



AGENDA
CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, OCTOBER 9, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
4:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES**
 - a) August 28, 2012
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2012-0011: An Ordinance establishing a Casino Revenue Fund for the purpose of collecting and expending proceeds from gross casino revenues, and determining the uses for such proceeds and the time frames for such uses.
- 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, AUGUST 28, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
2:00 PM**

1. CALL TO ORDER

Due to the nature of the item referred to Committee, Council President Connally requested that Councilmember Schron preside over the meeting. Chairman Schron then called the meeting to order at 2:15 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO THE AGENDA

The following addressed the Committee regarding issues of concern to them relating to Ordinance No. O2012-0011:

- 1) The Honorable Earl Leiken, Mayor of Shaker Heights, representing the First Suburbs Consortium;**
- 2) The Honorable Brad Sellers, Mayor of the City of Warrensville Heights;
and**
- 3) The Honorable Bill Cervenik, Mayor of the City of Euclid.**

4. APPROVAL OF MINUTES

- a) August 14, 2012**

A motion was made by Mr. Brady, seconded by Ms. Connally and approved by unanimous vote to approve the minutes of the August 14, 2012 meeting.

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.

Mr. Schron introduced a proposed substitute to Ordinance No. O2012-0011. Discussion ensued.

A motion was made by Mr. Schron, seconded by Mr. Brady and approved by majority vote to accept the proposed substitute to Ordinance No. O2012-0011, with Committee member Simon casting a dissenting vote.

A motion was then made by Mr. Gallagher and seconded by Mr. Germana to amend Section 4 of Ordinance No. O2012-0011 to replace “shall” with “may”. The motion was approved by majority vote with Committee members Conwell and Jones casting dissenting votes.

Chairman Schron then turned the gavel over to Committee member Conwell to Chair the rest of the meeting.

- b) O2012-0005: An Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered; and establishing exceptions.

Mr. Greenspan introduced an amendment to Section 3 of Ordinance No. O2012-0005. Discussion ensued.

A motion was then made by Mr. Greenspan and seconded by Mr. Schron to amend Section 3 of Ordinance No. O2012-0005 as follows:

The provisions of Section 1 above shall not apply if the inquiries or actions are specifically related to:

- a) *the consideration of applicants for positions as Deputy Sheriffs and the Regional Enterprise Data Sharing System (REDSS) Staff; or*
- b) *the consideration of applicants for positions on which General Law places eligibility restrictions based on criminal background.*

The motion failed on a vote of 4 to 7 with Committee members Greenspan, Germana, Gallagher and Schron voting in the affirmative and Committee members Miller, Brady, Conwell, Jones, Rogers, Simon and Connally casting dissenting votes.

On a motion by Ms. Connally with a second by Ms. Conwell, Ordinance No. O2012-0005 was considered and approved by majority vote to be referred to the full Council agenda with a recommendation for passage under fourth reading, with Committee member Greenspan casting a dissenting vote.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

Mr. Werner Minshall, representing the Tower at Erieview and The Galleria, addressed the Committee regarding issues of concern to him relating to the RFP process for the purchase of a new County facility.

8. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Chairwoman Conwell at 4:03 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0011

Sponsored by: Councilmembers Schron and Brady	An Ordinance establishing a Casino Revenue Fund for the purpose of collecting and expending proceeds from gross casino revenues, and determining the uses for such proceeds and the time frames for such uses.
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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 is likely to receive \$8.5 million to \$11.5 million in annual proceeds from gross casino revenue; and

WHEREAS, it is the Cuyahoga County Council's intent to ensure that sufficient funds are available so as to maximize the impact of these revenues; 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 the initial proceeds from gross casino revenue to maximize the impact of downtown economic development projects already underway; and

WHEREAS, Section 7.01 of the Charter of Cuyahoga County 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; and

WHEREAS, Section 3.09 (11) of the Charter of Cuyahoga County authorizes the County Council to establish and provide for the administration of a program of post-secondary educational assistance for residents of the county; and

WHEREAS, this renewed focus on economic development and the creation of a post-secondary educational assistance program are two innovative aspects of county government as promulgated in the Cuyahoga County Charter; and

WHEREAS, the County Council and the County Executive consider furthering the economic development of all of Cuyahoga County and promoting an educated workforce as essential to enhancing the economic vibrancy and growth of the entire County; and

WHEREAS, the County Council and the County Executive seek to allocate ongoing proceeds from gross casino revenue to enhance economic development, and including the promotion of an educated workforce.

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

SECTION 1. The Casino Revenue Fund: The Fiscal Officer is hereby directed to immediately establish a separate fund for the purpose of collecting and expending gross casino revenues distributed to Cuyahoga County (the “Casino Revenue Fund” or “the Fund”). All such revenues shall be automatically directed and deposited into the Fund and may be used only in the time frame and for the purposes authorized herein.

SECTION 2. Revenues in Reserve: All gross casino revenues shall be held in reserve in the Casino Revenue Fund until June 30, 2014 (“the reserve date”).

SECTION 3. Use for Downtown District Development: As of July 1, 2014 and through June 30, 2016, the revenues contained in the Fund shall be used to promote economic development in Cleveland’s Downtown District, generally defined as the area bordered by lake Erie, the Innerbelt Bridge, East 25th Street and West 25th Street.

SECTION 4. Revenues Remaining and Received on or after July 1, 2016: Revenues remaining in the fund or received on or after July 1, 2016 may be used to:

- a) promote economic development throughout Cuyahoga County; and
- b) provide additional funding for educational initiatives, including the Cuyahoga County Educational Assistance Fund.

SECTION 5. Requests for Early Spending: Notwithstanding Section 2 above, prior to June 30, 2014, the County Executive may propose spending monies from the Casino Reserve Fund on specific “downtown district” development projects. Council shall determine whether any specific project justifies an earlier than anticipated expenditure of funds.

SECTION 6. 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