

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0012

Sponsored by: <b>Councilmember Miller</b>	<b>An Ordinance</b> amending Chapter 701 of the Cuyahoga County Code by changing the title and by adding Sections 701.02 and 701.03 to establish Capital Improvements and Debt Management Policies for the County.
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WHEREAS, Sections 2.03(9) and 2.03(10) of the Cuyahoga County Charter require the County Executive to submit to Council on a biennial basis a proposed operating budget, capital improvements plan, and detailed supporting financial information on revenues and expenditures; and,

WHEREAS, Section 3.09(5) of the Cuyahoga County Charter gives Council the power to adopt and amend the County's biennial operating budget and capital improvements program and to make appropriations for the County; and,

WHEREAS, the County Office of Budget and Management (OBM) within the Fiscal Office manages the County's budgeting process on behalf of the County Executive; and,

WHEREAS, Chapter 701 of the Cuyahoga County Code was enacted through Ordinance No. O2011-0036 on 9/13/2011 and the power for a biennial operating budget was incorporated into the County Charter by the voters on 11/6/2012; and,

WHEREAS, County Council desires to enact Capital Improvements and Debt Management Policies for the County.

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

**SECTION 1.** The Cuyahoga County Council hereby amends Chapter 701 of the Cuyahoga County Code by changing the title and by adding Sections 701.02 and 701.03 to establish Capital Improvements and Debt Management Policies for the County as follows (strikethroughs show the deletions):

**Chapter 701: ~~Biennial Budget and Capital Improvement Plan Process~~  
Cuyahoga County Financial Policies**

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**Section 701.02: Capital Improvements Policy**

- (A) In order to protect the County's capital assets and effectively plan for future improvements, the Fiscal Officer shall maintain a master listing of all County capital assets and shall develop and implement written procedures to define the County's universe of capital assets and to ensure that all changes in County capital assets are documented in the master listing. The initial listing shall be completed no later than December 31, 2014, ~~and any changes in County capital assets shall be reflected in the master listing no later than thirty (30) days after the change occurs.~~ **Any additions to or deletions from the list of capital assets shall be reflected in the listing no later than 30 days after the change occurs. Any descriptive information regarding each of the capital assets shall be updated at least annually.**
- (B) **The Office of Budget and Management** ~~OBM~~ **in cooperation with the Department of Public Works** shall maintain a Capital Improvements Plan, which shall include a list of projects intended to be initiated during the current biennium, along with the estimated cost and intended funding sources for each project, and a list of projects planned to be initiated during each of the next five years following the current biennium. The Plan shall recommend a level of capital improvements spending during the Plan's time frame that is consistent with long term cost-effectiveness.
- (C) Priority shall be given to capital improvements that will enhance the County's ability to provide high quality, cost-effective direct services.
- (D) The County shall commit to capital **improvements** projects that are within our **its** capability to finance through short and long term resources. In making financing decisions on **a** capital project, the County shall consider both **the** ability to meet debt service obligations and **the** ability to meet ongoing direct service requirements.
- (E) To the extent possible, consistent with **the prioritization of capital improvements based on need** ~~completion of essential capital improvements,~~ the County shall prioritize projects that offer the greatest opportunities to leverage resources through intergovernmental programs, public/private partnerships, and service charges or user fees.

### **Section 701.03: Debt Management Policy**

- (A) The County shall adhere to the requirements of general law regarding the types of debt instruments that may be issued, and any debt issued shall be within the direct and indirect debt limitations of the State of Ohio at the time of issuance.
- (B) The Fiscal Officer shall actively monitor the potential impact of financial market conditions on the cost effectiveness of the County's debt financing and may consult with the County's Investment Advisory Committee on decisions related to the County's debt portfolio.

- (C) The Capital Improvements Plan provided for in Section 701.02 (B) shall include a plan covering the types of debt and timing of issuances intended to be used in financing the improvements proposed in the plan.
- (D) To the extent within ~~our~~ its control, the County shall consistently and on an ongoing basis endeavor to obtain the best possible ratings for its debt instruments.
- (E) The Fiscal Officer shall prepare and publish an Annual Information Statement to provide current financial, economic, and demographic information about the County to investors, rating agencies, and the public.

**SECTION 2.** 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.

On a motion by Mr. Miller, seconded by Ms. Conwell, the foregoing Ordinance was duly enacted.

Yeas: Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Hairston and Connally

Nays: Simon

  
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 County Council President

6-10-14  
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 Date

  
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 County Executive

6/10/14  
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 Date

  
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 Clerk of Council

6/10/2014  
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 Date

First Reading/Referred to Committee: April 22, 2014  
 Committee(s) Assigned: Finance & Budgeting

Committee Report/Second Reading: May 27, 2014

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 June 10, 2014