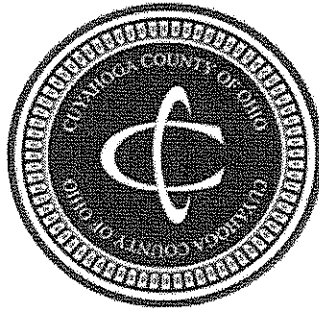


**AGENDA**  
**CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING**  
**MONDAY, AUGUST 29, 2011**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**2:00 PM**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES FROM THE AUGUST 15, 2011 MEETING
4. PUBLIC COMMENT RELATED TO THE AGENDA
5. PRESENTATION REGARDING DEPARTMENTAL PREPARATIONS FOR THE UPCOMING BUDGET PROCESS – MATT RUBINO, DIRECTOR, OFFICE OF BUDGET & MANAGEMENT
6. MATTERS REFERRED TO COMMITTEE
  - a) O2011-0041: An Ordinance authorizing, enacting and designating an additional five percent of all collections of delinquent real property, personal property, and manufactured and mobile home taxes and assessments to be deposited in the delinquent tax and assessment collection fund for the use of and appropriating such amount to the use of the Cuyahoga County Land Reutilization Corporation, and declaring the necessity that this Ordinance become immediately effective.
7. MISCELLANEOUS BUSINESS
8. OTHER PUBLIC COMMENT
9. ADJOURNMENT

In accordance with Ordinance No. O2011-0020, complimentary parking for the public will be available **beginning at 4:00 p.m.** on any day when the Council or any of its committees holds evening meetings. Please see the Clerk to obtain a parking pass.



## MINUTES

CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING  
MONDAY, AUGUST 15, 2011  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
1:00 PM

### 1. CALL TO ORDER

Chairman Miller called the meeting to order at 1:09 p.m.

### 2. ROLL CALL

The Clerk called the roll. Committee members Miller, Gallagher, Schron, Simon and Greenspan were in attendance and a quorum was determined. Councilmember Connally was also in attendance.

### 3. APPROVAL OF MINUTES FROM THE JULY 20, 2011 MEETING

A motion was made by Mr. Schron, seconded by Mr. Greenspan and approved by unanimous vote to approve the minutes from the July 20, 2011 meeting.

### 4. PUBLIC COMMENT RELATED TO THE AGENDA

There was no public comment.

### 5. MATTERS REFERRED TO COMMITTEE

- a) O2011-0032: An Ordinance establishing guidelines under which Council is to consider and approve subsidies to boards, commissions, agencies, corporations, and other entities or authorities over which the County Council does not have direct, immediate oversight of daily, operational management decisions.

Mr. Greenspan addressed the Committee regarding Ordinance No. O2011-0032.

Bob Ivory, Special Assistant to Executive FitzGerald, made the Committee aware that the Administration is currently reviewing the legislation and will be prepared to make

comments at the Rules Committee meeting scheduled for August 23, 2011. Discussion ensued.

Majeed Mahklouf, Law Director, responded to requests for information from the Committee regarding how current practice would change as a result of Ordinance No. O2011-0032.

Chairman Miller recommended to table Ordinance No. O2011-0032 until the next scheduled meeting of the Finance & Budgeting Committee.

Jim Boyle, Special Assistant to Executive FitzGerald, addressed the Committee regarding Ordinance No. O2011-0032 and the funding streams of various agencies, boards and commissions.

Hearing no objection, Chairman Miller tabled Ordinance No. O2011-0032 until the August 29, 2011 meeting.

- b) O2011-0036: An Ordinance approving a Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Ordinance become immediately effective.

Matt Rubino, Director of the Office of Budget & Management and Wade Steen, Fiscal Officer, addressed the Committee regarding Ordinance No. O2011-0036 and the biennial budget process. Discussion ensued.

Mr. Mahklouf addressed the Committee regarding the charter amendment process as it relates to the duties and powers of the Executive and the Council to propose and adopt an annual budget. Discussion ensued.

A motion was made by Chairman Miller, seconded by Mr. Schron and approved by unanimous vote to amend Ordinance No. O2011-0036 by replacing the word "approving" with the words "establishing the procedure for adopting" and the word "Program" with the words "Plan with an annual update" in the title of the Ordinance.

Mr. Steen addressed the Committee regarding the effect of Ordinance No. O2011-0036 on the responsibilities of the Fiscal Office. Discussion ensued.

A motion was made by Mr. Schron, seconded by Ms. Simon and approved by unanimous vote to refer Ordinance No. O2011-0036 to the full Council agenda, as amended.

## 6. MISCELLANEOUS BUSINESS

Chairman Miller announced to the Committee that the budget process will begin in October and requested input regarding the process from the Committee.

## 7. OTHER PUBLIC COMMENT

There was no other public comment.

8. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Greenspan with a second by Mr. Schron, the meeting was adjourned at 1:53 p.m., without objection.

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0041

<p>Sponsored by: <b>Councilmembers Brady, Miller, Connally, Jones and Rogers</b></p>	<p><b>An Ordinance</b> authorizing, enacting and designating an additional five percent of all collections of delinquent real property, personal property, and manufactured and mobile home taxes and assessments to be deposited in the delinquent tax and assessment collection fund for the use of and appropriating such amount to the use of the Cuyahoga County Land Reutilization Corporation, and declaring the necessity that this Ordinance become immediately effective.</p>
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WHEREAS, the Treasurer of Cuyahoga County, Ohio (the "County Treasurer"), pursuant to and in accordance with Section 321.341 of the Ohio Revised Code, has heretofore made the special tax advances authorized in Section 321.341 of the Ohio Revised Code (the "Special Tax Advances") from the collections of current late and delinquent taxes and the proceeds of current year delinquent tax collection anticipation notes (the "DTANs") to provide base funding to the Cuyahoga County Land Reutilization Corporation (respectively, the "Base Funding" and the "Corporation") in the form of the penalties and interest on such current late and delinquent taxes and assessments upon their collection (the "P&I Collections") and in an annual estimated amount of, but not exceeding in any event, \$7,000,000 (the "Maximum Base Funding Amount");

WHEREAS, in order to (i) more accurately estimate, more efficiently provide and more economically collect and distribute Base Funding to the Corporation, up to, but not exceeding, the Maximum Base Funding Amount for its fiscal years 2011 and 2012, (ii) eliminate the need for the issuance by Cuyahoga County, Ohio (the "County") of DTANs and (iii) save the Corporation the costs of issuance of the DTANs and the payment of interest thereon by the Corporation, the Corporation has asked that the County Treasurer, pursuant to division (B) of Section 321.261 of the Ohio Revised Code, request that this County Council, upon consultation with the County Executive, authorize, enact and designate pursuant to division (B) of Section 321.261 of the Ohio Revised Code an additional five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (hereafter, the "Additional DTAC Fee") to be deposited in the delinquent tax and assessment collection fund (the "DTAC Fund") and, subject to the limitation hereinafter provided through the Maximum Base Funding Amount, transferred in part or in whole to the Corporation as part of its Base

Funding in lieu of P&I Collections otherwise generated from the Special Tax Advances made with DTAN Proceeds; provided, however, that the aggregate amount transferred to the Corporation in any fiscal year from the DTAC Fund and the county land reutilization fund created and maintained under Section 321.263 of the Ohio Revised Code (the "County Land Reutilization Fund") shall not exceed the Maximum Base Funding Amount;

WHEREAS, pursuant to subdivision (B) of Section 321.261 of the Ohio Revised Code, the County Treasurer has communicated to one or more members of this Council a request from the Corporation that this Council consider the authorization, enactment and designation of the Additional DTAC Fee; and

WHEREAS, this Council acknowledges and finds that continuing provision through the County of the annual Base Funding of the Corporation in an amount equal to, but not exceeding, the Maximum Base Funding Amount is in the best interests of the County and is necessary for the Corporation to continue to achieve its mission and public purposes of, among others, alleviating the slum and blight of vacant, abandoned and foreclosed properties within the County and the negative consequences which certain national real estate practices and the recent recession have inflicted on the local real estate markets, and therefore this Council desires to authorize, enact and designate the Additional DTAC Fee in lieu of P&I Collections otherwise generated from the Special Tax Advances made with DTAN Proceeds, subject to the provisions of this Ordinance;

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

**SECTION 1. Additional DTAC Fee.** Pursuant to and in accordance with Section 321.261(B) of the Ohio Revised Code and subject to the other provisions of this Ordinance, this Council hereby authorizes, enacts and designates the Additional DTAC Fee in the amount of five percent (5%) to be applied on all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments solely for the use of the Corporation as part of its Base Funding, commencing immediately upon the effective date of this Ordinance and continuing through December 31, 2112, at or prior to which time this Council may reconsider reauthorization of the Additional DTAC Fee.

**SECTION 2. Maximum Base Funding.** Notwithstanding the provisions of Section 1 of this Ordinance, the aggregate amount transferred to the Corporation from the DTAC Fund and the County Land Reutilization Fund in any single fiscal year of the Corporation shall not exceed the Maximum Base Funding Amount.

**SECTION 3. Deposit and Appropriation of Additional DTAC Fee.** All amounts constituting the Additional DTAC Fee shall be deposited in the DTAC Fund, and such amounts upon their deposit in such fund, subject to the provisions of Section 2 hereof, are hereby appropriated for the sole use of the Corporation and shall be

disbursed to the Corporation upon warrant of the Fiscal Officer of the County (the "Fiscal Officer").

**SECTION 4. Delivery to County Treasurer and Fiscal Officer.** The Clerk of Council is hereby instructed to transmit a copy of this Ordinance upon its execution by the County Council President, the County Executive and the Clerk of Council to the Fiscal Officer and the County Treasurer.

**SECTION 5. Effective Date.** Provided this Ordinance receives the affirmative vote of eight members of Council, it shall take effect immediately upon the signature of the County Executive; otherwise it shall take effect at the earliest time permitted by law. It is hereby determined to be necessary that this Ordinance become immediately effective in order to avoid the issuance by the County of the DTANs for the Corporation's 2011 fiscal year and to ensure continued distribution of the Corporation's Base Funding for fiscal year 2011 and fiscal year 2012.

**SECTION 6. Open Meeting Determination.** It is found and determined that all formal actions of this Council meeting and 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 actions 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President      Date

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

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

First Reading/Referred to Committee: August 23, 2011  
Committee(s) Assigned: Finance & Budgeting

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011