

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0194

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management	A Resolution amending the 2016/2017 Biennial Operating Budget for 2016 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; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on December 8, 2015, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2016/2017 (Resolution No. R2015-0209) establishing the 2016/2017 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2016 to reflect budgetary funding increases, funding reductions, to transfer budget appropriations, and to transfer cash between budgetary funds, in order to accommodate the operational needs of certain County departments, offices and agencies; 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 2016/2017 Biennial Operating Budget for 2016 be amended to provide for the following additional appropriation increases and decreases:

Fund Nos./Budget Accounts

Journal Nos.

A. 24A510 – Work & Training Administration **BA1606093**
WT137109 – Administrative Services
Other Expenses \$ (210,000.00)

An appropriation decrease is requested in the Division of Job and Family Services with an offsetting increase for the Office of HHS Administration in order to move the appropriation between sub funds to cover the controlled services charges for 2016. The source of funding is Public Assistance and the HHS Levy Fund.

B. 24A430 – Executive Office of HHS **BA1606094**
HS157289 – Executive Office of H&HS
Other Expenses \$ 210,000.00

An appropriation increase for the Office HHS Administration with an offsetting decrease in the Division of Job and Family services is requested in order to move the appropriation between sub funds to cover the controlled services charges for 2016. The source of funding is Public Assistance and the HHS Levy Fund.

C. 40A069 – Capital Projects **BA1607686**
CC768754 – Airport Runway Overlay – Phase II
Other Expenses \$ 10,000,915.17

Appropriation is requested for the Airport Runway Overlay Phase II project to fund the cash transfer from the project back to the General Fund. When the project was originally funded, an advance for the full value of the project (\$10.5 million) was made. 95% of the project will be funded by the Federal Aviation Association (FAA) and the Ohio Department of Transportation (ODOT) making the full amount of the advance unnecessary, needlessly tying up General Fund dollars. The General Fund’s 5% contribution will remain in the project.

D. 21A036 – Family Justice Center Project 09/2011 **BA1615065**
JA753079 – Family Justice Center Project 09/2011
Other Expenses \$ (97,156.67)
Capital Outlays \$ (1,864.40)

The Department of Public Safety and Justice Services is requesting to reduce appropriations within Family Justice Center Encourage Arrest Project index (JA753079) to prepare grant for closure. Grant funds were awarded with a special condition hold of 5% (\$88,733) of the total award to allow for 48 hour HIV testing for victims. State legislation was not passed until 2015, past the deadline to use this funding. The County’s total award was \$1,774,653, of which 99.4% was expended excluding the special condition. Grant dollars were provided through the reimbursement of approved expenditures. As no requests for reimbursement were submitted for the remaining appropriation of \$99,021.70, the County does not need to return these dollars to the Department of Justice. The funding source is the United States Department of Justice, Office on Violence Against Women, Encourage to Arrest and Enforcement of Protection Orders Grant. The grant period is from 10/1/2009 through 12/31/2015.

E. 21A854 – DNA Backlog Reduction Program **BA1613625**
CR756700 – 17/18 DNA Backlog Reduction Program
Other Expenses \$ 283,603.00

Requesting new appropriation in the amount of \$283,603 for the FY16 DNA Backlog Reduction Program grant to be set up in the new index code established for the grant. Approval to accept the award was granted on 09/26/2016, Approval No.CON2016-90. This will establish an index code for the FY2016 DNA Backlog Reduction Program for the performance period 01/1/2017-12/31/2018. These funds are awarded by the Department of Justice, Office of Justice Programs, National Institute of Justice and are directly awarded to the County. The Authority to apply, accept and expend grant funds was approved by the DC Notice of Award approved on 09/26/2016. No cash match is required. The current award is \$23,445, or 8%, less than the previous year's award.

F.	40A069 – Capital Projects		BA1607689
	CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K		
	Other Expenses	\$	700.00

Appropriation is requested to close out this project. This appropriation will enable a cash transfer out of this project of \$22,585 to the 2015 Airport Runway Overlay Phase 1 project. Funding for this project came entirely from the FAA.

G.	20D450 – 2015 Excise Tax		BA1607690
	DS040212 – Excise Tax Improvements		
	Other Expenses	\$	29,949,790.79

Appropriation is requested in the Excise Tax Improvements account to document Quicken Loans Arena and Progressive Field capital projects that will be undertaken in the 2016 fiscal year. These improvements are funded by the 2015 Excise Tax Bond offering in which over \$60 million was raised to undertake capital improvement projects at the two facilities. The 2015 Excise Tax Bonds will be paid back by taxes on cigarettes, alcohol, beer, wine and mixed drinks in the County. While the trustee maintains this activity, recording the expenses on the County's books is consistent with the Auditor of State requirement (Bulletin 2000-008) that the County must record "On-Behalf-of" payments on its books. This appropriation will not be funded by the General Fund.

H.	22A918 – HOME 2016		BA1613630
	DV714642 – HOME Project Plan FY 2016		
	Other Expenses	\$	10,372.00

This appropriation increase is for the purposes of increasing appropriations to match the \$10,372.00 HOME grant award increase approved by HUD. The award increase requires the Department of Development to appropriate additional funds from its original budget created in May of 2016. The grant period is from 1/1/2016 through 12/31/2018. Funding for this project is from HUD HOME 14.239.

I.	21A762 – Port Security Grant		BA1615078
	JA768747 – Port Security Grant FFY15-2015/2018		
	Personal Services	\$	5,934.61
	Other Expenses	\$	30,523.39

Requesting additional appropriation for the local cash match portion of the FY15 Port Security Grant. The cash match approved in the Federal award is for Public Safety Grant Administration (\$11,664) and the Sheriff's Office (\$24,794). FEMA Grant EMW-2015-PU-00284-S01to

Cuyahoga County Public Safety & Justice Services (PSJS) is for the period September 1, 2015 through August 31, 2018. Once additional appropriation is approved, AG160009-01 to the CCSO will be amended to the full award amount of \$99,178, including cash match. Cash transfer requests to provide the required match funds pending. Funds were included in the 2016 PSJS general fund budget to accommodate their match. Funding is from the FY15 Port Security Grant.

J.	67A100 – Workers’ Compensation Administration		BA1601557
	HR498006 – Workers’ Compensation Administration		
	Personal Services	\$	10,890.00
	Other Expenses	\$	1,912,000.00

The Workers’ Compensation Administration is requesting an increase in appropriation to fund the move of the Health & Safety personnel and related contracts from Public Works-Facilities Administration; a request to decrease appropriation will follow. An additional request for increased appropriation of \$1,870,000 will be used to pay the 2017 premium to the Ohio Bureau of Workers; Compensation. By paying the 2017 premium before 1/3/2017 the County will receive a 2% credit of approximately \$37,000. The source of funding comes from charges to user agencies based on claims experience and risk.

K.	67A200 – Workers’ Compensation - Claims		BA1601558
	HR498014 – Workers’ Comp. - Claims		
	Other Expenses	\$	(4,700,000.00)

The Workers’ Compensation Administration is requesting a decrease in appropriation not needed to cover claims costs. The source of funding comes from the charges to agencies based on claims experience and risk.

L.	61A607 – Centralized Custodial Services		BA1601559
	CT571000 – B&G - Administration		
	Personal Services	\$	(10,890.00)

The Workers’ Compensation Administration is requesting a decrease in appropriation from Facilities Administration to allow for the transfer of the Environmental Compliance Coordinator from the Department of Public Works to Workers’ Compensation, estimated to start Pay 23. The source of funding comes from charges to user agencies for space maintenance services.

M.	21A534 – Community Correction Act Grant Program		BA1601560
	SH350843 – FY17 Local Incarceration Program		
	Personal Services	\$	200,001.00

Additional appropriation is being requested by the Sheriff’s Department to set up the FY 2017 Local Incarceration Program from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sections. This is to set up for the new year of an existing grant. The grant award was approved on (DC2016-529) on 7/29/2016. The grant period is from 7/1/2016 through 6/30/2017. No County match is required.

N.	21A077 – FY15 SHSP-LE		BA1601561
	SH756718 – FY15 SHSP-LE		
	Capital Outlays	\$	90,419.97

Additional appropriation is being requested by the Sheriff's Department to set up the FY 2015 State Homeland Security – Law Enforcement Grant Program from the Ohio Emergency Management Agency through the Cuyahoga County Office of Emergency Management. This grant was approved on 5/26/2016 through an Inter-Agency Agreement. The grant period is from 5/25/2016 through 3/31/2018. No County match is required.

O.	22A967 – Brownfield RFL Co-Op Agreement		BA1613634
	DV709956 – Brownfield RFL Co-Op Agreement		
	Other Expenses	\$	399,382.17

Request to increase appropriations based on actual cash in subfund account in order to prepare for transfer of current cash balance to the treasury account (see transfer on JT1613636 for \$480,862.17). Once the cash is transferred the grant will be closed. No grant funds are being transferred, these are strictly revenues collected from loan repayments.

P.	22A907 – 2007 Lead Primary Prevention – E.C.		BA1613638
	DV712570 – 2007 Lead Primary Prevention – E.C.		
	Other Expenses	\$	(151,982.75)

Requesting appropriation decrease in preparation for account closure; grant is closed no pending expenditures or transfers; no funds were returned to the Federal government.

Q.	22A043 – 2011 Healthy Homes Initiative		BA1613639
	DV713453 – 2011 Healthy Homes Initiative		
	Other Expenses	\$	(1,343.16)

Requesting appropriation decrease in preparation for account closure; grant is closed; no funds were returned to the Federal government.

R.	22A967 – Brownfield RFL Co-Op Agreement		BA1613635
	DV709956 – Brownfield RFL Co-Op Agreement		
	Other Expenses	\$	(81,480.00)

This US EPA Co-Op Brownfield grant is closed, no pending expenditures, requesting that appropriations be decreased so account can be closed. No grant award dollars are being returned; appropriations were originally created and never utilized.

S.	01A001 – General Fund		BA1600239
	SU515015 – Western Reserve Fund GF Subsidy		
	Other Expenses	\$	13,000,000.00

Requesting appropriations for transfer (JT1600238) from the Western Reserve Fund Subsidy account to the Economic Development Fund (also known as the Western Reserve/Job Creation Fund). Funding is from the General Fund covering the period 1/1/16 through 12/31/16.

T.	20D447 – Economic Development Fund		BA1600240
	DV520676 – Cuyahoga County Western Reserve Fund		
	Other Expenses	\$	1,927,877.83

To provide appropriations to complete funding for the approval of a loan to 105th Partners (R2016-0158) for the IBM-Watson Project. Sufficient cash exists in the account for this

additional appropriation request. Funding is from loan repayments, funding from the Casino Fund and a General Fund Subsidy covering the period 1/1/16 through 12/31/16

U.	20A800 – Subsidy – Operation & Maint. of Det. Fac.		BA1603090
	JC372300 – Subsidy – Operation & Maint. of Det. Fac.		
	Other Expenses	\$	31,000.00

To provide appropriations for expenses that can no longer be covered through the RECLAIM Ohio state fiscal year 2017 grant. Funding comes from child support payments made on behalf of juveniles held at the Ohio Department of Youth Services, which the State of Ohio opts to forward to counties. As of September 30, 2016, the cash balance in the fund was \$ 198,814.64.

V.	01A001 – General Fund		BA1603091
	PC140053 – Public Defender		
	Other Expenses	\$	135,000.00

The Public Defender’s Office has a deficit due to the extraordinary expenses related to the defense of Michael Madison, a capital murder case. The requested appropriation increase would cover the expert witness, printing, postage, and travel expenses related to this case. Funding comes from the General Fund, which receives a 50% reimbursement from the State of Ohio for capital cases, which Madison was, and 48% reimbursement for all other cases.

SECTION 2. That the 2016/2017 Biennial Operating Budget for 2016 amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
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A.	FROM: 40A069 – Capital Projects		BA1607687
	CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K		
	Capital Outlays	\$	21,885.00
	TO: 40A069 – Capital Projects		
	CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K		
	Other Expenses	\$	21,885.00

An appropriation transfer is requested from Capital Outlays to Other Expenses in the 2010 FAA Rehab Taxiway B, A6, U, W & Apron K project. The project is completed and this appropriation transfer will enable the residual cash to be transferred out of the project to the 2015 Airport Runway Overlay Phase 1 project. Funding for the 2010 Rehab project came entirely from the FAA.

B.	FROM: 01A001 – General Fund		BA1615066
	DR495515 – Domestic Relations Child Support		
	Other Expenses	\$	34,222.00
	TO: 01A001 – General Fund		
	DR495515 – Domestic Relations Child Support		
	Capital Outlays	\$	24,298.72

TO: 01A001 – General Fund
 DR391052 – Domestic Relations
 Capital Outlays \$ 9,923.28

A request to transfer \$24,298.72 in appropriation from Domestic Relations Child Support (DR495515) Other Expenses (0610) to Domestic Relations Child Support (DR495515) Equipment and Furniture (0720) and \$9,923.28 in appropriation from Domestic Relations Child Support (DR495515) Other Expenses (0610) to Domestic Relations (DR391052) Equipment and Furniture (0720) for the purchase of equipment and furniture for the Domestic Relations Court Enforcement Services Area, Assignment and Scheduling Department, and various court rooms. Funds will be used to purchase workstations and chairs, as well as PC's, monitors and audio video equipment for hearings.

C. FROM: 01A001 – General Fund **BA1609123**
 FS109637 – Financial Reporting
 Other Expenses \$ 7,100.00

TO: 01A001 – General Fund
 FS109611 – Fiscal Office Administration
 Other Expenses \$ 7,100.00

Appropriation transfer from within Fiscal Office accounts to accommodate the anticipated approval of a contract with Stifel, Nocolaus, & Associates for Financial Services. The source of funding is the General Fund.

D. FROM: 20A804 – Public Defender – Cleveland Municipal Division **BA1603089**
 PD141028 - Public Defender – Cleveland Municipal Division
 Personal Services \$ 32,000.00

TO: 20A804 – Public Defender – Cleveland Municipal Division
 PD141028 - Public Defender – Cleveland Municipal Division
 Other Expenses \$ 2,000.00
 Capital Outlay \$ 30,000.00

The Cleveland Municipal Division of the Public Defender's Office has a surplus because of vacancies. The Office would like to use the appropriation to replace some of its computers with laptops. The computer upgrades would allow the Office to use the State of Ohio's case management system that is available to Public Defender's offices without charge. Their outdated computers do not have the capacity to use the case management software. The \$2,000 request to transfer to other operating would be used for travel. The funding comes from payments from the City of Cleveland.

SECTION 3. That the 2016/2017 Biennial Operating Budget for 2016 be amended to provide for the following cash transfers between County funds:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 01A001 – General Fund	JT1607684
SU514141 – Capital Improvement G/F Subsidy	
Transfer Out \$ 988,427.94	

TO: 40A069 – Capital Projects
 CC768622 – 2015 Airport Runway Overlay – Phase I
 Revenue Transfer \$ 988,427.94

A cash transfer is requested from the General fund to the Airport Runway Overlay Phase 1 project. This funding represents 9.8% of the total cost of the project; 0.2%, or \$22,585, is coming from the completed 2010 runway project. The Federal Aviation Association will fund the remaining 90% of the project, or \$9,099,116. Funding for phase 1 comes from the General Fund. Phase 1 was included on the 2015 CIP.

B. FROM: 40A069 – Capital Projects **JT1607685**
 CC768754 – Airport Runway Overlay – Phase II
 Transfer Out \$ 10,000,915.17

TO: 01A001 – General Fund
 SU514141 – Capital Improvement G/F Subsidy
 Revenue Transfer \$ 10,000,915.17

Cash transfer is requested from the Airport Runway Overlay Phase 2 project back to the General Fund to reimburse the General Fund for an advance of the total project which is not needed because 95% of the total project will come from the Federal Aviation Association and the Ohio Department of Transportation (\$8,983,527). Funding for the General Fund portion of phase 2 will come from the General fund (\$499,804.83) for a project total of \$9,981,696.66. Phase 2 was included on the CIP.

C. FROM: 40A069 – Capital Projects **JT1607688**
 CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K
 Transfer Out \$ 22,585.00

TO: 40A069 – Capital Projects
 CC768622 – 2015 Airport Runway Overlay – Phase I
 Revenue Transfer \$ 22,585.00

Cash transfer is requested from the 2010 FAA Rehab Taxiway B, A6, U, W & Apron K project to the 2015 Airport Runway Overlay – Phase I to help cover the cost to the General Fund of the project. The 2010 project is being closed out and excess cash in being transferred to the 2015 Runway project. Funding for the 2010 FAA Rehab project came from the FAA. Funding for the 2015 Airport Runway Overlay – Phase I project will come 90% from the FAA, 0.2% from the 2010 project and 9.8% from the General Fund.

D. FROM: 22A967 – Brownfield RFL Co-Op Agreement **JT1613636**
 DV709956 – Brownfield RFL Co-Op Agreement
 Transfer Out \$ 480,862.17

TO: 80M800 – CCT Cash Management
 ND593780 – Community Development #10
 Revenue Transfer \$ 480,862.17

Current Brownfield loan repayments are posting to this sub-fund; per US EPA regulations any current loan repayment should be captured as program income inside an external bank account

and cash to be utilized as revolving loan to fund future projects. This request will move all current cash in sub fund to Brownfield RLF Internal Treasury Account #10, no grant funds are being returned. Cash collected as revenue are strictly loan repayments.

E.	FROM: 22A082 – CDBG – Home FY94 DV710582 – CDBG – Home Housing Rehab 94 Transfer Out	\$ 389,858.19	JT1600235
	TO: 22A082 – CDBG – Home FY94 DV710590 – CDBG – Home Rental Rehab 94 Revenue Transfer	\$ 40,910.19	
	TO: 22A082 – CDBG – Home FY94 DV710608 – CDBG – Home Tenant Based Assist 94 Revenue Transfer	\$ 200,963.00	
	TO: 22A082 – CDBG – Home FY94 DV710657 – CDBG – Home CHDO 94 Revenue Transfer	\$ 900.00	
	TO: 22A082 – CDBG – Home FY94 DV710665 – Home Un- programmed Funds Revenue Transfer	\$ 147,085.00	

Appropriation transfer in preparation for grant closure. The grant has no cash balance and no funds are being returned to the funding source. Funding is from the United States Department of Housing and Urban Development covering the period 1/1/94 through 12/31/94.

F.	FROM: 20D448 – Casino Tax Revenue Fund DV520791 – Casino Tax Revenue Fund Transfer Out	\$ 87,587.12	JT1600237
	TO: 20D447 – Economic Development Fund DV520676 – Cuyahoga County Western Reserve Fund Revenue Transfer	\$ 87,587.12	

Requesting an Operating Transfer from the Department of Development Casino Tax Revenue Fund to the Job Creation Fund in the amount of \$87,587.12 for two revenues received covering the period 7/1/16 through 10/13/16. These revenues are repayments from the East Bank of the Flats posted on 8/10/16 (RR1610024-01) for \$48,612.50, another one posted on 10/5/16 (RR1612459-01) in the amount of \$25,002.32 from K & D and the last one also on 10/5/16 (RR1612460-01) in the amount of \$13,972.30 for Corning Place (Garfield Building). These payments equal \$87,587.12.

G.	FROM: 01A001 – General Fund SU515015 – Western Reserve Fund GF Subsidy Transfer Out	\$ 13,000,000.00	JT1600238
	TO: 20D447 – Economic Development Fund DV520676 – Cuyahoga County Western Reserve Fund Revenue Transfer	\$ 13,000,000.00	

Requesting an Operating Transfer (cash transfer) from the General Fund to the Department of Development's Economic Development Fund (also known as the Western Reserve/Job Creation Fund). The transfer represents \$7,014,707.74 of projects that have legislation that are to be distributed along with an additional \$5,885,292.26 of pending projects (also known as pipeline projects).

H.	FROM: 22A907 – 2007 Lead Primary Prevention – E. C.		JT1613642
	DV712570 – 2007 Lead Primary Prevention – E. C		
	Transfer Out	\$	9,767.57
	TO: 80M800 – C.C.T. Cash Mgmt Program		
	ND593269 – Community Development #8		
	Revenue Transfer	\$	9,767.57

Miscellaneous revenue received as fees for inspections services provided by Cuyahoga County DOD to the CC Board of Health. The Department of Development is requesting cash transfer to move these revenues into the CDBG Treasury account for future repurposing. Required by Federal rules and regulations.

I.	FROM: 22A043 – 2011 Healthy Homes Initiative		JT1613643
	DV713453 – 2011 Healthy Homes Initiative		
	Transfer Out	\$	7,716.78
	TO: 80M800 – C.C.T. Cash Mgmt Program		
	ND593269 – Community Development #8		
	Revenue Transfer	\$	7,716.78

Miscellaneous revenue received as fees for inspections services provided by Cuyahoga County DOD to the CC Board of Health. The Department of Development is requesting cash transfer to move these revenues into the CDBG Treasury account for future repurposing. Required by Federal rules and regulations.

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 Mr. Greenspan, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC024
October 24, 2016