

# Ordinance No. 779-2021

**By Council Members Kazy and Kelley  
(by departmental request)**

## AN EMERGENCY ORDINANCE

Authorizing the general fund to receive and use revenue from tax remittances collected by Cleveland Public Power during the years 2022 and 2023 and transfer 100% of tax remittances collected in both years back to Cleveland Public Power.

WHEREAS, under Ordinance No. 910-98, passed February 14, 2000, this Council authorized, among other things, Cleveland Public Power to receive from the general fund an amount equal to eighty-five percent (85%) of the tax remittances due the City collected by Cleveland Public Power under Section 5727.81 of the Revised Code; and

WHEREAS, legislative authority is necessary to provide that the general fund shall receive all tax remittances collected by Cleveland Public Power during 2022 and 2023 and transfer 100% of the tax remittances collected in 2022 and 2023 back to Cleveland Public Power; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That as an exception to Ordinance No. 910-98, passed February 14, 2000, as amended by Ordinance No. 1886-02, passed October 28, 2002, partially repealed by Ordinance No. 2068-05, passed November 21, 2005; Ordinance No. 2088-03, passed October 27, 2003; Ordinance No. 2197-04, passed January 10, 2005; Ordinance No. 158-06, passed March 20, 2006; Ordinance No. 1842-06, passed February 5, 2007; Ordinance No. 1768-07, passed December 10, 2007; Ordinance No. 1248-09, passed September 28, 2009; Ordinance No. 1560-10, passed November 29, 2010, Ordinance No. 193-13, passed March 18, 2013, Ordinance No. 1350-14, passed December 1, 2014, Ordinance No. 103-17, passed April 3, 2017, as amended by Ordinance No. 1311-17, passed December 4, 2017, and Ordinance No. 1522-2019, passed October 28, 2019, the general fund shall receive all tax remittances collected under Section 5727.81 of the Revised Code during calendar years 2022 and 2023 and shall transfer 100% of the tax remittances collected in 2022 and 2023 back to Cleveland Public Power.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

DDR:nl  
9-20-2021  
FOR: Interim Directors Gentile and Keane

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REPORT  
after second Reading

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READ FIRST TIME on SEPTEMBER 20, 2021  
and referred to DIRECTORS of Public Utilities, Finance, Law;  
COMMITTEES on Utilities, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
UTILITIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE