

# Resolution No. 954-2022

By Council Member Griffin

## AN EMERGENCY RESOLUTION

Establishing a working committee of Council, the Administration, and community stakeholders to study Community Benefits Agreement policies and ordinances, and consider implementing a City policy and ordinance to ensure that development projects provide maximized, tangible benefits to Cleveland's communities and citizens; and improve reporting practices and public accessibility to workforce and community benefits data and information.

---

WHEREAS, this Council recognizes the gap in supply and demand in the construction and development industry, economic market failures, barriers to entry for minorities and women, and stark racial and socioeconomic disparities that exist in the Cleveland community, and the high cost we all pay for not reaching parity; and

WHEREAS, this Council values the principles of diversity, equity and inclusion, and desires to consider these principles and practices in the legislative process of authorizing public funding for construction and development projects; and

WHEREAS, to further these principles, this Council seeks to work with the Administration to improve compliance and reporting of existing Office of Equal Opportunity MBE/FBE/CSB contracting and resident hiring goals, as well as maximize tangible benefits to Cleveland's communities and citizens through Community Benefits Agreements, as a tool for correcting market failures; and

WHEREAS, from the City of Cleveland's 2020 OEO Annual Report, 16.2% of prime contracts were awarded to MBEs; 15.6% of prime contracts were awarded to FBEs; 8.6% of prime contracts were awarded to MBE/FBEs; and 59.6% of prime contracts were awarded to CSBs; and

WHEREAS, from 2014-2018, Cuyahoga County spent \$1.1 billion in prime contract spending; of this amount, 51.5 million, or 4.62% was awarded to MWBE firms as prime contractors; white female owned firms accounted for 4.03% of the total MWBE awards, while MBEs were 0.59% of the awards.

WHEREAS, numerous cities, including Philadelphia, Detroit, Boston, and South Fulton, Georgia have enacted ordinances and adopted policies that require developers seeking city funding to contractually provide community benefits; and

WHEREAS, this Council will establish a working committee with the Administration and community stakeholders, including the Office of Equal Opportunity, Departments of Economic Development, Community Development, and Community Relations Board, to consider implementing a City policy and ordinance to ensure that developers seeking city support and financial assistance for development projects contractually provide maximized, tangible benefits to Cleveland's communities and citizens; and

# Resolution No. 954-2022

---

WHEREAS, in order to develop a City policy and ordinance, the committee will study the following: existing policies and ordinances; current and expanded City community benefits and practices; required and optional menu of benefits; balancing the need for predictability and flexibility; criteria based on natural breaks in development project size, cost, and location; city-wide and neighborhood benefits; development contracting and legislative process; and effective community engagement process; and

WHEREAS, this working group will also improve reporting practices and public accessibility to workforce and community benefits data and information by the following: quarterly Office of Equal Opportunity reports to Council's Finance, Diversity, Equity and Inclusion Committee; Administration providing Community Benefits Agreement to Council to include in the legislative file available to the public; and creating a centrally located data dashboard of workforce and community benefits data available to the public, to include revenue to certified firms, revenue to Cleveland residents, and tangible community benefits – disaggregated by race and gender, as appropriate; and

WHEREAS, this working group will further develop a communications plan to publicize and incentivize workforce and community benefits compliance by developers and project owners, to hold them accountable to tax-payers and promote “best actors”; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore,

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

Section 1. That this Council establishes a working committee of Council, the Administration, and community stakeholders to study Community Benefits Agreement policies, and consider implementing a City policy and ordinance to ensure that development projects provide tangible benefits to Cleveland's communities and citizens; and improve reporting practices and public accessibility to workforce and community benefits data and information.

Section 2. That this resolution is hereby 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 adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

BG:jho  
9/19/2022

