

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0261

<b>Sponsored by: County Executive FitzGerald/Department of Development and Councilmembers Germana, Miller, Rogers, Connally, Schron and Gallagher</b>	<b>A Resolution</b> reauthorizing the HELP Loan Program in the amount not-to-exceed \$40,000,000.00 for the purpose of providing linked deposits to financial institutions making below-market home repair loans to Cuyahoga County residents; authorizing the County Executive to execute the agreements and all other documents required consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive, on behalf of the Department of Development, is recommending re-authorizing the Housing Enhancement Loan Program ("HELP Program") for making low interest home improvement loans to Cuyahoga County residents; and,

WHEREAS, the County recommends financing the HELP Program by establishing a linked deposit program with eligible financial institutions; and,

WHEREAS, Section 135.80 of the Ohio Revised Code allows the County to establish a linked deposit program authorizing the Treasurer, as the investing authority of the County, to establish a linked deposit program with eligible lending institutions; and,

WHEREAS, through the linked deposit program, the Treasurer is authorized to place certificates of deposit at up to three per cent below market rates with an eligible lending institution applying for interim moneys, provided that the lending institution agrees to lend the value of such deposit to eligible borrowers at up to three per cent below the present borrowing rate applicable to each borrower; and,

WHEREAS, through the linked deposit program, the Treasurer is authorized to place certificates of deposit representing interim and/or inactive moneys of the County in an aggregate amount not to exceed \$40,000,000.00 with the eligible lending institutions; and,

WHEREAS, County Council has determined that re-authorizing the HELP Program and financing it through the linked deposit program is in the best interest of the County; 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 Cuyahoga County Council reauthorizes the HELP Program for the purpose of providing low interest home repair loans to Cuyahoga County residents.

**SECTION 2.** That the Cuyahoga County Council authorizes the County to finance the HELP Program by establishing a linked deposit program with eligible lending institutions.

**SECTION 3.** That the Treasurer shall be authorized and directed to place certificates of deposit representing interim and/or inactive moneys of the County in an aggregate amount not-to-exceed \$40,000,000.00 with eligible lending institutions, pursuant to written agreements approved by the County pursuant to the Contracting and Purchasing Procedures Ordinance.

**SECTION 4.** That the Treasurer shall be authorized to set forth specific requirements and provisions necessary to establish the linked deposit program, which shall include specific provisions for borrower eligibility, application procedures, and review procedures as follows:

- (A) Eligible borrowers must be current on all Cuyahoga County taxes.
- (B) Borrowers' applications shall be submitted through participating lending institutions to the Department of Development.
- (C) Department of Development shall review each application and promptly notify the participating lending institution as to the borrower's eligibility to receive the proposed linked deposit loan.
- (D) The lending institution shall pre-screen the potential eligible borrower and accept applications for linked deposit loans from potential eligible borrowers. Eligible borrowers shall be approved by the lender subject to property value limits, minimum and maximum loan amounts, and maximum loan fees, as set forth specifically in each agreement with a participating lending institution.

**SECTION 5.** That lending institutions meeting the provisions of the Ohio Revised Code to receive deposits of County funds may apply to the Department of Development at any time to participate in the linked deposit program. The Department of Development shall review the applications and consult with the Treasurer to confirm that the lending institution is a suitable depository for County funds. Upon a favorable recommendation from the Treasurer, the County may enter

into a participating lending institution agreement subject to approval by the County pursuant to the Contracting and Purchasing Procedures Ordinance.

**SECTION 6.** That the County Executive is authorized to determine all requirements and provisions of the linked deposit program including but not limited to all borrower and participating lender requirements, and to execute all agreements and all documents consistent with this Resolution.

**SECTION 7.** The County Executive shall ensure that an annual report regarding the operation of the linked deposit program is submitted to the County Council.

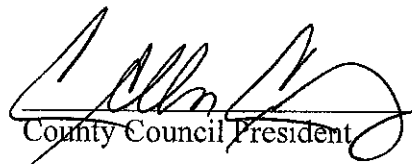
**SECTION 8.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 9.** 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.

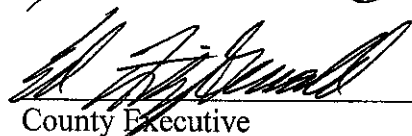
On a motion by Mr. Rogers, seconded by Mr. Germana, the foregoing Resolution was duly adopted.

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

Nays: None

  
County Council President

1-8-13  
Date

  
County Executive

1/10/13  
Date

  
Clerk of Council

1/8/2013  
Date

First Reading/Referred to Committee: December 11, 2012  
Committee(s) Assigned: Economic Development & Planning

Additional Sponsorship Requested: December 17, 2012

Journal CC009  
January 8, 2013