

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2020-0017

Sponsored by: <b>County Executive Budish/Fiscal Officer/Office of Budget and Management</b>	<b>An Ordinance</b> enacting Chapter 726 of the Cuyahoga County Code to establish a Sports Facility Reserve Fund for collecting and expending funds related to sports facilities in which a major league sports team plays its regular season games, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: <b>Councilmembers Jones, Brown, Stephens, Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell and Brady</b>	

WHEREAS, pursuant to Chapter 724 of the Cuyahoga County Code, a one percent increase in the excise tax on hotel lodging transactions for transient guests in Cuyahoga County went into effect as on January 1, 2020 (“2020 Tax”); and

WHEREAS, during the discussion and approval of this 1% bed tax, it was agreed upon that the amount equal to 60% of the 1% bed tax would be appropriated from the County’s General Fund into a Sports Facility Reserve Fund; and

WHEREAS, in order to properly appropriate the amount equal to 60% of the 1% bed tax, the County must create a Sports Facility Reserve 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 a County entity.

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

**SECTION 1.** Chapter 726 of the Cuyahoga County Code is hereby enacted to read as follows:

### **Chapter 726: Sports Facility Reserve Fund**

#### **Section 726.01 Fund Established**

The Fiscal Officer is hereby directed to immediately establish a separate fund, in the General Fund, called the Sports Facility Reserve Fund, for collecting and expending funds for the purposes set forth herein.

**Section 726.02 Fund Uses:**

The funds in the Sports Facility Reserve Fund shall, upon appropriation by Council, be used solely for improvements, renovation, repairs, maintenance, or construction, to or of, a Sports Facility in Cuyahoga County, or such other purposes as deemed by Council as necessary and appropriate. For the purposes of this Chapter, a “Sports Facility” is a facility in which a major league sports team plays its regular season home games.

**Section 726.03 Funding:**

The Fiscal Officer shall deposit monies from the General Fund into the Sports Facility Reserve Fund no less frequently than biannually in an amount equal to 60% of the amount collected annually under Chapter 724 of this Code, net expenses associated with administering said collection.

**Section 726.04 Reporting:**

On or before the 31<sup>st</sup> of January of each year following the effective date of this ordinance, the Fiscal Officer or the Fiscal Officer’s designee shall report to Council the balance in the Sports Facility Reserve Fund (“Fund”) as of December 31 of the previous year, an itemization of any expenditures from the Fund during the previous calendar year, and the amount transferred into the Fund in accordance with Section 726.03 of this Code during the previous calendar year.

**SECTION 2.** 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 3.** 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 Mr. Miller, seconded by Mr. Brady, the foregoing Ordinance was duly enacted.

Yeas: Jones, Brown, Stephens, Simon, Baker, Miller, Tuma, Gallagher, Schron,  
Conwell and Brady

Nays: None

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County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

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Date

First Reading/Referred to Committee: October 13, 2020

Committee(s) Assigned: Finance & Budgeting

Legislation Amended in Committee: October 19, 2020

Additional Sponsorship Requested on the Floor: October 27, 2020

Journal CC040  
October 27, 2020

[Clerk's Note: Electronic signatures affixed in accordance with Cuyahoga County  
Code Chapter 110]