

# Ordinance No. 891-2022

By Council Members Hairston and Griffin  
(by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Economic Development to enter into a UDAG loan agreement with FMCFP, LLC, and/or its designee, to provide economic development assistance relating to construction of the Meijer grocery store to be located at East 105<sup>th</sup> Street and Cedar Avenue, related soft costs, and other associated costs necessary to redevelop the property.

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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 Director of Economic Development is authorized to enter a non-forgivable UDAG loan agreement with FMCFP, LLC, and/or its designee, in an amount of \$1,500,000, to provide economic development assistance relating to construction of the Meijer grocery store to be located at East 105<sup>th</sup> Street and Cedar Avenue, as specified in the file mentioned below, and related soft costs, and other associated costs necessary to develop the property.

Section 2. That, in the alternative to the non-forgivable UDAG loan authorized above, the Director of Economic Development is authorized to enter a forgivable UDAG loan agreement with FMCFP, LLC, and/or its designee, in an amount of \$500,000, to provide economic development assistance relating to construction of the Meijer grocery store to be located at East 105<sup>th</sup> Street and Cedar Avenue, as specified in the file mentioned below, and related soft costs, and other associated costs necessary to develop the property.

Section 3. That the summary for the loan, **File No. 891-2022-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be materially changed without additional legislative authority.

Section 4. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

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Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan applications, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305.

Section 7. That the contracts and other appropriate documents needed to complete the transactions authorized by this legislation shall be prepared by the Director of Law.

Section 8. That the contracts authorized in this legislation will require the recipients of financial assistance 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 related circumstances relate to the duties for the particular job sought.

Section 9. That the costs of any funding under this ordinance shall not exceed the amounts specified in Sections 1 or Section 2 of this ordinance, and shall be paid from Fund No. 17 SF 008, RQS 9501, RL 2022-88.

Section 10. 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  
9-12-2022  
FOR: Director Jackson

