

County Council of Cuyahoga County, Ohio

Ordinance No. O2026-0009

Sponsored by: Councilmember Houser Co-sponsored by: Councilmembers Jones, Kelly, Simon, Conwell & Miller	An Ordinance enacting Chapter 810 of the Cuyahoga County Code to establish the Community Benefits Advisory Committee.
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WHEREAS, Cuyahoga County invests significant public resources in economic development projects through grants, loans, and other forms of financial assistance; and

WHEREAS, the County has a substantial public interest in ensuring that projects receiving such assistance contribute positively to economic opportunity, neighborhood vitality, and the overall well-being of County residents; and

WHEREAS, Cuyahoga County is committed to public-private partnerships between governments, contractors, labor, and community organizations that strengthen our communities and provide economic benefits for all who work and reside in Cuyahoga County; and

WHEREAS, the County desires to establish a clear, consistent process that encourages developers receiving County incentives to work collaboratively with residents, community organizations, and County departments to identify potential community benefits tailored to the needs of affected communities; and

WHEREAS, the County recognizes that transparent engagement and early communication between developers and community stakeholders help strengthen public trust, reduce project delays, and promote responsible development practices; and

WHEREAS, the County is committed to supporting economic growth while ensuring that development aligns with community priorities including workforce development, access to apprenticeships, mentorship, environmental sustainability, housing stability, public amenities, and other benefits that enhance quality of life; and

WHEREAS, the creation of a Cuyahoga County Community Benefits Advisory Committee will promote ongoing oversight, ensure fairness and consistency in implementation, and provide informed recommendations to County leadership.

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

SECTION 1. Chapter 810 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 810: Cuyahoga County Community Benefits Advisory Committee

Section 810.01 Purpose

The purpose of this Ordinance is to ensure that public investments in development projects generate measurable and equitable benefits for the residents of Cuyahoga County; to provide a transparent and consistent process for evaluating such benefits; to establish a Community Benefits Advisory Committee; and to require appropriate reporting, oversight, and enforcement mechanisms tied to the use of County incentives, financing, and other economic development tools.

Section 810.02 Definitions

For the purposes of this Chapter:

- A. **“County”** means Cuyahoga County, Ohio.
- B. **“Economic Development Incentive”** means any discretionary County financial assistance provided in connection with a development or construction project, limited to loans issued from the County Economic Development Fund, grants awarded by the County, bond or note issuances facilitated or authorized by the County, and County bond guarantees.
- C. **“Qualifying Project”** means any development or construction project that receives an Economic Development Incentive from the County.
- D. **“Developer”** means any individual, corporation, partnership, joint venture, nonprofit, or other entity receiving an Economic Development Incentive for a Qualifying Project.
- E. **“Community Benefits Agreement (CBA)”** means a written agreement or a provision in a written agreement between the County and a Developer outlining community benefits associated with a Qualifying Project in accordance with this Chapter.
- F. **“Advisory Committee”** means the Community Benefits Advisory Committee established in Section 810.06 of this Chapter.
- G. **“Community Benefits Fund”** means a special fund accounted for separately within the General Fund of the County.

Section 810.03 Applicability

- A. This Chapter applies to all Qualifying Projects with a total project value of five million dollars (\$5,000,000.00) or greater, as determined by the total development budget submitted to the County, and that receive one million dollars (\$1,000,000.00)

- or more in Economic Development Incentives from the County, as measured by the principal, par, or face amount of the financial assistance granted.
- B. For purposes of determining whether the incentive threshold in subsection (A) is met, all Economic Development Incentives approved for the same Qualifying Project, whether approved simultaneously or at different times, shall be considered in the aggregate.
 - C. A Developer shall not divide a development project into multiple phases, applications, or agreements for the purposes of avoiding application of this Chapter. The County may treat related or sequential phases of development that are part of a single project or common development plan as one Qualifying Project.
 - D. No Economic Development Incentive shall be approved for a Qualifying Project without compliance with the procedures established in this Chapter.
 - E. This Chapter does not impose or authorize mandatory hiring requirements otherwise prohibited by state or federal law.

Section 810.04 Required Community Benefits Process

A. Community Benefits Plan Required.

Each Developer of a Qualifying Project shall prepare and submit a proposed Community Benefits Plan to the Community Benefits Advisory Committee prior to final County approval of any Economic Development Incentive.

B. Menu of Community Benefits.

The Community Benefits Plan may include, but need not be limited to, any combination of the following community benefits, as applicable to the nature and scope of the project, or otherwise:

1. Encouraging opportunities for contracting and subcontracting with local businesses and contractors, where feasible and consistent with applicable law.
2. Workforce development, mentorship, and training partnerships.
3. Apprenticeship utilization goals.
4. Community engagement meetings with impacted residents or stakeholders.
5. Affordable housing commitments for residential projects.
6. Childcare facilities or childcare access commitments.
7. Environmental sustainability measures or green building practices.
8. Public art, placemaking, or cultural investment.
9. Dedicated green space for community use.
10. Support for neighborhood services, programs, or community organizations.
11. Local hiring efforts, outreach, or recruitment strategies without establishing hiring quotas.
12. Small business hiring and engagement efforts without establishing hiring quotas.
13. Opportunities to mitigate the impact of construction on the community's residential and commercial areas.
14. Monetary contributions to the Community Benefits Fund.

C. Countywide Scope.

Community benefits may be targeted to any community or population within Cuyahoga County.

D. Review by the Advisory Committee.

The Community Benefits Plan shall be submitted to the Advisory Committee, which shall review the proposal and issue nonbinding written recommendations to the County Executive and County Council according to the procedures set forth in this Chapter. The Advisory Committee shall undertake review of Community Benefits Plans as expeditiously as practicable and endeavor to provide recommendations without undue delay, consistent with the efficient administration of County economic development activities. The Advisory Committee shall consider, among other things, any applicable state or federal grant restrictions related to the Qualifying Project.

E. Implementation of a Community Benefits Agreement.

The County Executive or their designee shall consider the recommendations of the Advisory Committee and exercise discretion in determining whether to implement any or all of the recommendations in a Community Benefits Agreement. Where County Council approval is required for the associated Economic Development Incentive, the Community Benefits Agreement and the Advisory Committee's recommendations shall accompany the legislation or other materials submitted to County Council.

Section 810.05 Community Engagement Requirements

- A. Developers of Qualifying Projects shall participate in at least one community engagement meeting concerning the Qualifying Projects, unless waived by the County.
- B. Engagement meetings shall be publicly noticed and open to residents of Cuyahoga County consistent with applicable state law.

Section 810.06 Community Benefits Advisory Committee

A. Establishment.

There is hereby established the Cuyahoga County Community Benefits Advisory Committee.

B. Membership.

The Advisory Committee shall consist of seven (7) voting members, each of whom shall be an elector of Cuyahoga County. The Advisory Committee shall include one (1) representative of the Cuyahoga County Department of Development, one (1) representative of the Cuyahoga County Fiscal Office, one (1) representative of the Cuyahoga County Department of Housing and Community Development, one (1) representative of the business or development community, one (1) representative from a community-based organization located within Cuyahoga County, one (1) representative of Cuyahoga County Council, and one (1) member appointed by the County Executive. The Advisory Committee shall include one (1) chair nominated and selected by members of the Advisory Committee on an annual basis who shall conduct meetings. Advisory Committee member terms are three (3) years, subject to reappointment by the County Executive and confirmation by County Council.

C. Duties.

The Advisory Committee shall:

1. Review Community Benefits Plans submitted pursuant to this Chapter, unless otherwise provided in the rules and procedures established by the Advisory Committee pursuant to the authority granted in this Ordinance.
2. Provide, as appropriate, written, nonbinding recommendations regarding each Community Benefits Plan to the Cuyahoga County Executive. Recommendations shall be made by a majority vote of the Advisory Committee membership, unless otherwise provided in the rules and procedures established by the Advisory Committee pursuant to the authority granted in this Ordinance.
3. Convene biannually for the purpose of reviewing compliance reports submitted pursuant to Section 810.07 of this Chapter.
4. Issue advisory findings where appropriate.
5. Make recommendations for policy improvements to the County with respect to community benefits.
6. Make recommendations to the County Executive as to the allocation and expenditure of funds contained in the Community Benefits Fund, which is hereby established.

D. Requests For Information.

The Advisory Committee shall communicate to the Developer and the County Executive about what information they deem necessary for the purposes of their deliberation. The Developer and the County Executive shall, in a timely manner, provide the Advisory Committee with sufficient information to permit the Advisory Committee to review proposed Community Benefits Plans.

E. Public Meetings.

Meetings of the Advisory Committee shall be subject to open meetings requirements under Ohio law.

F. Rulemaking Authority

1. The Advisory Committee shall have the authority to adopt, amend, and enforce its own rules and regulations governing its internal operations, procedures, and administration, consistent with applicable law.
2. Such rules and regulations may include, but are not limited to:
 - a. The frequency, scheduling, and conduct of meetings;
 - b. Procedures for reviewing and evaluating Community Benefits Plans;
 - c. Standards for issuing advisory recommendations to the County Executive.
 - d. Processes for receiving public input and conducting meetings;
 - e. Guidelines for reviewing compliance reports submitted by Developers; and
 - f. Any other operational matters necessary to carry out the duties of the Advisory Committee under this Ordinance.

3. The Advisory Committee may, in its discretion, invite individuals or representatives of organizations, including but not limited to representatives of Cuyahoga County departments or agencies, subject matter experts, community stakeholders, or project representatives, to attend meetings and participate in discussions for the purpose of providing information, expertise, or community input. Any such invited participants shall serve in a non-voting capacity and shall not be considered members of the Advisory Committee or have authority to take any official action on its behalf.
4. All rules and regulations adopted by the Advisory Committee shall be made publicly available and shall comply with applicable open meetings and public records laws.

Section 810.07 Reporting and Compliance

A. Annual Reporting.

Developers of Qualifying Projects shall submit annual reports to the Cuyahoga County Department of Development demonstrating compliance with the Community Benefits Agreement.

B. Public Posting.

All Community Benefits Agreements, reports, and Advisory Committee recommendations shall be posted on the County's website.

C. Corrective Action.

If a Developer fails to comply with the process requirements of the Community Benefits Process, including reporting obligations, the County may require a corrective action meeting with the Advisory Committee. Any corrective action undertaken pursuant to this Chapter shall not constitute a waiver of any legal or equitable remedies available to the County for a Developer's failure to comply with the terms of a Community Benefits Agreement.

D. Withholding of Disbursements.

The County may, to the extent permitted under applicable law, withhold future disbursements of Economic Development Incentives if the Developer fails to comply with process-based obligations under this Chapter and the Community Benefits Agreement.

E. Referral and Debarment

In the event that a Developer is determined by the County to have substantially failed to comply with the community benefits obligations set forth in an executed Community Benefits Agreement, the County may, in its discretion, refer the matter to the Cuyahoga County Agency of Inspector General for review and potential action. Such referral shall not constitute a waiver of any legal or equitable remedies available to the County for a Developer's failure to comply with the terms of a Community Benefits Agreement.

The Agency of Inspector General may, in accordance with applicable law and County ordinances, policies, and procedures, initiate debarment proceedings or pursue other remedies as authorized.

Section 810.08 Implementation Period

This Chapter shall be implemented within ninety (90) days following the effective date of this Ordinance. During such period, the Cuyahoga County Department of Development and the Community Benefits Advisory Committee shall take all necessary actions to establish procedures, adopt initial rules and guidelines, and prepare forms and processes required for the administration of this Chapter.

Section 810.09 Annual Evaluation and Report

Not later than March 31 of each calendar year, the Community Benefits Advisory Committee shall submit a written report to the County Executive and County Council evaluating the implementation and effectiveness of this Chapter during the preceding calendar year.

The report may include, but need not be limited to:

1. The number and type of Qualifying Projects subject to this Chapter;
2. A summary of Community Benefits Plans and Community Benefits Agreements reviewed during the reporting period;
3. Information regarding community engagement activities conducted pursuant to this Chapter;
4. A summary of annual compliance reports submitted by Developers;
5. Any instances of material non-compliance identified during the reporting period and actions taken by the County in response thereto;
6. Recommendations for improving the administration, implementation, or effectiveness of this Chapter; and
7. Any other information the Advisory Committee deems relevant to evaluating the effectiveness of the Community Benefits Program.

The report shall be made available to the public in accordance with applicable County policies and procedures.

SECTION 2. 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 Ms. Conwell, seconded by Mr. Sweeney, the foregoing Ordinance was duly enacted.

Yeas: Turner, Houser, Simon, Kelly, Sweeney, Casselberry, Gallagher, Schleper, Conwell, Jones and Miller

Nays: None

<u>Dale A. Miller</u>	<u>8/7/2026</u>
County Council President	Date
<u>Chris Ronayne</u>	<u>8/10/2026</u>
County Executive	Date
<u>Andria Richardson</u>	<u>8/7/2026</u>
Clerk of Council	Date

First Reading/Referred to Committee: July 7, 2026

Committee(s) Assigned: Community Development & Housing

Additional Sponsorship Requested on the Floor: July 7, 2026

Additional Sponsorships Requested in Committee: July 13, 2026

Legislation Substituted on the Floor: July 21, 2026

Additional Sponsorship Requested on the Floor: August 4, 2026

Journal CC063
August 4, 2026