

RESOLUTION

Resolution: Providing that a portion of the proceeds of the tax levied under division (A)(1) of Ohio Revised Code Section 5739.09 shall be deposited in the county general fund to be contributed to a convention facilities authority for the principal purpose of constructing, improving, expanding, equipping, financing, or operating a convention center.

WHEREAS, the County of Cuyahoga (the “County”) has been working toward the objective of the development of a new convention center within the County (the “Convention Center”).

WHEREAS, the County currently levies a tax on transactions, by which lodging by a hotel is furnished to transient guests (the “Bed Tax”), consisting, in part, of a three per cent (3%) Bed Tax under Ohio Revised Code Section 5739.09(A)(1) (as amended and renumbered from Ohio Revised Code Section 5739.024) (the “General Bed Tax”).

WHEREAS, the General Assembly of the State of Ohio in Amended Substitute House Bill No. 95, effective July 1, 2003, authorized counties with a population of one million or more to provide that all or a portion of the proceeds of the tax levied under division (A)(1) of Revised Code Section 5739.09, after deducting the real and actual costs of administering the tax and the amounts required to be returned to townships and municipal corporations with respect to the first three per cent, shall be deposited in the county general fund.

WHEREAS, Amended Substitute House Bill No. 95 further provides that the monies required to be deposited in the county general fund may be contributed to a convention facilities authority for the principal purpose of constructing, improving, expanding, equipping, financing, or operating a convention center.

WHEREAS, the County, acting by and through this Board, has determined to provide that a portion of the proceeds of the tax levied under division (A)(1) of Ohio Revised Code Section 5739.09, in the amount of fifty thousand dollars (\$50,000.00), shall be deposited in the county general fund to be contributed to a convention facilities authority for the principal purpose of constructing, improving, expanding, equipping, financing, or operating a convention center.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cuyahoga County, Ohio, that:

SECTION 1. This Board, pursuant to Ohio Revised Code Section 5739.09(H)(4), hereby provides that a portion of the General Bed Tax levied by the County under Ohio Revised Code Section 5739.09(A)(1), in the amount of fifty thousand dollars (\$50,000.00), shall be deposited in the county general fund. The County may contribute to a convention facilities authority created by the County all or any portion of said amount for the principal purpose of constructing, improving, expanding, equipping, financing, or operating a convention center, if the mayor of the municipal corporation in which the Convention Center is to be operated consents to the creation of such convention facilities authority in accordance with Ohio Revised Code Section 5739.09(H)(5).

SECTION 2. The County Administrator, Clerk of the Board, the members of the Board, acting alone or together, and other appropriate County officials are authorized and directed to sign and deliver such certificates, instruments, and other documents as may be necessary or appropriate, in the judgment of the County Administrator, to carry out the authorizations in this resolution.

SECTION 3. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 4. This resolution shall be in full force and effect immediately upon its adoption.

BE IT FURTHER RESOLVED that the Clerk of the Board be, and she is, hereby instructed to transmit a copy of this resolution to Jane L. Campbell, Mayor of the City of Cleveland; Frank G. Jackson, President of Cleveland City Council; Cleveland City Council members; Thomas J. Longo, Chairman of the Mayors and Managers Association; Mayors and Managers Association members; Dennis Roche, President of the Convention and Visitors Bureau of Greater Cleveland; David Reines, County Administrator; Frank Russo, County Auditor and Sandy Turk, Director, Office of Budget & Management.

On Motion of Commissioner McCormack, seconded by Commissioner Dimora, the foregoing resolution was duly adopted.

Ayes: McCormack, Dimora, Jones.

Nays: None.

Resolution Adopted.

**Penelope M. Hughes,
Clerk of the Board**

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