



## AGENDA

**CUYAHOGA COUNTY ECONOMIC DEVELOPMENT & PLANNING  
COMMITTEE MEETING  
MONDAY, OCTOBER 3, 2016  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
3:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE SEPTEMBER 19, 2016 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
  - a) O2015-0017: An Ordinance amending Chapter 709 of the Cuyahoga County Code to establish a competitive review process for the award of Casino Revenue Fund loans; enacting Section 207.05 creating the Casino Revenue Development Committee; and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. 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.*



## MINUTES

CUYAHOGA COUNTY ECONOMIC DEVELOPMENT & PLANNING  
COMMITTEE MEETING  
MONDAY, SEPTEMBER 19, 2016  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
3:00 PM

### 1. CALL TO ORDER

**Vice-Chairman Hairston called the meeting to order at 3:09 p.m.**

### 2. ROLL CALL

**Pursuant to Council Rule 12F, Council President Brady appointed Councilmember Miller as a Member Pro Tem of the Economic Development & Planning Committee.**

**Mr. Hairston asked Deputy Clerk Carter to call the roll. Committee members Hairston, Greenspan and Miller were in attendance and a quorum was determined. Committee member Germana entered the meeting shortly after the roll call was taken. Committee members Schron and Simon were absent from the meeting. Councilmember Conwell was also in attendance.**

### 3. PUBLIC COMMENT RELATED TO THE AGENDA

**No public comments were given.**

### 4. APPROVAL OF MINUTES FROM THE AUGUST 1, 2016 MEETING

**A motion was made by Mr. Hairston, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the August 1, 2016 meeting.**

### 5. MATTERS REFERRED TO COMMITTEE

- a) R2016-0158: A Resolution authorizing an Economic Development Fund Business Growth and Attraction loan in the amount not-to-exceed \$2,000,000.00 to 105<sup>th</sup> Cedar Partners, LLC for the benefit of a project located at East 105<sup>th</sup> Street and Cedar Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

**Mr. Arnold Lockett, Development Finance Analyst, and Mr. Jim Doyle, Co-owner of 105<sup>th</sup> Cedar Partners, LLC, addressed the Committee regarding Resolution No. R2016-0158. Discussion ensued.**

**Committee members and Councilmembers asked questions of Mr. Lockett and Mr. Doyle pertaining to the item, which they answered accordingly.**

**Ms. Conwell, Mr. Germana, Mr. Miller, Mr. Greenspan and Mr. Hairston requested to have their names added as co-sponsors to Resolution No. R2016-0158.**

**On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0158 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.**

- b) R2016-0159: A Resolution authorizing an Economic Development Fund loan in the amount not-to-exceed \$2,000,000.00 to JumpStart, Inc. for administration of the Accelerated Growth Program; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

**Mr. Michael May, Economic Development Administrator; Mr. Michael Jeans, President of Growth Opportunity Partners, Inc.; and Ms. Sarah Cammock, Assistant Law Director, addressed the Committee regarding Resolution No. R2016-0159. Discussion ensued.**

**Committee members and Councilmembers asked questions of Mr. May, Mr. Jeans and Ms. Cammock pertaining to the item, which they answered accordingly.**

**Mr. Hairston introduced a proposed substitute to Resolution No. R2016-0159. Discussion ensued.**

**A motion was then made by Mr. Hairston, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.**

**A motion was made by Mr. Hairston, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2016-0159 by deleting “for administration of”**

and inserting "*to be used as capital for the Accelerated Growth Program to be administered by Growth Opportunity Partners, Inc.*" throughout the Resolution.

Mr. Germana, Mr. Miller, Mr. Greenspan and Mr. Hairston requested to have their names added as co-sponsors to Resolution No. R2016-0159.

On a motion by Mr. Hairston with a second by Mr. Greenspan, Resolution No. R2016-0159 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 the rules, as substituted and amended.

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, Vice-Chairman Hairston adjourned the meeting at 4:19 p.m., without objection.**

# **County Council of Cuyahoga County, Ohio**

## **Ordinance No. O2015-0017**

Sponsored by: <b>Councilmember Schron</b>	<b>An Ordinance</b> amending Chapter 709 of the Cuyahoga County Code to establish a competitive review process for the award of Casino Revenue Fund loans; enacting Section 207.05 creating the Casino Revenue Development Committee; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VII, Section 7.01 of the Cuyahoga County Charter mandates that “the County shall 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 Casino Revenue Fund was originally established in October, 2012 to collect and expend the gross casino revenues distributed to Cuyahoga County; and,

WHEREAS, pursuant to Cuyahoga County Code Section 709.02, all gross casino revenues were held in reserve between 2012 and June 30, 2014; and,

WHEREAS, pursuant to Cuyahoga County Code Sections 709.03 and 709.05, between July 1, 2014 and June 30, 2016, casino revenues are authorized to be used to promote economic development in Cleveland’s Downtown District, unless a request for early spending proposed by either the County Executive or County Council was approved by Council; and,

WHEREAS, pursuant to Cuyahoga County Code Section 709.04, effective July 1, 2016, remaining revenues in the Casino Revenue Fund may be used to (1) promote economic development in any area of Cuyahoga County, and (2) provide additional funding for educational initiatives, including the Cuyahoga County Educational Assistance Fund; and,

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

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

**SECTION 1.** Chapter 709 of the Cuyahoga County Code is hereby amended to read as follows (additions are bolded and underlined, deletions are stricken):

### **Section 709.01 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 transferred from the General Fund into the Fund and may be used only purpose for the purposes authorized in this Chapter.

### **Section 709.02 Revenues in Reserve**

All ~~gross casino revenues shall be held in reserve in the Casino Revenue Fund until June 30, 2014 (“the reserve date”)~~. [Repealed].

### **Section 709.04 Permitted uses of Casino Revenue Funds**

Casino Revenue Funds may be used to:

- A. Promote economic and community development in any area of Cuyahoga County; and
- B. Provide additional funding for educational initiatives, including the Cuyahoga County Educational Assistance Fund.

### **Section 709.05**

- A. ~~Notwithstanding Section 709.02 of the County Code, prior to June 30, 2014, the County Executive may propose spending monies from the Casino Revenue Fund on specific “downtown district” development projects. Council shall determine whether any specific project justifies an earlier than anticipated expenditure of funds.~~ [Repealed].

### **Section 709.06 Evaluation and Approval of Economic and Community Development Projects**

- A. All applications for economic development or community development funding for the purposes of this Chapter shall be submitted to the Casino Revenue Development Committee, established pursuant to Section 207.03 of this Code. The Casino Revenue Development Committee shall competitively evaluate and score such applications and make recommendations for consideration of award by County Council. Any award made pursuant to this Section shall require recommendation from the Committee and final approval from County Council.

- B. Applications may be submitted to the Casino Revenue Development Committee by any private entity, municipal corporation, or township seeking funding for economic development or community development projects within Cuyahoga County.**
- C. No Casino Revenue Funds shall be awarded except pursuant to the procedures established in this Chapter, or as otherwise provided in this Title.**
- D. If deemed appropriate, the County may use monies within the Casino Revenue Fund for the payment of debt charges on any bonds, notes, and certificates of indebtedness issued by the County for the purpose of carrying out this Chapter. All economic development or community development awards made from bond proceeds or other revenues derived from notes or certificates of indebtedness credited to the Casino Revenue Fund shall be awarded pursuant to the procedures established in this Section.**

**SECTION 2.** Section 207.05 of the Cuyahoga County Code is hereby enacted as follows (additions are bolded and underlined, deletions are stricken):

#### **Section 207.05 Casino Revenue Development Committee**

- A. There is hereby established a Casino Revenue Development Committee, hereinafter the “Committee,” which shall competitively evaluate and score applications for funding for economic development and community development projects within Cuyahoga County. The Committee shall be composed of five members, as follows:**
  - 1. Two members appointed by the County Executive, at least one of whom shall be an employee of the Department of Development and one member with experience in economic or community development. Such appointments shall not be subject to confirmation by the Council;**
  - 2. Two members appointed by the President of Council, at least one of whom shall be a member of Council;**
  - 3. One member with experience in economic or community development shall be jointly appointed by the County Executive and the President of Council;**
- B. The Committee members appointed pursuant to paragraph (A) of this section shall each serve for a two year term expiring at the end of each even numbered calendar year. In the event of a vacancy, the respective appointing authority or authorities shall appoint a member to complete**

the unexpired term. The members of the Committee shall serve without additional compensation.

**C. The Casino Revenue Development Committee shall adopt rules of procedure, which shall include the following:**

- 1. Application deadlines, which shall occur no less than biannually;**
- 2. Minimum application criteria applications must meet in order to be eligible for particular rounds of funding;**
- 3. Weighted evaluation criteria by which eligible applications are to be scored and ranked;**
- 4. Procedures for electing a chair and vice chair of the committee, and for setting the regular dates and times of committee meetings; and**
- 5. A plan for public engagement to solicit applications.**

**D. The Committee's rules of procedure shall be adopted in accordance with Chapter 113 of the County Code; provided, however that the weighted evaluation criteria by which eligible applications are to be scored and ranked shall instead be subject to amendment and final approval by resolution of County Council.**

**E. All meetings of the Casino Revenue Development Committee shall be open to the public and time shall be provided for members of the public to comment on matters before the committee. The Committee may go into executive session for the purpose of considering any matter permitted to be heard in executive session by the Ohio Open Meetings Act as codified in Section 122.22 et seq. of the Ohio Revised Code.**

**F. The County Executive shall designate a staff person to act as clerk of the committee. The clerk shall publish agendas and meeting notices and record and publish minutes.**

**SECTION 3.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance 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 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 actions 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.

Yea:

Nay:

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County Council President

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Date

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County Executive

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Date

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Clerk of Council

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Date

First Reading/Referred to Committee: December 8, 2015

Committee(s) Assigned: Economic Development & Planning

Committee Report/Second Reading: August 9, 2016

Third Reading/Referred to Committee: September 13, 2016

Committee(s) Assigned: Economic Development & Planning

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