



AGENDA
CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING
THURSDAY, NOVEMBER 1, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE OCTOBER 15, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2012-0020: An Ordinance establishing the Cuyahoga County Based Business Preference Program
 - b) R2012-0228: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective.
- 6. DISCUSSION**
 - a) Preview of 2013 budget update

- b) Preview of possible adjustment of inside millage tax rates-Director Matthew Rubino
- c) Finance & Budgeting Committee meeting schedule

7. MISCELLANEOUS BUSINESS

8. OTHER PUBLIC COMMENT

9. ADJOURNMENT

*In accordance with Ordinance No. O2011-0020, complimentary parking in the Huntington Park Garage will be available for the public **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, OCTOBER 15, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Miller called the meeting to order at 1:04 p.m.

2. ROLL CALL

Mr. Miller asked Assistant Deputy Clerk Thurman to call the roll. Committee members Miller, Greenspan, Gallagher, Germana, Jones and Simon were in attendance and a quorum was determined. Committee member Schron entered the meeting shortly after the roll call was taken. Councilmember Connally was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

The following citizens addressed the Committee regarding issues of concern to them relating to Resolution No. R2012-0218, a Resolution making awards on RQ24243 to various providers for debt collection services for the Cuyahoga County Clerk of Courts:

- a) Sara Donnersbach, Esq.**
- b) Ms. Linda Brinkworth**
- c) Ms. Rita Aldridge**

4. APPROVAL OF MINUTES FROM THE OCTOBER 1, 2012 MEETING

A motion was made by Mr. Greenspan, seconded by Mr. Germana and approved by unanimous vote to approve the minutes from the October 1, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2012-0218: A Resolution making awards on RQ24243 to various providers for debt collection services for the Cuyahoga County Clerk of Courts for the period 11/1/2012 - 10/31/2014; authorizing the County Executive to execute the revenue generating agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) NCO Financial Systems, Inc.
 - 2) Weltman, Weinberg & Reis Co., L.P.A.

Mr. Keith Hurley, Chief Deputy of the Clerk of Courts, and Mr. Trevor McAleer, Legislative Budget Advisor, addressed the Committee regarding Resolution No. R2012-0218. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Hurley and Mr. McAleer pertaining to the item, which they answered accordingly.

On a motion by Mr. Gallagher with a second by Mr. Jones, Resolution No. R2012-0218 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of rules.

6. DISCUSSION

- a) Report regarding County balance sheet items-Director Matthew Rubino

Mr. Wade Steen, Fiscal Officer, and Mr. Mark Parks, Acting Controller, addressed the Committee regarding the County's financial position and presented an overview of the balance sheet process. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Steen and Mr. Parks, pertaining to the item, which they answered accordingly.

- b) Update regarding 2013 budget preview-Director Matthew Rubino

Mr. Matthew Rubino, Director of the Office of Budget and Management, provided an update to the Committee regarding items that will be included in the 2013 budget submission to Council. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Rubino, pertaining to the item, which he answered accordingly.

7. MISCELLANEOUS BUSINESS

Mr. Miller announced that the Finance & Budgeting Committee meeting scheduled to take place on Monday, October 29, 2012 at 1:00 p.m. is rescheduled for Thursday, November 1, 2012 at 11:00 a.m.

Mr. Gallagher announced that a revised proposal regarding Ordinance No. O2012-0020, an Ordinance establishing the Cuyahoga County Based Business Preference Program, was distributed to Councilmembers and staff and will be discussed at the next Finance & Budgeting Committee meeting.

8. OTHER PUBLIC COMMENT

No public comments were given.

9. 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 2:57 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0020

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| Sponsored by: Councilmembers Gallagher, Germana, Connally, Jones, Brady, Miller, Rogers and County Executive FitzGerald | An Ordinance establishing the Cuyahoga County Based Business Preference Program. |
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WHEREAS, Article VII, Section 7.01 of the Cuyahoga County Charter mandates that “the County shall develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County; and,

WHEREAS, an objective of the Cuyahoga County Small Business Enterprise (SBE) Program is to spur economic development in the public and private sectors of the Cuyahoga County economy; and,

WHEREAS, the Cuyahoga County Council deems a Cuyahoga County Based Business Preference Program for County purchases, and for entering into agreements and awarding contracts to be critical to the economic vibrancy and development of the County; and,

WHEREAS, the County Executive / Office of Procurement & Diversity administers all County purchases, agreements, and contracts; and,

WHEREAS, all County purchases, and the manner of entering into agreements and contracts are governed by the Cuyahoga County Contracting and Purchasing Procedures Ordinance, and any applicable state and federal laws;

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

SECTION 1. Program: There is hereby created a Cuyahoga County Based Business (CCBB) Preference Program.

SECTION 2. Definitions: For purposes of this ordinance, a Cuyahoga County Based Business means:

- (a) an individual, domestic corporation, sole proprietorship, partnership, or joint venture whose principal place of business has been located in Cuyahoga County for at least three (3) years as registered in official documents filed with the Secretary of State of Ohio or the Cuyahoga County Fiscal Office. If one party to a joint venture has its principal place of business in Cuyahoga

County, the joint venture shall be considered as having its principal place of business in Cuyahoga County; or

(b) a business organization with a “significant economic presence” in Cuyahoga County. For purposes of this ordinance,

a. “Significant economic presence” means a business organization that has for at least three years

i. Had a sales office, division, sales outlet or manufacturing facility in Cuyahoga County; and

ii. Pays required taxes to Cuyahoga County; and

iii. Has an annual gross payroll in Cuyahoga County of at least \$100,000.00.

SECTION 3. Credit for Cuyahoga County Based Business: Unless otherwise prohibited by state, federal or local law, when the County has solicited bids, proposals, qualification statements or other contractual solicitations, and is determining the lowest price or the lowest evaluated price for purposes of awarding a purchase, agreement or a contract, a Cuyahoga County Based Business shall be given a credit equal to two (2) percent of the lowest bid submitted by a non-Cuyahoga County Based Business bidder.

SECTION 4: SBE Certification and CCBB Qualification: When a business has been certified as a county SBE, and provided it meets the other definitional requirements of Section 2 (a) or (b), the business may qualify as a CCBB after at least one (1) year of continuous operation in Cuyahoga County, rather than the three (3) years required in Section 2.

SECTION 5: One Preference to Apply: If a business qualifies for both the SBE preference and the County Based Business Preference on a particular purchase, contract or agreement, only the larger preference shall apply.

SECTION 6. Application: The Cuyahoga County Based Business Preference Program applies solely to an entity with which the County is directly entering into a purchase, agreement, or contract, and not to subcontractors.

SECTION 7. Cuyahoga County Based Business Form:

(a) The Office of Procurement and Diversity is directed to create a Cuyahoga County Based Business form, which shall be submitted by any entity desiring to participate in the Cuyahoga County Based Business Preference Program.

(b) Any entity desiring to participate in the Cuyahoga County Based Business Preference Program must submit, with and at the time of the bid, proposal or qualifications, a completed, signed and notarized Cuyahoga County Based Business form.

SECTION 8. Verification of Information and Denial of Designation: The Director of the Office of Procurement and Diversity is hereby authorized to investigate and verify any information submitted with the Cuyahoga County Based Business form and may reject the designation of a Cuyahoga County Based Business if he or she believes the information on the form is inaccurate or the entity is ineligible to be designated as a Cuyahoga County Based Business. The Director of the Office of Procurement and Diversity may request additional information prior to approving or rejecting the designation of a Cuyahoga County Based Business.

SECTION 9. Appeal of Denial of Designation: If a designation of a Cuyahoga County Based Business is denied by the Director of the Office of Procurement and Diversity, the entity may submit a written complaint or appeal to the Director of the Office of Procurement and Diversity who shall notify the SBE Grievance Hearing Board. The written complaint or appeal by the entity shall be made within five (5) days to the Director of the Office of Procurement and Diversity upon receipt of the Director of the Office of Procurement and Diversity's decision. The SBE Grievance Hearing Board shall make every effort to hold the hearing no more than twenty (20) days from the date of receipt of the written complaint or appeal from the entity.

SECTION 10. Effect of Denial of Designation: If a designation of a Cuyahoga County Based Business is denied by the Director of the Office of Procurement and Diversity and/or the SBE Grievance Hearing Board, the entity cannot reapply for designation as a Cuyahoga County Based Business for a period of one (1) year from the date of the notice of denial.

SECTION 11. Waiver: The County may choose not to apply the County based Business Program to any particular purchase, agreement or contract by a Resolution of Council enacted prior to the beginning of the purchase process, or issuance of the RFQ, RFP, or bid package.

SECTION 12. Biennial Review: The Office of Procurement and Diversity shall conduct a biennial review of the economic and budgetary impacts of the Cuyahoga County Based Business Program and shall submit the results to Council during the biennial budget process beginning in 2013.

SECTION 13. Open Meetings Compliance: It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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 action 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 Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Deputy Clerk of Council

Date

First Reading/Referred to Committee: July 24, 2012

Committee Assigned: Finance & Budgeting

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0228

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| Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management | A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, on December 13, 2011, the Cuyahoga County Council adopted the 2012 - 2013 Biennial Appropriation Measure (Resolution No. R2011-0291) establishing the 2012 - 2013 Biennial budgets for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the 2012 - 2013 Biennial Appropriation Measure to reflect budgetary funding increases, funding reductions, and to transfer budget appropriations in order to accommodate the operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is necessary for reconciliation of the 2012 appropriations in the County's financial accounting system; and,

WHEREAS, it is further necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies;

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

SECTION 1. That the 2012 - 2013 Biennial Appropriation Measure be amended to provide for additional appropriation increases and decreases to be determined by the Office of Budget & Management (OBM), for the purpose of year-end reconciliation of accounts, provided that the maximum amount of any one item shall not exceed \$200,000.00, unless the additional appropriation increase is offset by a corresponding decrease of the same amount, except that any one item identified to fund pending internal service charge(s) shall not exceed \$700,000.00.

SECTION 2. That the 2012 - 2013 Biennial Appropriation Measure be amended to provide for appropriation transfers, to be determined by OBM, for the purpose of year-end reconciliation of budget accounts and line items, provided that transfer items adhere to the currently established financial policies for processing appropriation transfers.

SECTION 3. All additional appropriation increases or decreases, or appropriation transfers made under this resolution shall be done between December 03, 2012 and January 04, 2013, inclusive.

SECTION 4. On or before December 11, 2012; December 18, 2012; December 26, 2012; January 2, 2013; and January 8, 2013, OBM shall provide Council a description of all appropriation increases and decreases, and appropriation transfers journaled in the financial accounting system under this resolution during the preceding week.

SECTION 5. Not later than January 22, 2013, the County Executive shall submit to Council for approval the final budget appropriation and transfer resolution covering all of the changes made under this resolution.

SECTION 6. This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 7. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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 action 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 Resolution was duly adopted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: October 23, 2012

Committee(s) Assigned: Finance & Budgeting

Journal _____
_____, 2012