

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2018-0005

Sponsored by: <b>Council President Brady</b>	<b>An Ordinance</b> amending Title 7 of the Cuyahoga County Code to clarify requirements regarding the use of casino tax revenue and update programs funded by such revenue, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: <b>Councilmember Miller</b>	

WHEREAS, Chapter 709 of the Cuyahoga County Code establishes the Casino Revenue Fund and sets forth rules regarding the use of casino tax revenue; and

WHEREAS, Section 714.02 of the Cuyahoga County Code establishes the County Community Development Supplemental Grant Program and sets casino tax revenue as the program funding source for calendar years 2016 and 2017; and

WHEREAS, the amendments proposed are designed to clarify and update the requirements regarding the use of casino tax revenue; 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 a County entity.

**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):

**Chapter 709: ~~Casino Revenue~~ Community Development Fund**  
**Section 709.01 The ~~Casino Revenue~~ Community Development 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~~ **Community Development Fund**" or "the Fund"). All such revenues shall be automatically transferred from the General Fund into the Fund and may be used only in the time frame and purpose authorized in Chapter 709 of the County Code.

~~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”).~~

~~Section 709.03 Use for Downtown District Development~~

~~As of July 1, 2014 and through June 30, 2016, the revenues contained in the Casino Revenue 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 709.024 Allowable Use of Funds Revenues Remaining and Received on or after July 1, 2016~~

~~Funds in the Community Development Fund Revenues remaining in the Casino Revenue Fund or received on or after July 1, 2016 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 Requests for Early Spending~~

- ~~A. Notwithstanding Section 709.02 of the County Code, 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.~~
- ~~B. Notwithstanding Section 709.03 of the County Code, after June 30, 2015 and before July 1, 2016, the County Executive or the County Council may propose spending monies on specific projects promoting economic and community development in any area of Cuyahoga County. Council shall determine whether any specific project justifies an earlier than anticipated expenditure of funds.~~

**SECTION 2.** Section 714.02(C) of the Cuyahoga County Code is hereby amended to read as follows (additions are bolded and underlined, deletions are stricken):

C. Funding Source

The CDSG program shall be funded through the ~~County Casino Revenue~~ **Community Development** Fund as established in Chapter 709 of the County Code. One million dollars (\$1,000,000.00) of the funds transferred into the ~~Casino Revenue~~ **Community Development** Fund annually, **commencing** in calendar years 2016 and **continuing through calendar year 2019** ~~2017~~ shall be used to fund projects approved through the Cuyahoga County Community Development Supplemental Grant program.

**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 action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

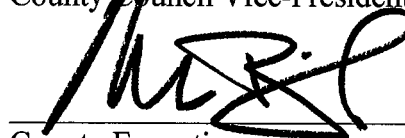
On a motion by Ms. Simon, seconded by Mr. Miller, the foregoing Ordinance was duly enacted.

Yeas: Simon, Baker, Miller, Tuma, Gallagher, Conwell, Jones, Brown and Houser

Nays: None

  
County Council Vice-President

5/30/18  
Date

  
County Executive

5-31-18  
Date

  
Clerk of Council

5/29/2018  
Date

First Reading/Referred to Committee: April 24, 2018  
Committee(s) Assigned: Community Development

Additional Sponsorship Requested on the Floor: April 24, 2018

Committee Report/Second Reading: May 15, 2018

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May 29, 2018