

County Council of Cuyahoga County, Ohio

Resolution No. R2019-0253

Sponsored by: **County Executive Budish and Councilmembers Brady, Miller and Conwell**

A Resolution determining to proceed with submitting to the electors of Cuyahoga County the question of a replacement of 3.9 mills of an existing Health and Human Services levy and an increase of 0.8 mill 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 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Council adopted Resolution No. R2019-0252 on November 26, 2019, declaring the necessity of submitting to the electors of Cuyahoga County the question of a replacement of 3.9 mills of an existing Health and Human Services levy and an increase of 0.8 mill 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 5705.192 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 \$30,548,210,750.00 and that the replacement of the 3.9 mills and an increase of 0.8 mill levy will generate \$143,576,590.00 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 March 17, 2020 Primary Election ballot; and,

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 December 2, 2019, in accordance with Resolution No. R2019-0252, that the total current tax valuation of the County is \$30,548,210,750.00 and that the replacement of the 3.9 mills and an increase of 0.8 mill levy will generate \$143,576,590.00 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 3.9 mills of an existing Health and Human Services levy and an increase of 0.8 mill 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 5705.192 of the Ohio Revised Code; such additional levy to constitute a tax levy of four and seven-tenths (4.7) mills for each one dollar of valuation, which amounts to forty-seven cents (\$0.47) 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 2020, the proceeds of which levy first would be available to the County in the calendar year 2021 and to be submitted to the electors of the County at the primary election to be held in the County on March 17, 2020.

SECTION 3. In the event that the Ohio legislature reschedules the March 17, 2020 primary election, the additional tax 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 18, 2019: (i) a copy of the Resolution adopted by the County Council declaring the necessity of the replacement of the 3.9 mills and an increase of 0.8 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 eight years, beginning with the tax list and duplicate for the year 2020, the proceeds of which levy first would be available to the County in the calendar year 2021.

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.

A replacement of 3.9 mills of an existing levy and an increase of 0.8 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 4.7 mills for each one dollar of valuation, which amounts to \$0.47 for each one hundred dollars of valuation, for eight years, commencing in January 2020, first due in calendar year 2021.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

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. Miller, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

Yeas: Stephens, Simon, Miller, Tuma, Gallagher, Conwell, Jones, Brown and Brady

Nays: Baker and Schron


County Council President

12/12/2019
Date


County Executive

12-16-19
Date


Clerk of Council

12/10/2019
Date

First Reading/Referred to Committee: November 12, 2019

Committee(s) Assigned: Committee of the Whole

Legislation Substituted in Committee: December 2, 2019

Journal CC036
December 10, 2019

Certificate of Estimated Property Tax Revenue

(Use This form when a taxing authority certifies a millage rate and requests the revenue produced by that rate.)

The County Fiscal Officer of Cuyahoga County, Ohio , does hereby certify the following:

1. On December 2, 2019 the taxing authority of Cuyahoga County certified a copy of its resolution or ordinance adopted November 26, 2019 requesting the county fiscal officer to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by Four and Seven Tenths (4.70) Mills to levy a tax outside the ten-mill limitation for Health & Human or Social Services Purpose pursuant to Revised Code 5705.192 to be placed on the ballot at the March 17, 2020 election.

The levy type is a Replacement with an Increase.

2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$143,576,590.

3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$30,548,210,750.


Fiscal Officer Signature

December 2, 2019
Date

INSTRUCTIONS:

1. "Total tax valuation" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of personal and public utility personal property for the first year the levy will be collected as set forth on the worksheets prescribed in conjunction with this form. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
2. For purposes of this certification, "subdivision" includes any agency, board, commission, or other authority authorized to request a taxing authority to submit a tax levy on its behalf.
3. "Levy type" includes the following: (1) additional, (2) renewal, (3) renewal with an increase, (4) renewal with a decrease, (5) replacement, (6) replacement with an increase, and (7) replacement with a decrease levies.
4. Please file this certificate with the subdivision as soon as possible, so the taxing authority can pass a resolution to proceed not later than 90 days before the election.