



AGENDA
CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, JULY 16, 2024
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
2:30 PM

Cuyahoga County Council – Procedures for Public Comment at Council and Committee Meetings

- Requests to speak must be submitted in writing **prior** to the scheduled meeting start time on the Request Form provided by the Clerk immediately prior to each meeting.*
- Request Forms must be submitted in-person and may not be submitted on behalf of others (one per person).
- A maximum of twenty speakers will be selected at random during the public comment section at each meeting.
- Each speaker will receive three minutes to address the council or committee. A bell will ring to signal that speaking time has ended. Speakers may not yield their time to others.
- In lieu of verbal public comment, written testimony may be submitted to Council or the applicable committee through the Clerk of Council at CouncilPublicComment@cuyahogacounty.us prior to the adjournment of each meeting.
- The Council and committee meeting schedule can be found [on the Council website](#).

** Council chambers will open to the public 30 minutes prior to the scheduled meeting start time.*



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1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

4. ITEMS REFERRED TO COMMITTEE

- a) R2024-0266: A Resolution amending Rule 17 of the Cuyahoga County Rules of Council to establish additional guidelines and procedures for public comment at Council and Committee meetings; and declaring the necessity that this Resolution become immediately effective. [See Page 4]
- b) O2024-0004: An Ordinance repealing and replacing Chapter 703 of the County Code establishing a Justice Center Capital Projects Fund within the General Fund; and directing the deposit of specified sales and use tax proceeds therein. [See Page 7]

5. EXECUTIVE SESSION

- a) Pending or imminent court action

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*

County Council of Cuyahoga County, Ohio

Resolution No. R2024-0266

| | |
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| Sponsored by: Councilmembers Jones, Kelly, Miller, Sweeney, Gallagher, Schron, Conwell, Turner, Byrne and Simon | A Resolution amending Rule 17 of the Cuyahoga County Rules of Council to establish additional guidelines and procedures for public comment at Council and committee meetings; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, Article III, Section 3.10(2) of the Cuyahoga County Charter provides that County Council shall adopt its own rules; and

WHEREAS, County Council originally adopted its rules pursuant to Motion No M2011-0007 on April 26, 2011 and such rules have been subsequently amended by Motion Nos. M2011-0017, M2012-0004, M2012-0030, and M2013-0021, and by Resolution Nos. R2014-0229, R2015-0016, and R2018-0002; and

WHEREAS, Council desires to amend Rule 17 of the Rules of Council to establish additional guidelines and procedures for public comment at Council and committee meetings; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue to provide for the usually, daily operations of the County.

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

SECTION 1. That the Cuyahoga County Council hereby amends Rule 17 of the Cuyahoga County Rules of Council as follows (deletions stricken, additions underlined):

Rule 17. Requests to Address Council

~~Rule 17A: Public Comment at Committee Meetings~~

~~The Council encourages the public to direct any address or presentation to the applicable Committee of Council. Requests to address a committee shall be made in writing to the Chairperson of the committee, prior to addressing the committee on a form to be provided for this purpose. The~~

request shall include the name of the requesting party and the topic(s) on which the requesting party wishes to speak.

Rule ~~17B~~**17A**: Public Comment Available at All Committee Meetings

The Council encourages the public to direct their comments to the applicable committee of Council. The committee Chairperson shall honor all requests to address a committee received before the start of a committee meeting in accordance with the rules and procedures established pursuant to Rule 17C and shall honor requests received during a committee meeting whenever it is practical to do so. **The request shall include the name of the requesting party and the topic(s) on which the requesting party wishes to speak.** The Chairperson may impose a reasonable time limit per presentation, and such time limit may be extended at the discretion of the Chairperson.

Rule ~~17C~~**17B**: Public Comment at Council Meetings

The Council shall provide time at the beginning of each Council meeting for public comment ~~relating to county business. Requests to address Council shall be made in writing to the Clerk prior to the meeting on a form to be provided for this purpose. Requests submitted to the Clerk not later than 12 Noon on the day of the meeting shall be given priority in the order of presentation.~~ After being recognized by the President, the presenter shall state his/her name and address and may speak for not more than three (3) minutes, unless such time is extended at the discretion of the President.

Rule 17C: Procedures for Public Comment

The public comment period at each Council and committee meeting shall be limited to twenty (20) speakers. Additional speakers may be permitted at the discretion of the Chairperson. Requests to address Council shall be made in writing to the Clerk on a form to be provided for this purpose. The Chief of Staff and Clerk shall post guidelines on the Council website specifying time, place, and manner for individuals to register and speak during the public comment period. Individuals may submit written testimony to the Clerk prior to the meeting in lieu of verbal public comment on a form to be provided for this purpose.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County Council and the reasons set

forth in the preamble. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall take effect and be in force immediately upon its passage. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____

_____, 20____

County Council of Cuyahoga County, Ohio

Ordinance No. O2024-0004

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| Sponsored by: Councilmembers Kelly and Stephens | An Ordinance repealing and replacing Chapter 703 of the County Code establishing a Justice Center Capital Projects Fund within the General Fund, and directing the deposit of specified sales and use tax proceeds therein; and declaring the necessity that this Ordinance become immediately effective. |
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WHEREAS, on December 6, 2022, Cuyahoga County Council approved Ordinance No. O2022-0007, which enacted Chapter 703 of the County Code establishing a Justice Center Capital Projects Fund in accordance with ORC Section 5705.13(C); and

WHEREAS, on December 14, 2023, Cuyahoga County Council approved Ordinance Nos. O2023-0012 and O2023-0013, which enacted Chapter 723 of the County Code codifying the existing sales and use taxes for Cuyahoga County and extending the quarter percent sales tax for an additional forty years commencing on October 1, 2027; and

WHEREAS, Cuyahoga County Council desires to restrict the uses of the quarter percent sales and use taxes enacted under Section 727.01(B) and Section 727.02(B) of the County Code for the purpose of acquiring, constructing, renovating, furnishing, equipping and otherwise improving a County corrections center and courthouse, effective on December 1, 2027 (when the first collection of the aforesaid extended tax is to be made), by establishing an account or fund within the General Fund to be called the “Justice Center Capital Projects Fund”; and

WHEREAS, by establishing the new Justice Center Capital Projects Fund within the General Fund, the aforementioned fund created under ORC Section 5705.13(C) is duplicative and unnecessary and Council thus desires to “rescind” it under ORC Section 5705.13(C) and transfer any and all proceeds therein to the new Justice Center Capital Projects Fund.

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

SECTION 1. Chapter 703 of the Cuyahoga County Code is hereby repealed in its entirety and replaced as follows:

Chapter 703: Justice Center Capital Projects Fund

Section 703.01: Fund Established

Pursuant to the home rule power of local self-government vested in Cuyahoga County by the Charter and the Ohio Constitution, the Fiscal Officer is hereby directed to establish a separate fund in the General Fund designated the Justice Center Capital Projects Fund, for collecting and expending funds for the purposes set forth herein.

Section 703.02: Use of Justice Center Capital Projects Fund

Funds in the Justice Center Capital Projects Fund shall be used solely for the purpose of acquiring, including acquiring land and interests in land, constructing, renovating, furnishing, equipping, and otherwise improving a County corrections center and courthouse.

Section 703.03: Source of Justice Center Capital Projects Funds

Beginning December 1, 2027, the Fiscal Officer shall deposit monies from the General Fund and other legally available sources into the Justice Center Capital Projects Fund no less frequently than biannually, in an amount equal to 100% of the amount collected annually under Section 727.01(B) and Section 727.02(B) of the County Code, net of debt service, financing costs, and any refinancing premium directly relating to any obligations for capital projects as described in Section 703.02, above, and expenses associated with administering collection of any such sources. Additionally, the entire remaining balance of the Justice Center Capital Projects Fund previously established pursuant to ORC Section 5705.13(C) shall be transferred to the new Justice Center Capital Projects Fund after the rescission of the previously established fund, which is to occur upon the effective date of this Section.

Section 703.04: Reporting of the Justice Center Capital Projects Fund

The Fiscal Officer shall report quarterly to Council the revenues, expenditures, and balance of the Justice Center Capital Projects Fund. The quarterly reports shall be sent to the Clerk of Council.

Section 703.05: Termination of Justice Center Capital Projects Fund

The Justice Center Capital Projects Fund shall terminate if Chapter 703 is repealed by County Council. Any funds remaining in the Justice Center Capital Projects Fund upon its termination shall be returned to unrestricted sales and use tax uses within the General Fund.

SECTION 2. Upon the effective date of this Ordinance, the existing Justice Center Capital Projects Fund created under ORC Section 5705.13(C) shall be rescinded and any and all money in said fund transferred to the General Fund (whence

it came) by operation of ORC Section 5705.13(C) and immediately transferred to the new Justice Center Capital Projects Fund established by this Ordinance.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance 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.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 23, 2024

Committee(s) Assigned: Committee of the Whole

Additional Sponsorship Requested on the Floor: April 23, 2024

Legislation Substituted in Committee: May 28, 2024

Journal _____

_____, 20__