

Ordinance No. 651-2024

By Council Members McCormack,
Hairston and Griffin (by departmental
request)

FOR PASSAGE
June 3, 2024

AN EMERGENCY ORDINANCE

Authorizing the Directors of Economic Development and Finance to enter into a Job Creation Income Tax Credit Incentive Program agreement with James B. Oswald Company, and/or its designee, to facilitate the purpose and provisions of this ordinance; and authorizing the director to enter into a grant agreement to provide economic development assistance to partially finance building renovations located at 950 Main Avenue.

WHEREAS, pursuant to the authority of Revised Code Section 718.15, Section 192.16 of the Codified Ordinances of Cleveland, Ohio, 1976 (“CCO”), and Ordinance No. 1345-2023, passed December 4, 2023, and in accordance with CCO Section 192.19, the City has created a Job Creation Income Tax Credit Incentive Program (“JCI Tax Credit Program”); and

WHEREAS, prior to passage of this ordinance, the City and the company listed below have reached an agreement specifying all the conditions of the JCI Tax Credit Program were granted and placed in **File No. 651-2024-A**; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Directors of Economic Development and Finance are authorized to enter into a Job Creation Income Tax Credit Incentive Program agreement (“JCI Tax Credit Agreement”), for a period not to exceed five years, with James B. Oswald Company, and/or its designee (the “Company”), to provide financial assistance and incentives, by means of a credit against net profit tax due to the Central Collection Agency (“CCA”) to Company, an eligible applicant for such credit, which Company will create a minimum of fifty (50) full time jobs new to the City. Company may receive five (5) annual credits measured as 50% of the income tax withholding revenue the City derives from new employees of the Company that will be granted within the Company’s annual net profit return to be filed with CCA.

Section 2. That the Company must not be delinquent on any portion of its tax filing and payment requirements including but not limited to real estate taxes, municipal income taxes, and withholding tax obligations on behalf of its employees.

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The term of the JCI Tax Credit Agreement authorized by this ordinance shall not exceed the term of the Company's lease, and in no event shall exceed five years, unless otherwise approved by Council.

Section 3. That the Director of Economic Development is authorized to enter into a grant agreement with the Company to provide economic development assistance to partially finance building renovations located at 950 Main Avenue.

Section 4. That the Directors of Economic Development, Finance and Office of Equal Opportunity are authorized to enter into a Community Benefits Agreement as a condition to receive funds under this ordinance.

Section 5. That the Mayor, the Director of Finance, the Director of Economic Development, the Director of Law, and any other City officials, as appropriate, are each authorized to prepare and sign any other documents, instruments, amendments or certificates and to take such actions as are necessary or appropriate to consummate and implement the transactions described in or contemplated by this ordinance.

Section 6. That the contract authorized in this legislation will require the recipients of financial assistance and to work with, and/or cause their tenants to work with, Ohio Means Jobs Cuyahoga County and City of Cleveland to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

Section 7. That the costs of the grant shall not exceed an amount of \$1,000,000 and shall be paid from Fund No. 17 SF 652. (RQS 9501, RL 2024-64)

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SMa:nl
6-3-2024
FOR: Director McNair

**By Council Members McCormack, Hairston and Griffin
(by departmental request)**

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READ FIRST, SECOND AND THIRD TIME

READ FIRST TIME

REPORTS

referred to

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on JUNE 3, 2024

PRESIDENT

CITY CLERK

APPROVED

MAYOR