



AGENDA
CUYAHOGA COUNTY COUNCIL COMMITTEE OF THE WHOLE MEETING
MONDAY, JULY 24, 2023
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
1:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

4. ITEMS REFERRED TO COMMITTEE/PUBLIC HEARING

a) Items for the Public Hearing:

- i) Q2023-0012: An Ordinance amending and codifying Board of County Commissioners Resolution No. 2007-073101 dated July 26, 2007, and enacting new Chapter 727, Section 727.01 of the Cuyahoga County Code to change the period of time during which the County sales tax shall be levied at the aggregate rate of one and one-fourth percent; and declaring the necessity that this Ordinance become immediately effective. [See Page 3]
- ii) Q2023-0013: An Ordinance amending and codifying Board of County Commissioners Resolution No. 2007-073102 dated July 26, 2007, and enacting new Chapter 727, Section 727.02 of the Cuyahoga County Code to change the period of time during which the County use tax shall be levied at the aggregate rate of one and one-fourth percent; and declaring the necessity that this Ordinance become immediately effective. [See Page 6]

b) Other Items:

- iii) R2023-0182: A Resolution authorizing a Real Estate Purchase Agreement with CRAIG REALTY GROUP - CLEVELAND, LLC, or its designee in an amount not-to-exceed \$38,703,000.00 for the purchase of certain parcels of real property in Garfield Heights, Ohio with access to Granger Road totaling approximately 72.1 acres now known as permanent parcel numbers 542-14-004, 542-15-002, and 542-22-022, and a portion of permanent parcel number 542-14-002; authorizing the County Executive to take all necessary actions and to execute the Purchase Agreement and any and all other agreements and documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. [See Page 8]

5. DISCUSSION

- a) Preliminary Report on 2nd Quarter Financials

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
Ordinance No. O2023-0012

Sponsored by: County Executive Ronayne/Fiscal Office/Office of Budget and Management and Councilmember Miller	An Ordinance amending and codifying Board of County Commissioners Resolution No. 2007-073101 dated July 26, 2007, and enacting new Chapter 727, Section 727.01 of the Cuyahoga County Code to change the period of time during which the County sales tax shall be levied at the aggregate rate of one and one-fourth percent; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, prior to 2007, the Board of County Commissions of Cuyahoga County approved the levy of a sales tax at the aggregate rate of one percent for a continuing period of time pursuant to ORC Section 5739.021; and

WHEREAS, on July 26, 2007, the Board of County Commissioners adopted Resolution No. 2007-073101 which authorized levying the County sales tax at the aggregate rate of one and one-fourth percent for a period of twenty years pursuant to ORC Section 5739.026; and

WHEREAS, to maintain a source of funding for the County’s General Fund and to permit the future issuance of Sales Tax Revenue Bonds and other County obligations for various County purposes which mature after the current expiration date of September 30, 2027, this Council proposes to amend and codify Board of County Commissioners Resolution No. 2007-073101 and to levy the sales tax at the aggregate rate of one and one-fourth percent for an additional forty years; and

WHEREAS, notice was published and public hearings were held, according to law, on the question of the adoption of this Ordinance to levy the County sales tax at the aggregate rate of one and one-fourth percent pursuant to ORC Section 5739.026 for an additional forty years; and

WHEREAS, this Council, having heard all interested persons who requested to be heard on such question, determines that this Ordinance should be adopted; and

WHEREAS, it is further necessary that this Ordinance become immediately effective in order to permit the County to consider the issuance of Sales Tax Revenue

Bonds and other obligations of the County to fund various projects without violating the requirements of ORC Section 133.081 of the Ohio Revised Code and the County's Master Sales Tax Indenture dated December 1, 2014.

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

SECTION 1. That Section 1 of Board of County Commissioners Resolution No. 2007-073101 be amended, and new Chapter 727 of the Cuyahoga County Code be enacted to read as follows:

Chapter 727: Sales and Use Tax

Section 727.01: Generally

Pursuant to ORC Sections 5739.021 and 5739.026 and for the purpose of providing for additional revenues for the County's general fund and paying the expenses of administering such levy, the rate of the tax, in addition to the tax imposed by ORC Section 5739.02, upon every retail sale, except sales of watercraft and outboard motors required to be titled pursuant to Chapter 1548 of the Revised Code and sales of motor vehicles, made in the County, is levied at the aggregate rate of one and one-fourth, percent as follows:

- A. The aggregate one percent sales tax enacted on and prior to July 6, 1987 pursuant to ORC 5739.021 is levied for a continuing period of time.
- B. The one-fourth percent sales tax enacted on July 26, 2007 pursuant to ORC 5739.026 shall be levied for a period of sixty (60) years commencing on October 1, 2007.

SECTION 2. Subject to the provisions of ORC Sections 305.31 to 305.41, the amendment to Section 1 of Board of County Commissioners Resolution No. 2007-073101 and codification of new Chapter 727, Section 727.01 of the Code shall take effect not earlier than sixty-five days after the date on which the certified copy of this Ordinance is delivered to the Tax Commissioner of the State of Ohio pursuant to Section 3 hereof.

SECTION 3. The Clerk of Council is hereby directed to deliver to the Tax Commissioner of the State of Ohio, either personally or by certified mail, a certified copy of this Ordinance in accordance with ORC Section 5739.026(A).

SECTION 4. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County and any additional reasons set forth the preamble. Provided that this Ordinance receives the affirmative vote of all 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

County Council of Cuyahoga County, Ohio
Ordinance No. O2023-0013

<p>Sponsored by: County Executive Ronayne/Fiscal Office/Office of Budget and Management and Councilmember Miller</p>	<p>An Ordinance amending and codifying Board of County Commissioners Resolution No. 2007-073102 dated July 26, 2007 and enacting new Chapter 727, Section 727.02 of the Cuyahoga County Code to change the period of time during which the County use tax shall be levied at the aggregate rate of one and one-fourth percent; and declaring the necessity that this Ordinance become immediately effective.</p>
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WHEREAS, prior to 2007, the Board of County Commissions of Cuyahoga County approved the levy of a use tax at the aggregate rate of one percent for a continuing period of time pursuant to ORC Section 5741.021; and

WHEREAS, on July 26, 2007, the Board of County Commissioners adopted Resolution No. 2007-073102 which authorized levying the County use tax at the aggregate rate of one and one-fourth percent for a period of twenty years pursuant to Section 5741.023 of the Ohio Revised Code; and

WHEREAS, to maintain a source of funding for the County’s General Fund and to permit the future issuance of Sales Tax Revenue Bonds and other County obligations for various County purposes which mature after the current expiration date of September 30, 2027, this Council proposes to amend and codify Board of County Commissioners Resolution No. 2007-073102 and to levy the use tax at the aggregate rate of one and one-fourth percent for an additional forty years; and

WHEREAS, notice was published and public hearings were held, according to law, on the question of the adoption of this Ordinance to levy the County use tax at the aggregate rate of one and one-fourth percent for an additional forty years pursuant to Section 5741.023 of the Ohio Revised Code; and

WHEREAS, this Council, having heard all interested persons who requested to be heard on such question, determines that this Ordinance should be adopted; and

WHEREAS, it is further necessary that this Ordinance become immediately effective in order to permit the County to consider the issuance of Sales Tax Revenue

Bonds and other obligations of the County to fund various projects without violating the requirements of Section 133.081 of the Ohio Revised Code and the County's Master Sales Tax Indenture dated December 1, 2014.

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

SECTION 1. That Section 1 of Board of County Commissioners Resolution No. 2007-073102 be amended, and Section 727.02 of the Cuyahoga County Code be enacted to read as follows:

Chapter 727: Sales and Use Tax

Section 727.01: . . .

Section 727.02: Use Tax on Motor Vehicles and Other Tangible Personal Property

Pursuant to ORC Sections 5741.021 and 5741.023, as same may be amended from time-to-time, and for the purpose of providing additional revenues for the County's general fund and paying the expenses of administering such levy, the rate of the use tax, in addition to the use tax imposed by ORC Section 5741.02, as same may be amended from time-to-time, is levied at the rate of one and one-fourth percent as follows:

- A. The aggregate one percent use tax enacted in and prior to 1987 pursuant to ORC Section 5741.021~~3~~ is levied for a continuing period of time.
- B. The one-fourth percent use enacted on July 26, 2007 pursuant to ORC Section 5741.023 shall be levied for a period of sixty (60) years commencing October 1, 2007.

SECTION 2. Subject to the provisions of ORC Sections 305.31 to 305.41, the amendment to Section 1 of Board of County Commissioners Resolution No. 2007-073102 and codification of new Chapter 727, Section 727.02 of the Cuyahoga County Code shall take effect not earlier than sixty-five days after the date on which the certified copy of this Ordinance is delivered to the Tax Commissioner of the State of Ohio pursuant to Section 3 hereof.

SECTION 3. The Clerk of Council is hereby directed to deliver to the Tax Commissioner of the State of Ohio, either personally or by certified mail, a certified copy of this Ordinance in accordance with ORC Section 5741.023(A).

SECTION 4. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County and any additional reasons set forth the preamble. Provided that this Ordinance receives the affirmative vote of all 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 all 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 the 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: June 20, 2023

Committee(s) Assigned: Committee of the Whole

Journal _____

_____, 20____

County Council of Cuyahoga County, Ohio

Resolution No. R2023-0182

<p>Sponsored by: County Executive Ronayne/Department of Public Works</p>	<p>A Resolution authorizing a Real Estate Purchase Agreement with CRAIG REALTY GROUP - CLEVELAND, LLC, or its designee, in an amount not-to-exceed \$38,703,000.00 for the purchase of certain parcels of real property in Garfield Heights, Ohio with access to Granger Road totaling approximately 72.1 acres now known as permanent parcel numbers 542-14-004, 542-15-002, and 542-22-022, and a portion of permanent parcel number 542-14-002; authorizing the County Executive to take all necessary actions and to execute the Purchase Agreement and any and all other agreements and documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive, through the Department of Public Works, intends to enter into a Real Estate Purchase Agreement with CRAIG REALTY GROUP - CLEVELAND, LLC, or its designee, in an amount not-to-exceed \$38,703,000.00 for the purchase of certain parcels of real property in Garfield Heights, Ohio with access to Granger Road totaling approximately 72.1 acres now known as permanent parcel numbers 542-14-004, 542-15-002, and 542-22-022, and a portion of permanent parcel number 542-14-002 (the “Property”); and

WHEREAS, the primary goal of the agreement is to purchase land to be used for construction of a new Cuyahoga County Central Services Campus; and

WHEREAS, the real property is located in Council District 8; and

WHEREAS, this purchase is to be funded by the General Fund, including funds made available under the loss-revenue provisions of the American Rescue Plan Act; 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. That the Cuyahoga County Council hereby approves a Real Estate Purchase Agreement with CRAIG REALTY GROUP - CLEVELAND, LLC, or its designee, in an amount not-to-exceed \$38,703,000.00 for the purchase of certain parcels of real property in Garfield Heights, Ohio with access to Granger Road totaling approximately 72.1 acres now known as permanent parcel numbers 542-14-004, 542-15-002, and 542-22-022, and a portion of permanent parcel number 542-14-002.

SECTION 2. To the extent that any exemptions are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution.

SECTION 3. If any specific appropriation is necessary to effectuate the purchase of the Property, such appropriation is approved, and the Director of the Office of Budget and Management is authorized to submit the requisite documentation to financial reporting to journalize the appropriation.

SECTION 4. That the County Executive or the Executive's authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate): (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a Purchase and Sale Agreement and all documents to be executed by the County thereunder, (ii) all other related documents, instruments, certificates, agreements, amendments, subleases, assignments, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, deeds and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, in all cases containing such terms and conditions as may be approved by the County's Director of Law, (b) agree to such payments and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions, and (c) prosecute and/or defend any actions or proceedings that may be necessary or advisable relative to any of the foregoing matters.

SECTION 5. That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director's approval as to legal form and correctness.

SECTION 6. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional 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 7. 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: June 20, 2023

Committee(s) Assigned: Committee of the Whole

Legislation Amended in Committee: July 6, 2023

Journal _____
_____, 20__