



Special Meeting of the
Cuyahoga Arts & Culture Board of Trustees

Cleveland Public Library - Main Branch
Louis Stokes Wing, 2nd Floor, Conference Room B,
325 Superior Avenue, Cleveland, OH 44114
Monday, April 29, 2024 – 4:30 p.m.

1. Call to order

- a. Call to order
- b. Call the roll

2. Action Items and Reports

- a. **Action:**

A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING 15 MILLS PER CIGARETTE (1½ CENTS, OR \$.015, PER CIGARETTE) TAX WITH A ___ MILLS PER CIGARETTE (___ CENTS, OR \$.___, PER CIGARETTE) TAX, FOR 10 YEARS, AND REQUESTING THE CUYAHOGA COUNTY COUNCIL TO SUBMIT THE QUESTION OF THAT TAX TO THE ELECTORS AT THE ELECTION TO BE HELD ON NOVEMBER 5, 2024, PURSUANT TO SECTION 5743.021(B)(2) OF THE REVISED CODE.

3. Adjourn

Next Regular Board Meeting: September 11, 2024

The Board of Trustees of Cuyahoga Arts and Culture met in a special session on April 29, 2024, commencing at 4:30 p.m., Louis Stokes Wing at the Cleveland Public Library, 325 Superior Avenue, Cleveland, Ohio, with the following members present:

The Secretary advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

_____ moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING 15 MILLS PER CIGARETTE (1½ CENTS, OR \$.015, PER CIGARETTE) TAX WITH A ___ MILLS PER CIGARETTE (___ CENTS, OR \$.___, PER CIGARETTE) TAX, FOR 10 YEARS, AND REQUESTING THE CUYAHOGA COUNTY COUNCIL TO SUBMIT THE QUESTION OF THAT TAX TO THE ELECTORS AT THE ELECTION TO BE HELD ON NOVEMBER 5, 2024, PURSUANT TO SECTION 5743.021(B)(2) OF THE REVISED CODE.

WHEREAS, at an election on November 7, 2006, the electors of the County of Cuyahoga, Ohio (the County), approved the levy of a tax at the rate of 15 mills per cigarette (1½ cents, or \$.015, per cigarette), computed on each cigarette sold, for 10 years, beginning February 1, 2007, for the purposes of making grants to support operating or capital expenses of arts or cultural organizations in Cuyahoga County, to defray the costs of acquiring, constructing, equipping, furnishing, improving, enlarging, renovating, remodeling, or maintaining an artistic or cultural facility, and to meet the operating expenses of the District (i.e., Cuyahoga Arts and Culture), which was scheduled to expire on February 1, 2017; and

WHEREAS, at an election on November 3, 2015, the electors of the County approved the continuation of the levy of a tax at the rate of 15 mills per cigarette (1½ cents, or \$.015, per cigarette), computed on each cigarette sold, for an additional 10 years, beginning February 1, 2017, for the purposes of making grants to support operating or capital expenses of arts or cultural

organizations in Cuyahoga County, to defray the costs of acquiring, constructing, equipping, furnishing, improving, enlarging, renovating, remodeling, or maintaining an artistic or cultural facility, and to meet the operating expenses of the District (i.e., Cuyahoga Arts and Culture), which tax is scheduled to expire on February 1, 2027; and

WHEREAS, this Board has determined that it is necessary and essential to Cuyahoga Arts and Culture's ability to fulfill its statutory mission to replace the existing 15 mills per cigarette (1½ cents, or \$.015, per cigarette) tax levied pursuant to Section 5743.021(B)(1) of the Revised Code with a ___ mills per cigarette (___ cents, or \$.___, per cigarette) tax levied pursuant to Section 5743.021(B)(2) of the Revised Code, for 10 years, beginning February 1, 2025, with the existing 15 mills per cigarette (1½ cents, or \$.015, per cigarette) tax to be terminated upon passage of the replacement levy; and

WHEREAS, this Board has determined to request the Cuyahoga County Council to submit the question of the replacement of the existing tax as described above, for 10 years, beginning February 1, 2025, to the electors at the election to be held on November 5, 2024, pursuant to Section 5743.021(B)(2) of the Revised Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Cuyahoga Arts and Culture, County of Cuyahoga, Ohio, that:

Section 1. Declaration of Necessity of Tax. This Board hereby finds, determines and declares that that it is necessary to replace an existing tax at the rate of 15 mills per cigarette (1½ cents, or \$.015, per cigarette), computed on each cigarette sold, levied pursuant to Section 5743.021(B)(1) of the Revised Code, with a ___ mills per cigarette (___ cents, or \$.___, per cigarette) tax, computed on each cigarette sold, levied pursuant to Section 5743.021(B)(2) of the Revised Code, for 10 years, beginning February 1, 2025, for the purposes of making grants to support operating or capital expenses of arts or cultural organizations in Cuyahoga County, to defray the costs of acquiring, constructing, equipping, furnishing, improving, enlarging, renovating, remodeling, or maintaining an artistic or cultural facility, and to meet the operating expenses of Cuyahoga Arts and Culture, with the existing 15 mills per cigarette (1½ cents, or \$.015, per cigarette) tax to be terminated upon passage of the replacement levy.

Section 2. Request to Submit Question to the Electors. This Board requests the County Council of the County of Cuyahoga to submit the question of the replacement of the existing tax as described in Section 1 to its electors at an election on November 5, 2024, as authorized by Section 5743.021(B)(2) of the Revised Code.

Section 3. Form of Ballot. This Board requests that the text of the ballot to be cast at the election on the question of the replacement of the existing tax as described in Section 1 be substantially as follows, such text provided for in Section 5743.021(C)(2) of the Revised Code, or in any other form acceptable to the Ohio Secretary of State:

“For the purpose of making grants to support operating or capital expenses of arts or cultural organizations in Cuyahoga County, to defray the costs of acquiring, constructing, equipping, furnishing, improving, enlarging, renovating, remodeling,

or maintaining an artistic or cultural facility, and to meet the operating expenses of the District, shall an excise tax be levied throughout Cuyahoga County for the benefit of Cuyahoga Arts and Culture on the sale of cigarettes at wholesale at the rate of ___ mills per cigarette for 10 years? An existing tax of 15 mills per cigarette, having two years remaining, will be terminated and replaced upon the pass of this tax.

For the tax _____
Against the tax _____”

Section 4. Certification and Delivery of Resolution to County Council. The Secretary of this Board is hereby authorized and directed to deliver or cause to be delivered a certified copy of this Resolution to the Cuyahoga County Council.

Section 5. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 6. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof.

Section 7. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

_____ seconded the motion.

Upon roll call on the adoption of the foregoing Resolution, the vote was as follows:

SECRETARY’S CERTIFICATION

The above is a true and correct excerpt from the minutes of the special meeting of the Board of Trustees of Cuyahoga Arts and Culture, held on April 29, 2024, commencing at 4:30 p.m., Louis Stokes Wing at the Cleveland Public Library, 325 Superior Avenue, Cleveland, Ohio, showing the adoption of the Resolution hereinabove set forth.

Dated: April 29, 2024

Secretary, Board of Trustees
Cuyahoga Arts and Culture

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