

**Resolution No. R2017-0162**

Sponsored by: **County Executive Budish/Department of Development**

**A Resolution** authorizing an Economic Development Fund Place-based/Mixed-use Loan in the amount not-to-exceed \$2,500,000.00 to Link59 Leverage Lender, LLC for the benefit of the Phoenix Building Project, located at the intersection of East 61<sup>st</sup> Street and Euclid Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Development has recommended an Economic Development Fund Place-based/Mixed-use Loan in the amount not-to-exceed \$2,500,000.00 to Link59 Leverage Lender, LLC for the benefit of the Phoenix Building Project, located at the intersection of East 61<sup>st</sup> Street and Euclid Avenue, Cleveland; and

WHEREAS, the primary goal of this project is to assist with the redevelopment of the currently vacant 30,000 square foot Phoenix Building, located at the intersection of East 61<sup>st</sup> Street and Euclid Avenue, Cleveland, Council District 7; and

WHEREAS, the project is anticipated to provide approximately 24 new jobs and retain 132 existing jobs; and

WHEREAS, the total cost of the project is \$22,430,000.00 of which the County will loan \$2,500,000.00 in two notes – Note A in the amount of \$1,000,000.00 for a term of 7 years interest only at an interest rate of 3% per annum, and Note B in the amount of \$1,500,000.00 with a term of 10 years based on a 25-year amortization and the first two years interest only at an interest rate of 3% per annum; and

WHEREAS, on July 26, 2017, the Cuyahoga County Community Improvement Corporation reviewed and recommended that the County fund the project; and

WHEREAS, the proposed funding source for this loan is 100% from the

without limitation: The County's SBE Policy, adopted October 29, 2009; execution of a Workforce Development Agreement; submission of annual job creation/retention reporting; and payment of prevailing wages for that portion of the project funded by the County loan authorized herein; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

**SECTION 1.** That the Cuyahoga County Council authorizes an Economic Development Fund Place-based/Mixed-use Loan in the amount not-to-exceed \$2,500,000.00 to Link59 Leverage Lender, LLC for the benefit of the Phoenix Building Project, located at the intersection of East 61<sup>st</sup> Street and Euclid Avenue, Cleveland.

**SECTION 2.** That the County Executive and/or the Director of Development are authorized to execute all documents consistent with said loan and this Resolution.

**SECTION 3.** That this Resolution shall sunset twelve (12) months after County Council approval should the authorized action have not occurred by that date. In the event this Resolution sunsets prior to the authorized action taking place, the Director of Development shall notify the Clerk of Council in writing. The Clerk of Council shall record the sunseting of this Resolution in the Council's journal.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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.

duly adopted.

Yeas: Jones, Brown, Hairston, Simon, Baker, Miller, Tuma, Gallagher, Schron and  
Brady

Nays: None

  
County Council President

9/27/17  
Date

  
County Executive

9-28-17  
Date

  
Clerk of Council

9/26/2017  
Date

First Reading/Referred to Committee: September 12, 2017  
Committee(s) Assigned: Economic Development & Planning

Legislation Substituted in Committee: September 18, 2017

Journal CC027  
September 26, 2017