

**RESOLUTION ARB2015-0009**

***Approval of Business and Residential Loans and Grants Policy***

Whereas, County entities may adopt, amend, rescind, and administer rules on matters within their respective jurisdictions, as established by the County Charter, the County Code, or general law; and

Whereas, Section 205.09(A) of the Cuyahoga County Code establishes the Cuyahoga County Administrative Rules Board; and

Whereas, per Section 113.02(A) of the Cuyahoga County Code, a county entity seeking to adopt, amend, or rescind a rule shall submit a request, including the specific language of the rule, to the Clerk of the Administrative Rules Board in accordance with the procedures and deadlines established by the Board for such submissions; and

Whereas, per Section 113.02(G) of the Cuyahoga County Code, the Administrative Rules Board is given approval authority over rules promulgated by County entities based on a determination of: (1) whether the requesting entity has the authority to adopt, amend, or rescind the rule and (2) whether the proposed rule conflicts with the County Code; and

Whereas, the Department of Development administers policies pertaining administration of loans and grants awarded to businesses and residential property owners;

**NOW, THEREFORE, BE IT RESOLVED BY THE ADMINISTRATIVE RULES BOARD OF CUYAHOGA COUNTY, OHIO:**

**Section 1.** The Business and Residential Loans and Grants Policy, as attached, is hereby enacted as part of the Cuyahoga County Administrative Code.

**Section 2.** This Resolution shall go into immediate effect and remain in full force and effect until December 2, 2015.

**Section 3.** It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board and that all deliberations of this Board that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

*The foregoing resolution was duly adopted on March 2, 2015.*

  
Clerk of the Board

Business and Residential Loans and Grants  
Policies



Department of Development

## Business and Residential Loans and Grants Policy

The **Cuyahoga County commercial lending programs** include the Western Reserve Fund (\$100 Million Economic Development Fund) and the USEPA Brownfield Revolving Loan Fund programs. The Western Reserve Fund is governed by Cuyahoga County Ordinance 02011-0049 and Resolution R2014-0154. USEPA Brownfield Revolving Loan Fund is governed by The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund law) as was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law of 2002) to include section 104(k). The Cuyahoga County commercial lending programs are administered by Department of Development staff and conducted through the issuance of loan agreements with for-profit and not-for-profit commercial enterprises and developers.

The **Cuyahoga County residential lending programs** are governed by Title 24 of the Code of Federal Regulations, Section 92- HOME Investment Partnerships program. The Cuyahoga County Affordable Housing Development program is administered by Department of Development staff and conducted through the issuance of loan agreements with for-profit and not-for-profit residential, affordable housing developers.

### **Cuyahoga County Lending Requirements**

- All County taxes must be current or under agreement
- Must pay any fees associated with funding
- Must provide financial statements
- Must provide cost estimates
- Must provide securitized collateral, where applicable
- Must receive an approval recommendation by the Cuyahoga County Community Improvement Corporation (CCCIC) (Commercial) or the Cuyahoga County HOME consortium (Consumer)
- Must receive approval by the appropriate County approving body (Cuyahoga County Contracts and Purchasing Board, Cuyahoga County Board of Control, or Cuyahoga County Council) as so determined by ordinance or resolution.
- Must enter into a Workforce Development Agreement, where applicable
- Must comply with State prevailing wage or federal Davis-Bacon requirements, where applicable
- Must comply with SBE requirements, where applicable

### **Residential lending requirements also include:**

- Must have evidence of site control
- Must have support for project from local municipality

Other rules may apply based on individual cases.

### **Department of Development commercial grants:**

The **Cuyahoga County commercial grant programs** include the Northcoast Brownfield Coalition Community Assessment Initiative, USEPA Brownfield Revolving Loan Fund SubGrants and the Cuyahoga County Storefront Renovation program.

Northcoast Brownfield Coalition Community Assessment Initiative is governed by The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law of 2002) to include section 104(k). The program is administered by Department of Development staff and conducted through agreements.

USEPA Brownfield Revolving Loan Fund - Subgrant Fund is governed by The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law of 2002) to include section 104(k). The program is administered by Department of Development staff and conducted through agreements.

The Cuyahoga County Storefront Renovation program is governed by Title 24 of the Code of Federal Regulations, Section 570 - Community Development Block Grant funds (CDBG). The Storefront

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renovation program is administered by Department of Development staff and conducted through agreement with property owner.

### **Cuyahoga County Granting Requirements**

- All County taxes must be current or under agreement
- Must provide cost estimates
- Must comply with State prevailing wage or federal Davis-Bacon requirements, where applicable
- Must be registered with the Cuyahoga County Inspector General's office
- Must provide copy of Commercial Certificate of Liability Insurance for building owner listing Cuyahoga County and its employees as additionally insured
- Must receive approval by the appropriate County approving body (Cuyahoga County Contracts and Purchasing Board, Cuyahoga County Board of Control, or Cuyahoga County Council) as so determined by ordinance or resolution

Brownfield program requirements also include:

- Must provide Access-to-Site agreement
- Must comply with SBE requirements, where applicable

Other rules may apply based on individual cases.