

We hope to demonstrate the viability of electric vehicles for commercial use.

FINANCIAL INFORMATION:

Total Budget of Project:
\$304,770.00

Other Funding Sources of Project (list each source and dollar amount separately):

EPA Grant (already secured) \$110,000.00
George Gund Foundation (already secured) \$25,000.00
Green Edge Fund (already secured) \$40,000.00
Nord Family Foundation (already secured) \$26,000.00
Private donation (already secured) \$5,000.00

Total amount requested of County Council American Resource Act Dollars:
\$98,770.00

Since these are one-time dollars, how will the Project be sustained moving forward:

The vehicle is a one-time purchase. Upkeep, maintenance, utility costs, and insurance will be covered from City Fresh's general operating budget, funded through a mix of earned revenue, individual donations, and grant dollars.

DISCLAIMER INFORMATION AND SIGNATURE:

Disclaimer:

I HEREBY CERTIFY that I have the authority to apply for financial assistance on behalf of the entity described herein, and that the information contained herein and attached hereto is true, complete, and correct to the best of my knowledge.

I acknowledge and agree that all County contracts and programs are subject to Federal Guidelines and Regulations, the Ohio Revised Code, the Cuyahoga County Charter, and all County Ordinances including all information submitted as part of this application is a public record.

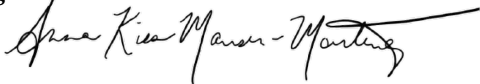
I understand that any willful misrepresentation on this application or on any of the attachments thereto could result in a fine and/or imprisonment under relevant local, state, and/or federal laws or guidelines.

I agree that at any time, any local, state, or federal governmental agency, or a private entity on behalf of any of these governmental agencies, can audit these dollars and projects.

Printed Name:

Anna Kiss Mauser-Martinez

Signature:



Date:

2/2/2023

Additional Documents

Are there additional documents or files as part of this application? Please list each documents name:

new electric vehicle project budget.xls
City Fresh 2023-2025 budget approved 12-2022.pdf

County Council of Cuyahoga County, Ohio

Resolution No. R2023-0051

Sponsored by: Councilmember Sweeney Co-sponsored by: Councilmember Turner	A Resolution awarding a total sum, not to exceed \$50,000, to the Julia de Burgos Cultural Arts Center for Arts and Culture Community Programming from the District 3 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

WHEREAS, Cuyahoga County received \$239,898,257 from the Federal Government through the American Rescue Plan Act (“ARPA”); and

WHEREAS, Cuyahoga County calculated 100% of the ARPA dollars as loss revenue under the U.S. Department of the Treasury Final Rule; and

WHEREAS, since all the ARPA dollars have been calculated as loss revenue, the ARPA dollars have been deposited in the County’s General Fund; and

WHEREAS, the County Executive and County Council have authorized \$86 million of the ARPA dollars for community grants to benefit the residents of Cuyahoga County (the “ARPA Community Grant Fund”); and

WHEREAS, of the \$86 million for community grants, \$66 million have been encumbered for equal distribution to each County Council District; and

WHEREAS, the Cuyahoga County Council desires to provide funding from the District 3 ARPA Community Grant Fund in the amount of \$50,000 to the Julia de Burgos Cultural Arts Center for Arts and Culture Community Programming; and

WHEREAS, the Julia de Burgos Cultural Arts Center estimates approximately 2,000 people will be served annually through this award; and

WHEREAS, the Julia de Burgos Cultural Arts Center estimates approximately one additional permanent or temporary job will be created or retained through this project; and

WHEREAS, the Julia de Burgos Cultural Arts Center estimates the total cost of the project is \$370,000; and

WHEREAS, the Julia de Burgos Cultural Arts Center indicates the other funding source(s) for this project includes:

- A. \$70,000 from Cuyahoga Arts and Culture – Support for Artists;
- B. \$50,000 from the Cleveland Foundation;
- C. \$50,000 from the City of Cleveland – Office of Intervention, Prevention, and Opportunities;
- D. \$50,000 from the George Gund Foundation;
- E. \$30,000 from Cuyahoga Arts and Culture – Cultural Heritage;
- F. \$25,000 from the City of Cleveland – Neighborhood Development;
- G. \$20,000 from the Fowler Foundation;
- H. \$10,000 from the Ohio Arts Council;
- I. \$8,500 from Starting Point;
- J. \$5,000 from the United Black Fund;
- K. \$2,000 from MyCom; and

WHEREAS, the Julia de Burgos Cultural Arts Center is estimating the start date of the project will be May 2023 and the project will be completed by April 2024; and

WHEREAS, the Julia de Burgos Cultural Arts Center requested \$50,000 from the District 3 ARPA Community Grant Fund to complete this project; and

WHEREAS, the Cuyahoga County Council desires to provide funding in the amount of \$50,000 to the Julia de Burgos Cultural Arts Center to ensure this project is completed; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue to provide for the usually, daily operations of the County.

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

SECTION 1. That the Cuyahoga County Council hereby awards a not-to-exceed amount of \$50,000 to the Julia de Burgos Cultural Arts Center from the General Fund made available by the American Rescue Plan Act revenue replacement provision for Arts and Culture Community Programming.

SECTION 2. If any specific appropriation is necessary to effectuate this agreement, the Director of the Office of Budget and Management is authorized to submit the requisite documentation to financial reporting to journalize the appropriation.

SECTION 3. That the County Council staff is authorized to prepare all documents to effectuate said award.

SECTION 4. That the County Executive is authorized to execute all necessary agreements and documents consistent with said award and this Resolution.

SECTION 5. If requested or necessary, the Agency of the Inspector General or Department of Internal Audit is authorized to investigate, audit, or review any part of this award.

SECTION 6. To the extent that any exemptions are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution.

SECTION 7. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 14, 2023

Committee(s) Assigned: Community Development

Additional Sponsorship Requested: March 14, 2023

Journal _____

_____, 20____



Cuyahoga County Council

2079 East 9th Street, 8th Floor • Cleveland Ohio 44115
(216) 698-2010

COUNTY AMERICAN RESCUE PLAN ACT APPLICATION

APPLICANT INFORMATION:	
Name of Requesting Entity (City, Business, Non-Profit, etc.): Julia de Burgos Cultural Arts Center	
Address of Requesting Entity: 2800 Archwood Ave. Cleveland, OH 44109	
County Council District # of Requesting Entity: District 3	
Address or Location of Project if Different than Requesting Entity:	
County Council District # of Address or Location of Project if Different than Requesting Entity: Address of Entity:	
Contact Name of Person Filling out This Request: Letitia Lopez	
Contact Address if different than Requesting Entity:	
Email: Letitialopez@juliadeburgos.org	Phone: 216-894-5664
Federal IRS Tax Exempt No.: 34-1676967	Date: February 6, 2023

PROJECT DESCRIPTION	
<p>REQUEST DESCRIPTION (include the project name, a description of the project, why the project is important or needed, and timeline of milestones/tracking of the project):</p> <p>Julia de Burgos Cultural Arts Center (JDBCAC) is requesting funding to support their ‘Arts and Culture Community Programming’. This project offers life-changing arts and culture programs that celebrate and highlight the diverse Latino community in Northeast Ohio. The activities in this project include youth leadership programs, dance, art and music education for students of all ages taught by the area's finest Latino arts educators, as well as increased investment in professional development resources for Latino artists at every stage of their career. Each year we showcase the work of our students and artists at numerous well attended community events, including our Hispanic Heritage Month celebration, Pleibol!, an event that celebrates Latino and Black history in September, and Parrandón Navideño, our annual holiday event in December. We continue to foster new and existing relationships with partner organizations and events across the city, thus increasing the network of people we can reach and impact. We value the insights presented by community partners that are aligned with our mission and strive to center Latino voices and their needs and desires. We understand the success of our programs through this feedback process, along with regular retention of students from one session to the next, seeing a consistent rate of returning students. We also have regular check-ins with the artists we support to ensure that proposed projects are followed through to completion. As our physical campus continues to expand and develop, we aim to increase our staff size and capacity to ensure administrative operations run smoothly and ultimately enhance the quality of the programs and resources we offer.</p>	
<p>Project Start Date: May 1, 2023</p>	<p>Project End Date: April 30, 2024</p>

IMPACT OF PROJECT:
<p>Who will be served:</p> <p>Incorporated in 1989, JDBCAC has a rich history of providing Latino arts programming in Cleveland. JDBCAC primarily serves the Latino community of Greater Cleveland, including families across generations, with many who reside in Cleveland’s near west neighborhood where the center is located. With 38% Hispanic/Latino residents, this neighborhood is celebrated for having Cleveland’s largest Latino population.</p>
<p>How many people will be served annually:</p> <p>We aim to serve at least 2,000 people annually</p>
<p>Will low/moderate income people be served; if so how:</p> <p>Yes, we are proud to serve numerous low/moderate income families through free and low cost after school programming, free community events and host numerous engagements that distribute free supplies and resources to people in need.</p>

How does the project fit with the community and with other ongoing projects:

As the only arts and culture center in Northeast Ohio with a mission solely dedicated to Latino community members, we are a crucial cultural hub for Latino families and artists by emphasizing cultural education, diversity, and preservation of knowledge and literary works of art. Our work promotes all Latino cultures, and supports artists and families from across Latin America. Cleveland is rich in diversity, which is reflected in the community of artists and families we serve.

If applicable, how many jobs will be created or retained (specify the number for each) and will the jobs be permanent or temporary:

By securing this support we aim to bring on one additional full time staff member. We also hire at least twenty contracted artists and educators throughout the year to provide diverse and high quality arts and culture programming.

Address of Entity: 2800 Archwood Ave. Cleveland, OH 44109

If applicable, what environmental issues or benefits will there be:

Over the previous year, Julia De Burgos Cultural Arts Center has made significant improvements to the outdoor space on the campus. We received a Green Infrastructure grant through the Northeast Ohio Sewer District to renovate the parking lot. JDBCAC worked with Environmental Design Group on the improvements. Our campus now has a new parking lot, bioretention basins, and improved landscaping to add beauty to the neighborhood. The garden space was also cleaned up and will continue to be beautified with new landscaping as an outdoor space for community members to gather together. There are several art pieces on display throughout the new spaces. Additionally, JDBCAC will continue to do what it does well -- reuse materials and reduce its waste within the center. As a center for art, we get creative in how we can use materials and reuse things for several different projects.

If applicable, how does this project serve as a catalyst for future initiatives:

With the growth of our staff, campus and programming, our goal is to develop the next phase of our strategic planning and launch a capital campaign that will allow us to invest in our long-term commitment to the families and artists that participate in our programs.

FINANCIAL INFORMATION:

Total Budget of Project:

Cost of Arts & Culture Programming: \$370,000

Other Funding Sources of Project (list each source and dollar amount separately):

Cuyahoga Arts and Culture: Support for Artists \$70,000
The Cleveland Foundation \$50,000
The City of Cleveland: Office of Intervention, Prevention and Opportunities \$50,000
The George Gund Foundation \$50,000
Cuyahoga Arts and Culture: Cultural Heritage \$30,000
The City of Cleveland: Neighborhood Development \$25,000
The Fowler Foundation \$20,000
Ohio Arts Council \$10,000
Starting Point \$8,500
United Black Fund \$5,000
MyCom \$2,000

Total amount requested of County Council American Resource Act Dollars:

JDBCAC is requesting \$50,000 of County Council American Resource Act Dollars to support Arts and Culture Community Programming

Since these are one-time dollars, how will the Project be sustained moving forward:

With this significant one-time award to support Arts and Culture Community Programming, JDBCAC would be able to allocate other funding to bring on a development associate, a role that is critically important to the sustainability and growth of the organization. Being able to compensate an employee dedicated to fundraising will not only help us sustain Arts and Culture Community Programming, but also enable JDBCAC to continue its organizational growth and developments to our physical space.

DISCLAIMER INFORMATION AND SIGNATURE:

Disclaimer:

I HEREBY CERTIFY that I have the authority to apply for financial assistance on behalf of the entity described herein, and that the information contained herein and attached hereto is true, complete, and correct to the best of my knowledge.

I acknowledge and agree that all County contracts and programs are subject to Federal Guidelines and Regulations, the Ohio Revised Code, the Cuyahoga County Charter, and all County Ordinances including all information submitted as part of this application is a public record.

I understand that any willful misrepresentation on this application or on any of the attachments thereto could result in a fine and/or imprisonment under relevant local, state, and/or federal laws or guidelines.

I agree that at any time, any local, state, or federal governmental agency, or a private entity on behalf of any of these governmental agencies, can audit these dollars and projects.

Printed Name:

Letitia Lopez

Signature:



Date:

2/22/23

Additional Documents

Are there additional documents or files as part of this application? Please list each documents name:

County Council of Cuyahoga County, Ohio

Ordinance No. O2023-0004

Sponsored by: Councilmember Miller	An Ordinance enacting the right of county renters to Pay-to-Stay and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the public health crisis from the COVID-19 pandemic has had substantial and continuing negative impacts on residents and the economy in the State of Ohio and Cuyahoga County; and

WHEREAS, the public health crisis has caused adverse economic impacts for residents, including loss of employment, reduction in income, and loss of health care coverage, leading to the inability to pay for housing and basic needs; and

WHEREAS, County Council desires to avoid unnecessary housing displacement and evictions to protect the County’s housing stock and to prevent renters from falling into homelessness; and

WHEREAS, At least eight municipalities within Cuyahoga County have enacted pay-to-stay legislation to-date; and

WHEREAS, County Council wishes to provide additional safeguards to residents county-wide, and affirm tenants’ rights to tender late rent to avoid eviction and stay in rental properties in Cuyahoga County.

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

SECTION 1. Chapter 1305 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 1305: Right of County Renters to Pay-to-Stay

Section 1305.01 Definitions

For the purposes of this Chapter:

- A. “Tenant” means a person entitled under a rental agreement to the use and occupancy of a residential premises to the exclusion of others.
- B. “Tender” means an offer of payment that is equivalent to the actual production or remittance of the money.

- C. “Court costs” means filing fees and costs assessed by the municipal court that include, but are not limited to, costs to file, costs for data entry, costs for court appearances, costs for serving summons and subpoenas, and costs associated with court transcripts and copying papers and exhibits.

Section 1305.02 Tenant’s right to pay to stay prior to the filing of an eviction action for non-payment of rent.

- A. At any time prior to the filing of an action under Ohio Revised Code 1923 for nonpayment of rent by a landlord, a tenant shall have the right to pay the landlord all past due rent with reasonable late fees to avoid the filing of such action for the restitution of the lands or tenements. If the tenant tenders all accrued rent and reasonable late fees to the landlord, the landlord shall accept the tendered payment and allow the tenant to maintain the tenancy.
- B. If the tenant tenders all past due rent with reasonable late fees to the landlord prior to the filing of an action under Ohio Revised Code 1923 and the landlord refuses the tender, the tenant’s tender of all past due rent with reasonable late fees shall be an affirmative defense to any action filed by the landlord against the tenant for nonpayment of rent.

Section 1305.03 Tenant’s right to pay to stay prior to an eviction judgment for non-payment of rent.

- A. After the filing of an action under Ohio Revised Code 1923 for nonpayment of rent but prior to a judgment, the tenant shall have the right to pay the landlord all past due rent, reasonable late fees and court costs so that the tenant may maintain the tenancy. If the tenant tenders all past due rent amounts, including late fees and court costs, the landlord must accept the payment. Upon receipt of the payment, the landlord shall dismiss the action against the tenant.
- B. If the tenant tenders all past due rent with reasonable late fees and court costs to the landlord prior to a judgment and the landlord refuses the tender, the tenant’s tender of all past due rent, reasonable late fees and court costs shall be an affirmative defense to the eviction action filed by the landlord against the tenant for nonpayment of rent.

Section 1305.04 Tenant’s right to pay to stay prior to the execution of the eviction judgment for non-payment of rent.

- A. After the filing of an action under Ohio Revised Code 1923 for nonpayment of rent but prior to the execution of the eviction judgment through a writ of restitution, the tenant shall have the right to pay the landlord all past due rent, reasonable late fees and court costs, including the cost of obtaining the writ, so that the tenant may maintain the tenancy. If the tenant tenders all past due rent amounts, including reasonable late fees and court costs, the landlord must accept the payment. Upon receipt of the payment, the landlord shall notify the court who shall vacate the eviction judgment and dismiss the eviction against the tenant.
- B. If the tenant tenders all past due rent with reasonable late fees and court costs to the landlord prior to the execution of the eviction judgment through a writ of restitution and

the landlord refuses the tender, the bailiff shall not enforce the eviction judgment until the court instructs the bailiff to do so after an emergency hearing on the tenant's right to pay and stay at the premises. If the court finds during the emergency hearing that the tenant tendered all past due rent, reasonable late fees and court costs, the court shall vacate the eviction judgment and dismiss the eviction action against the tenant.

Section 1305.06 Rent receipt required

The landlord shall provide the tenant with a signed receipt for all payments made under this chapter.

Section 1305.06 Other causes for eviction

This chapter in no way limits the ability of a landlord to initiate an eviction action for reasons other than solely for non-payment of rent.

Section 1305.07 Reasonable late fees

No landlord may charge a tenant late fees that are not reasonable late fees. If a rental agreement includes a provision that authorizes the landlord to assess the tenant a fee for late payment of the monthly rent, to be considered "reasonable late fees" the total amount of that late payment fee for any month may not exceed the larger of: (i) twenty-five dollars (\$25.00); or (ii) five percent (5%) of the contracted monthly rent.

Section 1305.08 Conflict with municipal law

In the event a municipal corporation within Cuyahoga County enacts, or has enacted, legislation pertaining to a tenant's right to pay to stay and such legislation conflicts with any provision of this chapter, the law of the municipal corporation shall govern.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 14, 2023

Committee(s) Assigned: Community Development

Journal _____

_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2023-0007

Sponsored by: County Executive Ronayne	An Ordinance amending Section 202.08 of the Cuyahoga County Code regarding the Department of Development and enacting new Section 202.09 to establish the Department of Housing and Community Development; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Department of Development is established under Article VII, Section 7.02 of the Charter to develop, direct and implement programs and activities for carrying out the purposes of said Article; and

WHEREAS, in order for the Department of Development to more efficiently carry out the purposes set out in Article VII of the Charter, it is necessary to amend Section 202.08 of the County Code; and

WHEREAS, having a safe, affordable place to live is the foundation of family well-being, from health and educational outcomes to economic self-sufficiency; and

WHEREAS, Cuyahoga County is made up of 59 diverse communities with equally diverse housing and community development needs; and

WHEREAS, the creation of a Department of Housing and Community Development will improve the quality and availability of homes and strengthen the communities of Cuyahoga County; and

WHEREAS, Article III, Section 3.09(2), of the Charter grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive, as the Council determines to be necessary for the efficient administration of the County; and

WHEREAS, the County desires to amend Section 202.08 of the County Code regarding the Department of Development and to enact new Section 202.09 of the County Code to establish the Department of Housing and Community Development to, among other things, better support the housing needs of all communities within Cuyahoga County; and

WHEREAS, the Department of Housing and Community Development shall review and determine the housing needs that exist in Cuyahoga County and, based on

that data, determine the funding types and levels needed to implement the programming to address those needs; and

WHEREAS, the Department of Housing and Community Development shall convene housing stakeholders throughout the community and at all levels to facilitate the discussion of a county-wide housing policy that can be adopted and implemented; and

WHEREAS, the Department of Housing and Community Development shall be responsible for the administration of funds directly related to housing and community development; and

WHEREAS, the Department of Housing and Community Development shall provide healthy and inclusive programming that strengthens and enhances the livability and quality of life in the neighborhoods and communities throughout Cuyahoga County; 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 a County entity.

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

SECTION 1. Section 202.08 is hereby amended to read as follows (deletions are stricken, additions are bold and underlined):

Section 202.08 Department of Development

- A. The Department of Development, **established in accordance with Article VII of the Charter,** shall contain the following divisions: (1) Division of Economic Development, **and** (2) ~~Division of Community Development,~~ (3) ~~Division of Regulatory Compliance & Monitoring,~~ and (4) ~~Division of Fiscal Services.~~ **The Division of Fiscal Services shall also provide such services to the Department of Housing and Community Development established under Section 202.09 of the Code.** ~~The duties, functions and employees of the Department of Development shall be incorporated into the divisions listed herein. Such duties and functions of the Department of Development shall include the economic development interests of the County with regard to the facilities, tenants, prospective tenants/businesses and parcels of the County Airport.~~
- B. **The Director of the Department of Development shall be appointed by the County Executive, subject to confirmation by Council in accordance with Section 2.03(2) of the Charter.**

C. Nothing in Section 202.08 of the Cuyahoga County Code is intended to limit the ability of the County Executive and the Director of the Department of Development to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law.

SECTION 2. New Section 202.09 of the County Code is hereby enacted to read as follows:

Section 202.09 Department of Housing and Community Development

A. There is hereby established the Department of Housing and Community Development. To address the housing needs of all persons and communities within Cuyahoga County, the Department shall, without limitation:

1. Periodically, but no less frequently than once every five years beginning in the last quarter of 2023:

a. review the housing needs that exist in Cuyahoga County and determine the funding types and levels needed to implement the programming to address those needs;

b. convene housing stakeholders at all levels throughout the community to facilitate development of a county-wide housing policy to address the evolving housing needs of the community.

2. Provide healthy and inclusive programming that strengthens and enhances the livability and quality of life in the neighborhoods and communities throughout Cuyahoga County.

B. The Department of Housing and Community Development shall be under the supervision of the County Executive and the Director of Housing and Community Development. The Director of Housing and Community Development shall be appointed by the County Executive, subject to confirmation by Council in accordance with Section 2.03(2) of the Charter.

C. The Department of Development Division of Fiscal Services shall provide fiscal and other related services to the Department of Housing and Community Development including, at the direction of the Director of Housing and Community Development, administration of all funds directly related to housing and community development.

SECTION 3. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the

