

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0132

<p>Sponsored by: Councilmembers Brady and Jones</p> <p>Co-sponsored by: Councilmembers Germana, Miller, Conwell, Simon and Connally</p>	<p>A Resolution determining to proceed with submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Council adopted Resolution No. R2013-0125 on July 9, 2013, declaring the necessity of submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and,

WHEREAS, the Fiscal Officer has advised and certified to the County Council that the total current tax valuation of the County is \$27,652,473,090.00 and that the replacement of the 2.9 mills and an increase of 1.0 mill levy will generate \$107,844,645.00 of revenue in its first year of collection; and,

WHEREAS, County Council, having declared the necessity of submitting the question of an additional levy to the electors of Cuyahoga County, and the County Fiscal Officer, having certified the necessary fiscal valuations, Council must now act to submit such additional levy to the Board of Elections for placement on the November 5, 2013 General Election ballot.

WHEREAS, this levy will provide a constant and reliable funding source to support health and human services and mental health services, which benefits the most vulnerable citizens of Cuyahoga 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 the County.

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

SECTION 1. The County Council acknowledges its receipt of and accepts the Fiscal Officer's certification of July 15, 2013, in accordance with Resolution No. R2013-0125, that the total current tax valuation of the County is \$27,652,473,090.00 and that the replacement of the 2.9 mills and an increase of 1.0 mill levy will generate \$107,844,645.00 of revenue in its first year of collection.

SECTION 2. The amount of taxes that may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirement of the County and it is necessary to levy this tax in excess of such limitation. Therefore, the County Council reaffirms the necessity of submitting this replacement and increase taxing measure to the electors and hereby determines to proceed with submitting to the electors the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; such additional levy to constitute a tax levy of three and nine-tenths (3.9) mills for each one dollar of valuation, which amounts to thirty-nine cents (\$0.39) for each one hundred dollars of valuation, to be in effect for a period of five years, beginning with the tax list and duplicate for the year 2013, the proceeds of which levy first would be available to the County in the calendar year 2014 and to be submitted to the electors of the County at the general election to be held in the County on November 5, 2013.

SECTION 3. In the event that the Ohio legislature reschedules the November 5, 2013 general election, the additional tax levy shall be submitted to the electors on the rescheduled general election date.

SECTION 4. The Clerk of Council is authorized and directed to certify to the Board of Elections not later than August 7, 2013: (i) a copy of the Resolution adopted by the County Council declaring the necessity of the replacement of the 2.9 mills and an increase of 1.0 mill levy; (ii) the certification by the Fiscal Officer as to the total current tax valuation of the County and the dollar amount of revenue to be generated by such levy; and (iii) a copy of this Resolution. This County Council requests that the Board of Elections give notice of the election and prepare the necessary ballots and supplies for the election in accordance with the law.

SECTION 5. The Director of the Board of Elections is hereby directed to cause notice of the election to be published once a week for four (4) consecutive weeks prior to the election in a newspaper of general circulation in the County, stating the purpose, the rate of the proposed tax levy, expressed in dollars and cents for each one hundred dollars of valuation as well as in mills for each one dollar of valuation, the number of years during which the levy shall be in effect, the first month and year in which the tax will be levied, and the time and place of the election. The Director of the Board of Elections is hereby directed to certify the result of the election, immediately after the canvas by the Board of Elections, to the taxing authority of the

County, in order to permit the enactment of such levy, if approved by the electorate, for a period of five years, beginning with the tax list and duplicate for the year 2013, the proceeds of which levy first would be available to the County in the calendar year 2014.

SECTION 6. The form of the Ballot to be used at such election shall be as follows:

PROPOSED REPLACEMENT AND INCREASE TAX LEVY (HEALTH AND HUMAN SERVICES LEVY)

CUYAHOGA COUNTY

A Majority Affirmation Vote is necessary for passage.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

A replacement of 2.9 mills of an existing health and human services levy and an increase of 1.0 mill to constitute a tax for the benefit of Cuyahoga County, for the purpose of SUPPLEMENTING GENERAL FUND APPROPRIATIONS FOR HEALTH AND HUMAN OR SOCIAL SERVICES, at a rate not exceeding 3.9 mills for each one dollar of valuation, which amounts to \$0.39 for each one hundred dollars for valuation, for five years, commencing in January 2013, first due in calendar year 2014.

SECTION 7. 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, any additional reasons set forth in the preamble, and to meet the Board of Elections' deadlines. 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 8. 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. Brady, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Health, Human Services & Aging

Additional Sponsorship Requested on the Floor: July 9, 2013

Additional Sponsorship Requested on the Floor: July 23, 2013

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