

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0213

| | |
|--|--|
| <p>Sponsored by: County Executive Budish/Department of Health and Human Services and Councilmember Miller</p> <p>Co-sponsored by: Councilmembers Conwell, Simon, Brady, Jones, Hairston, Brown and Germana</p> | <p>A Resolution determining to proceed with submitting to the electors of Cuyahoga County to renew an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of eight years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.</p> |
|--|--|

WHEREAS, the County Council adopted Resolution No. R2015-0212 on November 10, 2015, declaring the necessity of submitting to the electors of the County the question of a renewal of an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of eight years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 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 \$27,733,453,110 and that the 4.8 mill renewal levy will generate \$133,120,575 of revenue in its first year of collection; and,

WHEREAS, County Council, having declared the necessity of submitting the question of a renewal 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 renewal levy to the Board of Elections for placement on the March 15, 2016 primary election ballot.

WHEREAS, it is necessary that this Resolution be immediately effective in order that critical services provided by Cuyahoga County can continue and to meet the Board of Elections' deadlines, and to continue the usual and daily operation of County departments, offices and agencies.

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 November 13, 2015, in accordance with Resolution No. R2015-0212, that the total current tax valuation of the County is \$27,733,453,110

and that the 4.8 mill renewal levy will generate \$133,120,575 of revenue in its first year of collection.

SECTION 2. The County Council reaffirms the necessity of submitting this taxing renewal measure to the electors and hereby determines to proceed with submitting to the electors the question of a renewal of the existing four and eight-tenths (4.8) mills Health and Human Services levy for the purpose to supplement general fund appropriations for health and human or social services, for a period of eight years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; such renewal levy to constitute a tax levy of four and eight-tenths (4.8) mills for each one dollar of valuation, which amounts to forty-eight cents (\$0.48) for each one hundred dollars of valuation, to be in effect for a period of eight years, beginning with the tax list and duplicate for the year 2016, the proceeds of which levy first would be available to the County in the calendar year 2017 and to be submitted to the electors of the County at the primary election to be held in the County on March 15, 2016.

SECTION 3. In the event that the Ohio legislature reschedules the March 15, 2016 primary election, the tax renewal levy shall be submitted to the electors on the rescheduled primary election date.

SECTION 4. The Clerk of Council is authorized and directed to certify to the Board of Elections not later than December 16, 2015: (i) a copy of the Resolution adopted by the County Council declaring the necessity of the four and eight-tenths (4.8) mill renewal 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 eight years, beginning with the tax list and duplicate for the year 2016, the proceeds of which levy first would be available to the County in the calendar year 2017.

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

PROPOSED RENEWAL (HEALTH AND HUMAN SERVICES LEVY)

CUYAHOGA COUNTY

A Majority Affirmation Vote is necessary for passage.

| | |
|--|----------------------|
| | FOR THE TAX LEVY |
| | AGAINST THE TAX LEVY |

A **RENEWAL** of 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 4.8 mills for each one dollar of valuation, which amounts to \$0.48 for each one hundred dollars of valuation, for eight years, commencing in January 2016, first due in calendar year 2017.

SECTION 7. If the ballot measure in Section 6 receives a majority affirmative vote, as necessary for its passage, the levied tax shall go into effect for the duration and at the rates provided in this Resolution.

SECTION 8. 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 Ordinance 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 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. Brady, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Simon, Miller, Germana, Gallagher, Schron, Conwell, Jones, Brown, Hairston and Brady

Nays: None

County Council President

Date

County Executive

Date

Deputy Clerk of Council

Date

First Reading/Referred to Committee: October 13, 2015

Committee(s) Assigned: Committee of the Whole

Additional Sponsorship Requested: October 20, 2015

Committee Report/Second Reading: October 27, 2015

Legislation Substituted on the Floor: November 24, 2015

Additional Sponsorship Requested on the Floor: November 24, 2015

Journal CC020

November 24, 2015