



AGENDA
CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING
MONDAY, NOVEMBER 18, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
9:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE OCTOBER 7, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2013-0227: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 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.
 - b) R2013-0243: A Resolution amending Resolution No. R2013-0200 dated 9/24/2013, which accepted the rates as determined by the Budget Commission and which authorized the necessary tax levies and certified them to the County Fiscal Officer, to change the Health & Human Services Outside Millage from 2.90 to 3.90 and to change the total Outside Millage from 14.10 to 15.10; and declaring the necessity that this Resolution become immediately effective.
 - c) O2013-0023: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding a new Section 701.02 to create guidelines for

expenditures of the biennial budget for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

**CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING
MONDAY, OCTOBER 7, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Miller called the meeting to order at 1:00 p.m.

2. ROLL CALL

Mr. Miller asked Assistant Deputy Clerk Carter to call the roll. Committee members Miller, Gallagher, Jones, Connally, Greenspan, and Brady were in attendance and a quorum was determined. Committee member Schron was absent from the meeting. Councilmember Rogers was also in attendance.

A motion was then made by Ms. Connally, seconded by Mr. Gallagher and approved by unanimous vote to excuse Mr. Schron from the meeting.

3. PUBLIC COMMENT RELATED TO THE AGENDA

Mr. David Rothstein, Director of Public Affairs for Neighborhood Housing Services of Greater Cleveland, addressed the Committee regarding issues of concern to him relating to Resolution No. R2013-0192, a Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for an additional fiscal appropriation from the General Fund.

Mr. Robert Megazzini, General Manager of Marriott International Inc., addressed the Committee regarding issues of concern to him relating to Ordinance No. O2013-0020, an Ordinance enacting Chapter 712 of the Cuyahoga County Code to establish the Cuyahoga County Lodging Excise Tax Code of Regulations.

4. APPROVAL OF MINUTES FROM THE SEPTEMBER 30, 2013 MEETING

A motion was made by Mr. Brady, seconded by Ms. Connally and approved by majority vote to approve the minutes of the September 30, 2013 meeting, with Mr. Greenspan abstaining from the vote.

5. MATTERS REFERRED TO COMMITTEE

- a) R2013-0192: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department; and declaring the necessity that this Resolution become immediately effective.

County Executive Ed FitzGerald and Mr. Kenneth Surratt, Special Assistant, addressed the Committee regarding Resolution No. R2013-0192. Discussion ensued.

Committee members and Councilmembers asked questions of County Executive FitzGerald and Mr. Surratt pertaining to the item, which they answered accordingly.

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2013-0192 was considered and approved by majority roll-call vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, with Committee members Miller, Gallagher, Jones, Connally and Brady voting in the affirmative and Committee member Greenspan casting a dissenting vote.

- b) O2013-0020: An Ordinance enacting Chapter 712 of the Cuyahoga County Code to establish the Cuyahoga County Lodging Excise Tax Code of Regulations, effective 1/1/2014.

Ms. Connally addressed the Committee regarding Ordinance No. O2013-0020. Discussion ensued.

County Executive FitzGerald and Mr. Mark Parks, Interim Fiscal Officer, addressed the Committee regarding Ordinance No. O2013-0020. Discussion ensued.

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

Mr. Miller introduced a proposed substitute to Ordinance No. O2013-0020. Discussion ensued.

A motion was then made by Ms. Connally, seconded by Mr. Brady and approved by majority vote to substitute Ordinance No. O2013-0020, with Mr. Greenspan casting a dissenting vote.

No further legislative action was taken on Ordinance No. O2013-0020.

6. MISCELLANEOUS BUSINESS

Mr. Miller announced that that the next Finance & Budgeting Committee meeting will be held on Tuesday, October 15, 2013 at 3:00 p.m.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Brady with a second by Mr. Miller, the meeting was adjourned at 2:56 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0227

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 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 11, 2012, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2013 (Resolution No. R2012-0232) establishing the 2013 biennial budget update for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2013 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 2013 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 Operating Budget for 2013 be amended to provide for additional appropriation increases and decreases to be determined by the Office of Budget and 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 Operating Budget for 2013 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 10, 2013 and December 31, 2013 inclusive.

SECTION 4. On or before December 10, 2013; December 17, 2013; December 24, 2013; and December 31, 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 21, 2014, 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. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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 22, 2013

Committee(s) Assigned: Finance & Budgeting

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0243

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution amending Resolution No. R2013-0200 dated 9/24/2013, which accepted the rates as determined by the Budget Commission and which authorized the necessary tax levies and certified them to the County Fiscal Officer, to change the Health & Human Services Outside Millage from 2.90 to 3.90 and to change the total Outside Millage from 14.10 to 15.10; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Council of Cuyahoga County, Ohio, met in regular session on the 24th of September, 2013; and,

WHEREAS, this County Council, in accordance with the provision of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2014; and,

WHEREAS, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate of the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; and,

WHEREAS , it is 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 a County entity.

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

SECTION 1. That the rates as determined by the Budget Commission in its recertification be, and the same are, hereby amended and accepted.

SECTION 2. That there be, and is, hereby levied on the tax duplicate of said County, the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A
SUMMARY OF AMOUNT REQUIRED FROM GENERAL PROPERTY TAX
APPROVED BY BUDGET COMMISSION AND COUNTY FISCAL
OFFICER'S ESTIMATE OF TAX RATES**

**County Fiscal Officer's Estimate of
Tax Rate to be Levied**

Tax Levy	Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund	0.60	0
General Fund – Bond Retirement	0.85	0
Health & Human Services	0	3.90
Board of Developmental Disabilities	0	3.90
Health & Welfare	0	4.80
County Library	0	2.50
	1.45	15.10

SECTION 3. That the Clerk of Council be, and she is, hereby instructed to transmit a certified copy of this Resolution to the County Fiscal Officer; one copy to the County Budget Commission and the Director, Office of Budget & Management.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. 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: November 12, 2013

Committee(s) Assigned: Finance & Budgeting

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0023

Sponsored by: Councilmember Gallagher	An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding a new Section 701.02 to create guidelines for expenditures of the biennial budget for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article II, Section 2.03(9) requires the County Executive to submit to the County Council prior to the beginning of each biennium, a proposed operating budget for the upcoming biennium; and

WHEREAS, Article II, Section 2.03(9)(B) requires the County Executive to submit as part of the biennium budget a statement of proposed expenditures, shown by department, office, agency, authority, board and commission, and by activity, character and object; and

WHEREAS, Article III, Section 3.09 (5) empowers the County Council to adopt and amend the biennial operating budget and to make appropriations for the County; and

WHEREAS, on a biennial basis all departments, offices, agencies, authorities, and boards and commissions come before the County Council to present their upcoming biennial budget and have the opportunity to request any additional appropriation for any unbudgeted expenditures; and

WHEREAS, the County Council desires to receive notification prior to the expenditure of funds for any unbudgeted items to ensure County funds are not used for any unintended purpose; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County.

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

SECTION 1: CHAPTER 701 of the Cuyahoga County Code, which provides for a biennial budget and capital improvement plan process, is hereby amended to add a new section 701.02 as follows:

SECTION 701.02: Permitted Use of Biennial Budgeted Expenditures

- A. Effective for the 2014-2015 County's Biennial Budget and thereafter, any Agency of Cuyahoga County, including any department, office, agency, court, board, commission, or other authority for which appropriations are made, shall be permitted to use its biennial appropriation for budgeted and authorized expenditures as approved by County Council.
- B. Agencies of the County, as defined in subsection (A), shall provide thirty (30) days' prior written notice to the Council President of its intent to make any Agency-wide expenditure not budgeted for and approved by Council in the biennial budget, as may be amended throughout the biennium. "Agency-wide expenditures" shall include, without limitation, pay rate adjustments, cost of living adjustments, and pay merit awards applicable to all non-bargaining employees.
- C. In the event any Agency of the County fails to provide notification to the Council President as required in subsection (B), the Council may decrease the Agency's biennial budget appropriation by the amount equal to the unauthorized or unbudgeted expenditure.

SECTION 2: It is necessary that this Ordinance become immediately effective for the operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of the Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10 (6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10 (7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3: It is found and determined that all formal actions of this Council 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 action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

