

County Council of Cuyahoga County, Ohio

Ordinance No. O2024-0009

Sponsored by: County Executive Ronayne	An Ordinance amending Sections 106.04, 701.07, 714.01, 714.02, and Chapters 807 and 809 of the County Code to properly align the roles and responsibilities of the Department of Housing and Community Development and the Department of Development; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Department of Housing and Community Development was created by Ordinance No. O2023-0007, enacted April 27, 2023; and

WHEREAS, in addition to the roles and responsibilities set forth in Section 202.09 of the County Code, the Department of Housing and Community Development is now charged with certain of the roles and responsibilities previously under the jurisdiction of the Department of Development; and

WHEREAS this Ordinance amends references in the Cuyahoga County Code to properly align the roles and responsibilities of the Department of Housing and Community Development and the Department of Development; 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. Sections 106.04 and 701.07 of the County Code are hereby amended as follows (deletions are stricken, additions are bold and underlined, and sub-sections that remain unchanged in their entirety are noted in *italics* and parentheses):

Section 106.04: Public Records

- (A) Maintenance of Public Records (*remains in its entirety*)
- (B) Maintenance of Electronic Mail (*remains in its entirety*)
- (C) Designation of Countywide Public Records Manager (*remains in its entirety*)
- (D) Designation of Deputy Countywide Public Records Manager (*remains in its entirety*)
- (E) Designation of Public Records Manager

(1) *(remains in its entirety)*

(2) For the following offices, the person designated as public records manager shall be an employee of the office who works at the principal place at which that office does business:

- (a) the County Executive, including all executive office staff
- (b) the County Council
- (c) the Department of Law
- (d) the Sheriff
- (e) the Medical Examiner
- (f) the Clerk of Courts
- (g) the Department of Development
- (h) the Department of Information Technology
- (i) the Department of Public Works
- (j) the Department of Purchasing
- (k) the Department of Human Resources
- (l) the Fiscal Officer
- (m) the Cuyahoga Job and Family Services
- (n) the Division of Children and Family Services
- (o) the Division of Senior and Adult Services
- (p) the Department of Health and Human Services
- (q) the Agency of the Inspector General
- (r) the Department of Communications
- (s) the Department of Public Safety and Justice Services
- (t) the Department of Consumer Affairs
- (u) the Department of Internal Auditing
- (v) the Department of Housing and Community Development**
- ~~(w)(v)~~ the County Treasurer
- ~~(x)(w)~~ the County Prosecutor

(3) *(remains in its entirety)*

(F) Public Records Manager for County Council *(remains in its entirety)*

(G) Records Retention Schedules *(remains in its entirety)*

(H) Interim Transient Records Retention Schedule *(remains in its entirety)*

(I) Publication of Public Records Policy *(remains in its entirety)*

(J) County Website *(remains in its entirety)*

Section 701.07: Financial Reporting

(A) *(remains in its entirety)*

(B) *(remains in its entirety)*

(C) *(remains in its entirety)*

(D) *(remains in its entirety)*

- (E) The Office of Budget and Management, in coordination with the Department of Development, **the Department of Housing and Community Development**, and other County agencies, as needed, shall maintain and publish annually by March 31st of each year a list of all outstanding loans made by the County, including the amount, interest rate, and term of each loan and the amount of each loan that may be forgivable, if any. OBM shall determine a written process for determining a reasonable and prudent portion of the total loan amount to hold in reserve against nonpayment of loans or the exercise of forgivable loan provisions. This reserve amount shall be reported as a reserve on balance against the General Fund, and it shall be updated at least quarterly with respect to new loans and at least annually with respect to the status of existing loans.
- (F) *(remains in its entirety)*
- (G) *(remains in its entirety)*

SECTION 2. Chapters 714, 807 and 809 of the County Code are hereby amended as follows (deletions are stricken, additions are bold and underlined, and sub-sections that remain unchanged in their entirety are noted in *italics* and parentheses):

CHAPTER 714: Municipal Grant Programs

Section 714.01 County Community Development Block Grant Program

- A. Program Established *(remains in its entirety)*
- B. Program Administration

The Cuyahoga County Community Development Block Grant (“CDBG”) program shall be administered by the Cuyahoga County Executive through the Cuyahoga County Department of **Housing and Community Development**. **For purposes of this Chapter 714, “Department” shall mean the Cuyahoga County Department of Housing and Community Development.**

- C. Funding Source

The CDBG program shall be funded through entitlement funds allocated to Cuyahoga County each fiscal year by HUD, as determined by the Director of **Housing and Community Development**, consistent with the cooperation agreements between Cuyahoga County and each Urban County member community.

- D. Eligibility Requirements *(remains in its entirety)*
1. *(remains in its entirety)*
 2. *(remains in its entirety)*

3. *(remains in its entirety)*
4. *(remains in its entirety)*
5. The community must be in compliance with any existing contract for CDBG funds as determined by the Department of Development.
6. *(remains in its entirety)*
7. The Department of Development shall issue written requirements for each year's application format, contents, and required attachments; and
8. The Department of Development shall establish and notify local communities of each year's application deadline and other requirements regarding the application deadline.

E. Evaluation Criteria

The Department of Development shall administer an evaluation process in which all timely submitted and properly completed applications for CDBG funding eligible activities shall be scored using an objective numerical rating system. The Department of Development may invite knowledgeable officials of other County departments and non-Urban County local communities to serve on a rating and ranking committee for this evaluation.

Section 714.02 County Community Development Supplemental Grant Program

A. Program Established *(remains in its entirety)*

B. Program Administration

The Cuyahoga County Community Development Supplemental Grant ("CDSG") program shall be administered by the Cuyahoga County Executive through the Cuyahoga County Department of Development.

C. Funding Source *(remains in its entirety)*

D. Eligibility Requirements

To be eligible to receive CDSG funds through the Municipal Grant Program, applicants shall meet the following criteria:

1. All applicants must be municipal corporations, townships, or not-for-profit community development corporations tax-exempt under Section 501(c)(3) of the Internal Revenue Code located within Cuyahoga County. To be eligible to apply, a not-for-profit community development corporation must be incorporated for not less than two years prior to the application deadline set by the Department of Development; provided, however, that

community development corporations in existence on or before the original effective date of this provision shall be eligible to apply; and

2. *(remains in its entirety)*
3. *(remains in its entirety)*
4. *(remains in its entirety)*
5. The applicant must be in compliance with all existing contracts for CDBG and CDSG funds previously allocated pursuant to this Chapter by the date of the current application deadline as determined by the Department of Development; and
6. *(remains in its entirety)*
7. All documents required by the Department of Development must be contained within the application or attached; and
8. All applications must be received by the deadline as set by the Department of Development.

E. Evaluation Criteria

1. The Department of Development shall issue written requirements for each year's application format, contents, and required attachments; and all documents required by the Department of Development must be contained within the application or attached.
2. The Department of Development shall establish and notify local communities of each year's application deadline and other requirements regarding the application deadline. All applications must be received by the deadline as set by the Department of Development.
3. The Department of Development shall evaluate applications based upon factors including, but not limited to, the following:
 - a. That the application meets the eligibility requirements specified in paragraph (D) of this section.
 - b. That the project specified in the application may complement or otherwise enhance other projects supported through other funding sources.
4. *(remains in its entirety)*

Chapter 807: Property Demolition Program

Section 807.01 Definitions

For the purposes of this Chapter 807, the following definitions shall apply:

A. “Applicant” shall mean a municipal corporation or township located within Cuyahoga County. Applicants may apply to the property demolition program directly or via an authorized agent.

B. “Department” shall mean the Cuyahoga County Department of Housing and Community and Economic Development.

~~C.(B)~~ “Property Demolition Fund” shall mean the fund established by the County under Section 807.02.

~~D.(C)~~ “Property Demolition Program” shall mean the program established pursuant to Section 807.03 to demolish vacant, abandoned, and nuisance or blighted structures in Cuyahoga County.

~~E.(D)~~ “Land Bank” shall mean the Cuyahoga County Land Reutilization Corporation, a nonprofit community improvement corporation duly organized pursuant to Chapter 1724 of the Ohio Revised Code.

~~F.(E)~~ “Round” shall mean each application round of the property demolition program administered by the Department of ~~Development~~.

Section 807.02 Property Demolition Fund

A. For the preservation of public peace, health, safety, and welfare in the County, there is hereby created the Cuyahoga County Property Demolition Fund pursuant to the County’s police powers to abate nuisance and blighted properties, which shall fund demolition programs to be administered by the County Executive through the Department of Housing and Community Development.

B. *(remains in its entirety)*

C. *(remains in its entirety)*

D. *(remains in its entirety)*

Section 807.03 Property Demolition Program

~~A. The Department of Development shall establish and administer a non-competitive, multiple-round application program for the purpose of issuing grants and loans payable from the property demolition fund to demolish vacant, abandoned, and nuisance or blighted 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. *(remains in its entirety)*
2. *(remains in its entirety)*
3. *(remains in its entirety)*
4. *(remains in its entirety)*
5. *(remains in its entirety)*
6. *(remains in its entirety)*

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

- C. Each applicant may qualify to receive a grant or loan under the property demolition program upon submitting an application that meets the criteria of such program. Each applicant may apply for a grant, a loan, or a combination thereof. The determination of the Department of ~~Development~~ as to whether an application meets the criteria shall be final. No individual grant or loan shall exceed \$1,000,000.00 in the first application round. The Department of ~~Development~~ may increase or decrease the maximum award amount in subsequent rounds; provided however that no individual grant or loan shall exceed \$2,000,000.00 in any round. Not more than \$100,000.00 shall be awarded for the demolition of any individual structure.
- D. Each grant or loan made pursuant to this Section shall be subject to a grant or loan agreement, which shall include the following commitments:
 1. *(remains in its entirety)*
 2. A commitment from the applicant to abide by minimum demolition and property maintenance standards established by the Department of ~~Development~~;
 3. *(remains in its entirety)*
 4. *(remains in its entirety)*
 5. *(remains in its entirety)*
- E. *(remains in its entirety)*
- F. *(remains in its entirety)*

G. *(remains in its entirety)*

H. *(remains in its entirety)*

I. *(remains in its entirety)*

Section 807.04 Reporting Requirements

A. The Department of ~~Development~~ shall create and maintain an up-to-date listing of information about all projects proposed for demolition under the property demolition program, including the following:

1. *(remains in its entirety)*

2. *(remains in its entirety)*

3. *(remains in its entirety)*

4. *(remains in its entirety)*

5. *(remains in its entirety)*

B. The Department of ~~Development~~ shall issue a report to Council following each round of applications, not less frequently than once per year, 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 and loan amounts awarded to each applicant in each round, a notification of revisions to the eligibility criteria established pursuant to Section 807.03(B), and any other information as may be requested by members of Council.

C. The Land Bank shall bi-annually prepare and issue a report to Council and the Department Director, which shall include a list of all demolitions of structures owned by the Land Bank which are funded, in whole or in part, by the property demolition fund. The Land Bank shall further provide any information as may be requested by members of Council or the Department Director. *(remains in its entirety)*

Chapter 809: Cuyahoga County Housing Program

Section 809.01 Definitions

A. For the purposes of this Chapter, the following definitions apply:

“Affordable neighborhood” means a census tract where the median single-family home value is at or below 100% of the countywide median home value.

“Department” means the Department of **Housing and Community** Development, ~~Division of Community Development~~.

“High market neighborhood” means a census tract where the median single-family home values is in excess of 175% of the countywide median home value.

“Land Bank” means the Cuyahoga County Land Reutilization Corporation, a nonprofit community improvement corporation duly organized pursuant to Chapter 1724 of the Ohio Revised Code.

“Median home value” means the respective median residential property value as certified in the 2018 sexennial reappraisal, as may be revised in the 2021 triennial update.

“Middle market neighborhood” means a census tract where the median single-family home value is above 100% and at or below 175% of the countywide median home value.

“Neighborhood” means an affordable neighborhood, middle market neighborhood, and/or a high market neighborhood.

“Owner-occupant” means a resident of Cuyahoga County who owns or will own the home which they identify as his or her principal place of residence.

“Program” means the Cuyahoga County Housing Program.

“Small dollar mortgage” means a mortgage with a principal amount of \$70,000.00 or less.

Section 809.02 Program Establishment and Scope

A. The Cuyahoga County Housing Program is hereby established to bolster ongoing, community-wide efforts to stabilize and strengthen the County’s housing market, reduce housing insecurity, eliminate vacant and blighted residential structures, accelerate new construction and renovation of existing housing, improve access to capital and affordable housing, and help county residents maintain their homes in good repair and avoid foreclosure. The County seeks to augment existing efforts to address the six primary objectives identified in the 2017 Cuyahoga County Housing Plan authored by the Department of Development, which are:

1. Access to capital
2. Tax collection and delinquency
3. Housing insecurity
4. Special populations
5. Fair housing

6. Confidence in the housing market

B. Components. The Program shall consist of three components:

1. **Home Renovation.** *(remains in its entirety)*
2. **Home Owner Assistance.** The Home Owner Assistance component provides financial and technical assistance to current and prospective home-owners and tenants seeking to acquire or maintain affordable housing consistent with local building and zoning laws.
 - a. Home repair assistance. The Department of Development shall provide home repair assistance to home-owners in the form of loans, grants, and/or technical assistance.
 - b. Small-dollar mortgage assistance for prospective owner-occupants. The Department of Development shall provide small-dollar mortgage assistance to prospective owner-occupants. Mortgage assistance may include loan origination, loan servicing, loan bundling, and/or the creation of a loan loss reserve.
3. **Housing Market.** The Housing Market component includes strategic activities specifically intended to spur private market investment in emerging and future markets.
 - a. Emerging markets. *(remains in its entirety)*
 - b. New infill construction. *(remains in its entirety)*
 - c. Future markets. The Land Bank shall undertake strategic planning activities in markets where long-term disinvestment has occurred and private market actors have been unwilling to reinvest. Such activities may include commissioning feasibility studies, concept development, or strategic land assembly. The Land Bank shall undertake such activities in coordination with the Department of Development, municipalities, community development corporations, and/or other community partners.
 - d. Strategic demolition. *(remains in its entirety)*

Section 809.03 Program Administration

- A. The Program shall be jointly administered by the Land Bank and the ~~Department of Development, Division of Community Development~~. The Land Bank shall act as fiscal agent for the entire program and shall design and administer the Home Renovation and Housing Market components consistent with this Chapter. The Department shall design and promulgate rules for the Home Owner Assistance component consistent with this Chapter, including the establishment of eligibility criteria such as income requirements, property values, and/or any other factors the Department considers relevant. The Department shall also participate in the competitive selection, monitoring, and oversight of third-party service providers for the Home Owner Assistance Component. The Land Bank shall publish rules for all Program components on its website.
- B. *(remains in its entirety)*
- C. *(remains in its entirety)*
- D. *(remains in its entirety)*
- E. *(remains in its entirety)*

Section 809.04 Outcomes and Reporting

- A. *(remains in its entirety)*
- B. *(remains in its entirety)*
- C. *(remains in its entirety)*
- D. *(remains in its entirety)*

Section 809.05 Program Funding

- A. *(remains in its entirety)*
- B. *(remains in its entirety)*

SECTION 3. It is necessary that this Ordinance became 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 (8) 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

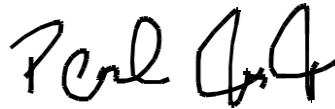
Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. 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 Stephens, seconded by Ms. Conwell, the foregoing Ordinance was duly enacted.

Yeas: Stephens, Kelly, Miller, Byrne, Gallagher, Conwell, Turner and Jones

Nays: None



County Council President

10/10/2024

Date



County Executive

10/10/2024

Date



Clerk of Council

10/09/2024

Date

First Reading/Referred to Committee: July 30, 2024

Committee(s) Assigned: Community Development

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