



AGENDA
CUYAHOGA COUNTY ECONOMIC DEVELOPMENT & PLANNING COMMITTEE MEETING
TUESDAY, NOVEMBER 20, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
3:15 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE OCTOBER 22, 2012 MEETING**
 - a) R2012-0237: A Resolution amending Resolution No. R2012-0162, which made awards to various municipalities for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and declaring the necessity that this Resolution become immediately effective.
 - b) R2012-0240: A Resolution authorizing the County Executive and Department of Public Works to release an amount not-to-exceed \$500,000.00 from the Medical Mart Contingency Fund to the Cleveland Sports Commission when the 2013 Senior Games are held at the Convention Center; authorizing the County Executive and Department of Public Works to negotiate and execute any necessary contract or other documents for same.
 - c) O2012-0030: An Ordinance establishing the organizational structure of the Department of Development and creating divisions within the department, and declaring the necessity that this Ordinance become immediately effective.

- 5. MATTERS REFERRED TO COMMITTEE**
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*In accordance with Ordinance No. O2011-0020, as amended, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

CUYAHOGA COUNTY ECONOMIC DEVELOPMENT & PLANNING COMMITTEE MEETING
MONDAY, OCTOBER 22, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
3:00 PM

1. CALL TO ORDER

The meeting was called to order by Chairman Schron at 3:05 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE OCTOBER 1, 2012 MEETING

A motion was made by Mr. Greenspan, seconded by Ms. Connally and approved by unanimous vote to approve the minutes of the October 1, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2012-0219: A Resolution authorizing the issuance and sale of health care and independent living facilities revenue bonds, Series 2012 (Eliza Jennings Senior Care Network Project), in an aggregate principal amount not to exceed \$25,000,000.00 for the purposes of (i) currently refunding bonds issued by the County, and (ii) paying certain costs of issuance; providing for the assignment of revenues for the payment of those bonds; authorizing the execution and delivery of Amendments to Base Leases, Amendments to Leases, Supplemental Trust Indentures, a Bond Purchase Agreement, a First Amended Assignment of Rights under

Leases, a First Amended Assignment of Basic Rent and other instruments and documents in connection with the issuance of those bonds; and declaring the necessity that this Resolution become immediately effective.

Ms. Sara Parks Jackson, Program Officer for the Office of Development; Ms. Virginia Benjamin, representing Calfee, Halter & Griswold LLP, bond counsel; and Ms. Kathy Shields, CFO for Eliza Jennings Senior Care Network Project, addressed the Committee regarding Resolution No. R2012-0219. Discussion ensued.

Committee members asked questions of Ms. Jackson, Ms. Benjamin and Ms. Shields pertaining to the item, which they answered accordingly.

On a motion by Mr. Brady with a second by Mr. Germana, Resolution No. R2012-0219 was considered and approved by unanimous vote to be referred to the full Council agenda, with a recommendation for passage under second reading suspension of rules.

- b) O2012-0030: An Ordinance establishing the organizational structure of the Department of Development and creating divisions within the department, and declaring the necessity that this Ordinance become immediately effective.

Mr. Schron introduced a proposed substitute to Ordinance No. O2012-0030.

Mr. Larry Benders, Director of Development, addressed the Committee regarding Ordinance No. O2012-0030. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Benders pertaining to the item, which he answered accordingly.

No legislative action was taken on Ordinance No. O2012-0030 at this time.

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 and on a motion by Mr. Brady with a second by Mr. Germana, the meeting was adjourned by Chairman Schron at 4:08 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0237

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution amending Resolution No. R2012-0162, which made awards to various municipalities for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Development has recommended to amend Resolution No. R2012-0162 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to the City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and

WHEREAS, the grant awards are funded 100% from the Federal CDBG funds and payments are made by submission of reimbursement requests and based on paid invoices; and

WHEREAS, it is necessary that this Resolution become immediately effective because this project has begun.

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

SECTION 1. The County Council hereby approves the amendment to Resolution No. R2012-0162 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to the City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project.

SECTION 2. The County Executive is authorized to execute contracts in connection with said awards and all documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective because this project has begun. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective 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 Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: November 13, 2012
Committee(s) Assigned: Economic Development & Planning

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0240

Sponsored by: Council Executive FitzGerald/Department of Public Works	A Resolution authorizing the County Executive and Department of Public Works to release an amount not-to-exceed \$500,000.00 from the Medical Mart Contingency Fund to the Cleveland Sports Commission when the 2013 Senior Games are held at the Convention Center; authorizing the County Executive and Department of Public Works to negotiate and execute any necessary contract or other documents for same.
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WHEREAS, under the Medical Mart Agreement Regarding Final Project Finance Approval dated December 1, 2010, a County Contingency Fund was established in the amount of \$3,485,435.00 (“Contingency Fund”); and,

WHEREAS, there is currently \$3,385,435.00 remaining in the Contingency Fund; and,

WHEREAS, the County Executive and Department of Public Works have requested the authority to release an amount not to exceed \$500,000.00 from the Contingency Fund to the Cleveland Sports Commission for the Senior Games to be held at the Cleveland Convention Center in Cleveland; and,

WHEREAS, the Contingency Fund is held at U.S. Bank, the Trustee for Medical Mart, and it is not a part of the County’s General Fund; and,

WHEREAS, Section 3.10(a)(11) of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the Cuyahoga County Council may review and approve any “contract, purchase, sale, lease, grant made by the County, loan made by the County, or any exemption, procedure, or other action within the process of completing any such contract, purchase, sale, lease, grant, exemption, or loan that does not otherwise require Council approval, but the County Executive, Board of Control, or Contracts and Purchasing Board determines to submit to Council for its consideration, review, and approval; and,

WHEREAS, Section 3.18 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the “County Executive may refer an item to the County Council for approval that otherwise would require approval from the Board of Control or the Contracts and Purchasing Board”; and,

WHEREAS, the County Executive has determined to submit this intended action to the County Council instead of the Cuyahoga County Board of Control for its review and approval pursuant to Section 3.10(a)(11) and Section 3.18 of the Cuyahoga County Purchasing and Procedures Ordinance; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

SECTION 1. For the 2013 Senior Games to be held at the County's Convention Center in Cleveland, the Cuyahoga County Council hereby authorizes the Department of Public Works to release an amount not to exceed \$500,000.00 from the Medical Mart and Convention Center Contingency Fund to the Cleveland Sports Commission to aid with the Senior Games to be held at the Cleveland Convention Center.

SECTION 2. The County Executive is hereby authorized to negotiate and execute any necessary contract or other documents to effectuate the release of the funds under the terms specified in this Resolution.

SECTION 3. 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.

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 13, 2012
Committee(s) Assigned: Economic Development & Planning

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0030

Sponsored by: County Executive FitzGerald/Department of Development	An Ordinance establishing the organizational structure of the Department of Development and creating divisions within the department, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VII, Section 7.02 of the Charter created the Department of Development, which states in pertinent part, *“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”*; and

WHEREAS, Section 7.01 of the Charter, states 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, in order to carry out the purpose of the Economic Development Department, it is necessary to create divisions within the Department of Development for the efficient administration of the County, and

WHEREAS, Article III, Section 3.09(2), of the Charter grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive ... as the Council determines to be necessary for the efficient administration of the County; and

WHEREAS, Section 13.04 of the Charter provides for the transfer of powers and duties, as designated by ordinance, of departments, offices, and agencies existing at the time of the Charter’s adoption; and

WHEREAS, the Council of Cuyahoga County has determined that establishment of divisions within the Department of Development is necessary for the efficient administration of the County; and

WHEREAS, The Department of Development has recommended the following divisions: (1) Division of Economic Development, (2) Division of Community Development, (3) Division of Regulatory Compliance & Monitoring, (4) Division of Fiscal Services, and (5) Division of Airport. The duties, functions and employees of the Department of Development shall be incorporated into these divisions.

Clerk of Council

Date

First Reading/Referred to Committee: October 9, 2012
Committee(s) Assigned: Economic Development & Planning

Journal _____
_____, 2012

PROPOSED SUBSTITUTE ORDINANCE

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0030

Sponsored by: County Executive FitzGerald/Department of Development	An Ordinance establishing the organizational structure of the Department of Development and creating divisions within the department, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VII, Section 7.02 of the Charter created the Department of Development, which states in pertinent part, *“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”*; and

WHEREAS, Section 7.01 of the Charter, states 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, in order to carry out the purpose of the Economic Development Department, it is necessary to create divisions within the Department of Development for the efficient administration of the County, and

WHEREAS, Article III, Section 3.09(2), of the Charter grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive ... as the Council determines to be necessary for the efficient administration of the County; and

WHEREAS, Section 13.04 of the Charter provides for the transfer of powers and duties, as designated by ordinance, of departments, offices, and agencies existing at the time of the Charter’s adoption; and

WHEREAS, the Council of Cuyahoga County has determined that establishment of divisions within the Department of Development is necessary for the efficient administration of the County; and

WHEREAS, The Department of Development has recommended the following divisions: (1) Division of Economic Development, (2) Division of Community Development, (3) Division of Regulatory Compliance & Monitoring, **and** (4) Division of Fiscal Services, ~~and (5) Division of Airport~~. The duties, functions and employees of the Department of Development shall be incorporated into these divisions.

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provide by Cuyahoga County can continue without interruption, and to continue the usual, daily operation of a County Department.

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

SECTION 1. The Department of Development shall contain the following divisions: (1) Division of Economic Development, (2) Division of Community Development, (3) Division of Regulatory Compliance & Monitoring, **and** (4) Division of Fiscal Services, ~~and (5) Division of Airport.~~ The duties, functions and employees of the Department of Development shall be incorporated into the divisions listed herein.

SECTION 2. Nothing in this Ordinance is intended to limit the ability of the County Executive and the Director of the Department of Development to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law.

SECTION 3. It is necessary that this Ordinance become immediately effective in order that critical services provide by Cuyahoga County can continue without interruption, and to continue the usual, daily operation of a County Department. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective 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: October 9, 2012
Committee(s) Assigned: Economic Development & Planning

Journal _____
_____, 2012