

Ordinance No. 103-17

**Council Members Pruitt, Brady 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 2015 and 2016 and transfer 50% of tax receipts 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, that Cleveland Public Power shall 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, under Ordinance No. 1886-02, passed October 28, 2002, this Council directed that the general fund shall retain all of the tax remittances collected by Cleveland Public Power during 2003; and

WHEREAS, under Ordinance No. 2088-03, passed October 27, 2003, this Council directed that the general fund shall retain all of the tax remittances collected by Cleveland Public Power during 2004; and

WHEREAS, under Ordinance No. 2197-04, passed January 10, 2005, this Council directed that the general fund shall retain all of the tax remittances collected by Cleveland Public Power during 2004; and

WHEREAS, Ordinance No. 2068-05, passed November 21, 2005, repealed a portion of Ordinance No. 1886-02 relating to the increase in incremental charges and collection of tax remittances described in Ordinance No. 910-98; and

WHEREAS, under Ordinance No. 158-06, passed March 20, 2006, this Council directed that the general fund shall retain all of the tax remittances collected by Cleveland Public Power during 2005; and

WHEREAS, under Ordinance No. 1842-06, passed February 5, 2007, this Council directed that the general fund shall retain all of the tax remittances collected by Cleveland Public Power during 2006; and

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WHEREAS, under Ordinance No. 1768-07, passed December 10, 2007, this Council directed that the general fund shall retain 50% of the tax remittances collected by Cleveland Public Power during 2007, and 50% of the tax remittances shall be transferred to Cleveland Public Power on an annual basis; and

WHEREAS, under Ordinance No. 1248-09, passed September 28, 2009, this Council directed that the General Fund retains all of the tax remittances collected by Cleveland Public power during 2009 and 2010; and

WHEREAS, under Ordinance No. 1560-10, passed November 29, 2010, this Council directed the retention and use of revenue by the general fund from tax remittance collected by Cleveland Public Power during the years 2011 and 2012; and

WHEREAS, under Ordinance No. 193-13, passed March 18, 2013, this Council directed the retention and use of revenue by the general fund from tax remittance collected by Cleveland Public Power during the years 2013 and 2014; and

WHEREAS, under Ordinance No. 1350-14, passed December 1, 2014, this Council directed the retention and use of revenue by the general fund from tax remittance collected by Cleveland Public Power during the years 2015 and 2016; and

WHEREAS, legislative authority is necessary to clarify that the general fund shall receive all tax remittances collected by Cleveland Public Power during 2017 and 2018 and transfer 50% of the tax receipts collected in 2017 and 2018 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

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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, and Ordinance No. 1350-14, passed December 1, 2014, the general fund shall receive all tax remittances collected under Section 5727.81 of the Revised Code during calendar years 2017 and 2018 and shall transfer 50% of the tax receipts collected in 2017 and 2018 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
1-30-17

FOR: Directors Dumas and Davis

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**REPORT
after second Reading**

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READ FIRST TIME on JANUARY 30, 2017
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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COMMITTEE ON
UTILITIES**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

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