

R E S O L U T I O N

Expressing the intent and desire of the Board of Cuyahoga County Commissioners to encourage the hiring of local County residents and the utilization of small businesses on projects funded by economic development financial assistance from Cuyahoga County, effective January 1, 2010.

WHEREAS, the Board of Cuyahoga County Commissioners (the “Board”) desires to create and preserve jobs and employment opportunities for and improve the economic welfare of the residents of Cuyahoga County.

WHEREAS, the Board, pursuant to its statutory authority, provides financial assistance to projects through its economic development loans and bonds issued for the purposes of job creation and retention, and increasing the tax base of the County.

WHEREAS, pursuant to statutory authority, the Board has established several economic development grant and loan programs, including, without limitation, Brownfield Redevelopment, Community Reinvestment, Economic Development and Grow Cuyahoga County programs, and issues conduit bonds to fund commercial projects that may involve the hiring of labor for the construction of properties and result in the retention or creation of permanent jobs.

WHEREAS, the County’s economic development programs are designed to assure that County resources are efficiently used and that economic growth is properly balanced.

WHEREAS, to further the above-stated purposes, the Board desires that County funds expended for economic development projects or funds generated by the issuance of County economic development bonds be distributed equitably throughout the community to recipients who will endeavor to hire and maintain a diverse workforce in all jobs created and retained, both temporary and permanent.

WHEREAS, the Board recognizes the profound impact the economic downturn in this nation’s economy has had on residents of Cuyahoga County particularly low income residents, and on small business located in Cuyahoga County and that many local residents have in the past months lost their jobs and are having difficulty finding new job opportunities in Cuyahoga County.

WHEREAS, the Board desires, therefore, that the residents of Cuyahoga County should benefit from the jobs and employment opportunities resulting from economic development projects receiving funding through Cuyahoga County loan programs or through County bond issuances.

WHEREAS, the Board further recognizes that small businesses located in Cuyahoga County are having difficulty sustaining operations and retaining employees.

WHEREAS, the Board desires, therefore, to encourage the engagement of small businesses on economic development projects that receive funding through Cuyahoga County loan programs or through County bond issuances.

NOW THEREFORE BE IT RESOLVED by the Board of Cuyahoga County Commissioners that it shall be the policy of this Board, as set forth in this Resolution, to support a diverse workforce in all jobs created and retained, both temporary and permanent, in conjunction with economic development projects funded in whole or in part by County loans, grants or bonds, by encouraging the recipients of County economic development assistance to engage County residents and small businesses in construction and to further encourage the recipients of County economic development assistance to endeavor to create a diverse permanent workforce comprised of residents of Cuyahoga County in connection with those projects.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that it recognizes the value of diversity and all the benefits of fostering an inclusive environment and further that the Board strives to create a productive work environment representative of the citizens we serve and reflective of the demography of Cuyahoga County.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that recipients of County economic development assistance valued at \$250,000 or more for projects resulting in improvements to real property are hereby encouraged to hire and provide contract opportunities to residents of Cuyahoga County, particularly residents whose income equals or falls below the federal poverty guidelines.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that it shall be the policy of this Board to encourage recipients of County economic development assistance valued at \$250,000 or more for projects resulting in improvements to real property provide contract opportunities to qualified Small Business Enterprises that have been certified pursuant to Cuyahoga County's Small Business Enterprise Program ("SBE"), in conjunction with any projects funded in part or in whole by Cuyahoga County bonds issued pursuant to Ohio Revised Code Chapter 165 or County economic development loans or grants. In furtherance of the Board's policy, recipients shall be required, as a condition to economic development or bond approval, to work with the County's Office of Procurement and Diversity to establish SBE participation goals for these projects to the extent of the County funding provided. Recipients shall also be required during and after project completion to demonstrate good faith efforts to achieve the SBE goals.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that recipients of economic development assistance valued at \$250,000 or more for projects resulting in improvements to real property are hereby encouraged to hire, assemble, and maintain a diverse workforce that includes residents of Cuyahoga County, in conjunction with any projects funded in part or in whole by Cuyahoga County bonds issued pursuant to ORC Chapter 165, economic development grants or loans received through County programs.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that the Director of the Cuyahoga County Department of Development (the "Director") is hereby authorized to establish policies regarding and include provisions in economic development loan and grant agreements requiring compliance with SBE participation goals and establishing appropriate penalties for recipients' failure to achieve or demonstrate good faith efforts to achieve said goals, including, for example, higher default interest rates and loan forgiveness forfeiture.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that the Director is hereby authorized to establish policies regarding and include provisions in economic development bond documents that provide appropriate incentives for recipients' successful achievement of SBE participation goals, including, for example, the refunding of a portion of the bond issuance costs to the recipients.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that all recipients of economic development assistance shall be required to execute an affidavit of non-discrimination in a form approved by the County's Office of Procurement and Diversity.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that all recipients of economic development assistance shall be required to enter into a Workforce Cooperation Agreement in a form approved by the Office of Workforce Development.

BE IT FURTHER RESOLVED by the Board of Cuyahoga County Commissioners that this Resolution shall become effective January 1, 2010 and that all requirements contained in this Resolution shall apply to new economic development bond, loan and grant funding applications submitted to the County following the effective date of this Resolution.

BE IT FURTHER RESOLVED that the Clerk of the Board be, and she is, hereby instructed to transmit a copy of this resolution to Paul Oyaski, Director; Department of Development; James McCafferty, County Administrator; Lenora Lockett, Director, Office of Procurement & Diversity and William D. Mason, County Prosecutor.

On Motion of Commissioner Dimora, seconded by Commissioner Jones, the foregoing resolution was duly adopted.

Ayes: Dimora, Jones, Hagan.

Nays: None.

Resolution Adopted.

**Jeanne M. Schmotzer,
Clerk of the Board**

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