



**AGENDA**  
**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING**  
**TUESDAY, JULY 24, 2012**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**3:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES**
  - a) July 10, 2012
- 5. MATTERS REFERRED TO COMMITTEE**
  - a) O2012-0011: An Ordinance establishing an Economic Development Fund for the purpose of collecting and expending proceeds from gross casino revenues, and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

\*In accordance with Ordinance No. O2011-0020, complimentary parking in the Huntington Park Garage will be available for the public **beginning at 4:00 p.m.** on any day when the Council or any of its committees holds evening meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING  
TUESDAY, JULY 10, 2012  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
1:00 PM**

**1. CALL TO ORDER**

**Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan preside over the meeting. Chairman Greenspan then called the meeting to order at 1:11 p.m.**

**2. ROLL CALL**

**Mr. Greenspan asked Deputy Clerk Barnhill to call the roll. Committee members Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Gallagher, Schron and Connally were in attendance and a quorum was determined. Committee member Germana entered the meeting shortly after the roll call was taken.**

**3. PUBLIC COMMENT RELATED TO THE AGENDA**

**No public comments were given.**

**4. APPROVAL OF MINUTES**

- a) June 26, 2012

**A motion was made by Ms. Connally, seconded by Mr. Miller and approved by unanimous vote to approve the minutes of the June 26, 2012 meeting.**

**5. MATTERS REFERRED TO COMMITTEE**

**Mr. Greenspan made several opening remarks regarding the order and structure to be followed during this meeting.**

- a) R2012-0097: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 2, Section 4, and

Article 3 Section 7 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Mr. Miller addressed the Committee regarding Resolution No. R2012-0097.  
Discussion ensued.**

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0097 was considered and approved by majority vote to be referred to the Charter Review Commission, with Councilmember Gallagher casting a dissenting vote.**

**After the vote was announced, a motion was then made by Mr. Miller, seconded by Ms. Simon and approved by unanimous vote to suspend Rule 10D so that Mr. Gallagher could amend his vote to vote in the affirmative.**

- b) R2012-0098: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 3, Section 10, Subsection 5 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Mr. Miller addressed the Committee regarding Resolution No. R2012-0098.  
Discussion ensued.**

**On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2012-0098 was considered and approved by unanimous vote to be referred to the Charter Review Commission.**

- c) R2012-0099: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 6, Section 2 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Mr. Miller addressed the Committee regarding Resolution No. R2012-0099.  
Discussion ensued.**

**Mr. Gallagher introduced a proposed substitute to Resolution No. R2012-0099 on the floor. Discussion ensued.**

**A motion was then made by Mr. Gallagher and seconded by Mr. Schron to accept the proposed substitute for Resolution No. R2012-0099. The motion failed on a vote of 3 yeas and 8 nays with Committee members Germana, Gallagher and Schron voting in the affirmative and Committee members Greenspan, Miller, Brady, Conwell, Jones, Rogers, Simon and Connally casting dissenting votes. Mr. Gallagher then withdrew the proposed substitute from further consideration.**

**On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2012-0099 was considered and approved by majority vote to be referred to the full**

**Council agenda for second reading, with Committee members Greenspan, Gallagher and Schron casting dissenting votes.**

- d) R2012-0100: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 9, Section 1 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Ms. Conwell and Mr. Miller addressed the Committee regarding Resolution No. R2012-0100. Discussion ensued.**

**On a motion by Ms. Conwell with a second by Ms. Connally, Resolution No. R2012-0100 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.**

- e) R2012-0101: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 11, Sections 1 and 3 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Ms. Connally and Mr. Miller addressed the Committee regarding Resolution No. R2012-0101. Discussion ensued.**

**On a motion by Ms. Connally with a second by Mr. Miller, Resolution No. R2012-0101 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.**

- f) R2012-0103: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 2, Section 2.03(1) and Article 9, Section 4 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Mr. Majeed Makhoulf, Director of Law, addressed the Committee regarding Resolution No. R2012-0103. Discussion ensued.**

**On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2012-0103 was considered and approved by majority vote to be referred to the full Council agenda for second reading, with Committee members Greenspan and Conwell casting dissenting votes.**

- g) R2012-0104: A Resolution providing for submission to the electors of the County of Cuyahoga an amendment to Article 5, Section 2, Section 7 and Article 10, Section 1 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

**Mr. Melvin Davis, Special Assistant to the County Executive, addressed the Committee regarding Resolution No. R2012-0104. Discussion ensued.**

**On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2012-0104 was considered and approved by majority vote to be referred to the Charter Review Commission, with Committee members Miller, Rogers and Simon casting dissenting votes.**

**6. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

**7. OTHER PUBLIC COMMENT**

**No public comments were given.**

**8. ADJOURNMENT**

**With no further business to discuss, the meeting was adjourned by Chairman Greenspan at 2:51 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0011

Sponsored by: <b>County Executive FitzGerald/Department of Development</b>	<b>An Ordinance</b> establishing an Economic Development Fund for the purpose of collecting and expending proceeds from gross casino revenues, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 7.01 of the Charter, County Economic Development, declares that the County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents of the County; and

WHEREAS, Section 7.01 of the Charter of Cuyahoga provides:

The County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents. In furtherance of that purpose, the County shall, as authorized by the Constitution of Ohio, general law, and this Charter and enactments pursuant thereto, develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County; and

WHEREAS, the County Executive and County Council seek to promote and enhance the economic well-being and prosperity of the County and all of its residents; and

WHEREAS, Section 7.02 of the Charter of Cuyahoga provides:

There shall be a Department of Development, under the direction of the Director of Development, which shall develop, direct and implement programs and activities for carrying out the purposes of this Article VII. The Department of Development shall coordinate the programs and activities of the officers, departments, agencies, boards and commissions of the County that relate to economic development, including identification ...of the causes of unemployment and economic underdevelopment among segments of the population and within communities in the County and the development of programs and activities to remedy such conditions; and

WHEREAS, the State of Ohio Constitution was amended on November 3, 2009 to adopt Section 6, Article XV of the Constitution of the State of Ohio to allow for the operation of four casinos in the state by initiative petition; and

WHEREAS, the Constitution of the State of Ohio levies a fixed tax on gross casino revenue and distributes that tax revenue according to a formula to the benefit of Ohio's counties, cities, school districts, and other funds and commissions; and

WHEREAS, the County Commissioners Association of Ohio estimates that Cuyahoga County will receive \$8.5 million to \$11.5 million in proceeds from gross casino revenue; and

WHEREAS, the County Council adopted the Five Year Economic Development Plan, which emphasizes place-based economic development, urban revitalization and the importance of connecting Cuyahoga County's economic development assets and attractions for the benefit of the region; and

WHEREAS, advocates for the constitutional amendment emphasized downtown revitalization, spurring private investment, job creation and economic impact as arguments for casino operation in the state; and

WHEREAS, downtown Cleveland is the region's most densely populated jobs center and the site of more than \$5 billion in economic development projects already underway; and

WHEREAS, the Cuyahoga County Council and County Executive are committed to the economic vibrancy of the region, and seek to allocate proceeds from gross casino revenue to maximize the impact of economic development projects already underway; and

WHEREAS, the Cuyahoga County Council and County Executive established a \$100 million economic development fund for investments without geographical limitations throughout the entire county and the majority of approved investments have been located outside Cleveland's downtown; and

WHEREAS, the county's economic development programs leverage private dollars, attract investment and expand the tax base by incentivizing preferred development, improving public infrastructure and creating an environment for job creation and job growth for residents countywide; and

WHEREAS, the Cuyahoga County Council and County Executive are committed to the economic vibrancy of the region and seek to allocate proceeds from gross casino revenue to maximize the impact of core city economic development projects already underway; and

WHEREAS, it is necessary that this Ordinance become immediately effective due to legislative efforts underway in Ohio's State Legislature to direct counties on the manner and means by which counties may expend proceeds from gross casino revenue.

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

**SECTION 1.** The Fiscal Officer is hereby directed to immediately establish a separate fund for the purpose of collecting and expending proceeds from the gross casino revenues in Cuyahoga County (the "Fund"). All such proceeds and revenues shall be automatically directed and deposited into the Fund and shall only be used for the purposes authorized in Section 2 herein.

**SECTION 2.** The revenues contained in the Fund are hereby dedicated to be used by the Department of Development for an economic development program whose purpose shall be to promote economic development in Cleveland's Downtown District, generally defined as the area bordered by Lake Erie, the Innerbelt Bridge, East 25<sup>th</sup> Street and West 25<sup>th</sup> Street.

**SECTION 3.** It is necessary that this Ordinance become immediately effective due to legislative efforts underway in Ohio's State Legislature to direct counties on the manner and means by which counties may expend proceeds from gross casino revenue; therefore, this Ordinance, provided it receives the affirmative vote of eight members of Council, shall become effective immediately upon the signature of the County Executive.

**SECTION 4.** 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: May 8, 2012

Committee(s) Assigned: Committee of the Whole

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012