



**AGENDA**  
**CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING**  
**TUESDAY, SEPTEMBER 17, 2013**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**3:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE SEPTEMBER 9, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
  - a) O2013-0019: An Ordinance amending Sections 704.01 to 704.03 of the Cuyahoga County Code to designate that the Additional DTAC Fee commence on 1/1/2014 and continue through 12/31/2018, and declaring the necessity that this Ordinance become immediately effective.
  - b) R2013-0172: A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 - 8/23/2017; and declaring the necessity that this Resolution become immediately effective.
  - c) R2013-0200: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.
  - d) R2013-0201: A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-

exceed \$25,000,000.00 for the sale of tax lien certificates; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

**6. MISCELLANEOUS BUSINESS**

**7. OTHER PUBLIC COMMENT**

**8. ADJOURNMENT**

\*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

**CUYAHOGA COUNTY FINANCE & BUDGETING COMMITTEE MEETING  
MONDAY, SEPTEMBER 9, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
1:00 PM**

**1. CALL TO ORDER**

**Chairman Miller called the meeting to order at 1:05 p.m.**

**2. ROLL CALL**

**Mr. Miller asked Assistant Deputy Clerk Carter to call the roll. Committee members Miller, Gallagher, Jones, Greenspan, Schron and Brady were in attendance and a quorum was determined. Committee member Connally entered the meeting shortly after the roll call was taken. Councilmember Rogers was also in attendance.**

**3. PUBLIC COMMENT RELATED TO THE AGENDA**

**Dr. Gregory Hutchings, Superintendent of Shaker Heights City School District, addressed the Committee regarding issues of concern to him relating to the Cuyahoga County College Savings Account Program.**

**4. APPROVAL OF MINUTES FROM THE AUGUST 19, 2013 MEETING**

**A motion was made by Mr. Greenspan, seconded by Mr. Schron and approved by unanimous vote to approve the minutes of the August 19, 2013 meeting.**

**5. PRESENTATION AND DISCUSSION OF SECOND QUARTER UPDATE REGARDING COUNTY FINANCES**

**Mr. Wade Steen, Fiscal Officer, addressed the Committee regarding Cuyahoga County finances and the second quarter budget update. Discussion ensued.**

**Committee members and Councilmembers asked questions of Mr. Steen pertaining to the items, which he answered accordingly.**

**6. MATTERS REFERRED TO COMMITTEE**

- a) R2013-0172: A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 - 8/23/2017; and declaring the necessity that this Resolution become immediately effective.

**Mr. Miller introduced a proposed substitute to Resolution No. R2013-0172. Discussion ensued.**

**A motion was made by Mr. Greenspan, seconded by Mr. Brady and approved by unanimous vote to accept the proposed substitute.**

**Mr. Michael King, Assistant Law Director; Mr. Kenneth Surratt, Special Assistant to County Executive FitzGerald; and Mr. Mark Parks, Treasurer, addressed the Committee regarding Resolution No. R2013-0172. Discussion ensued.**

**Committee members and Councilmembers asked questions of Mr. King, Mr. Surratt and Mr. Parks pertaining to the item, which they answered accordingly.**

**No further legislative action was taken on Resolution No. R2013-0172.**

- b) R2013-0192: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department; and declaring the necessity that this Resolution become immediately effective.

**Mr. Surratt addressed the Committee regarding Resolution No. R2013-0192. Discussion ensued.**

**Committee members asked questions of Mr. Surratt pertaining to the item, which he answered accordingly.**

**No further legislative action was taken on Resolution No. R2013-0192.**

**7. MISCELLANEOUS BUSINESS**

**Mr. Miller announced that the next Finance & Budgeting Committee meeting will be held on Tuesday, September 17, 2013 at 3:00 p.m.**

**8. OTHER PUBLIC COMMENT**

**No public comments were given.**

**9. ADJOURNMENT**

**With no further business to discuss and on a motion by Ms. Connally with a second by Mr. Miller, the meeting was adjourned at 3:20 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0019

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|--|--|
| Sponsored by: <b>Councilmembers Jones and Miller</b>   | <b>An Ordinance</b> amending Sections 704.01 to 704.03 of the Cuyahoga County Code to designate that the Additional DTAC Fee commence on 1/1/2014 and continue through 12/31/2018, and declaring the necessity that this Ordinance become immediately effective. |
| Co-sponsored by: <b>Councilmembers Brady and Simon</b> |  |

WHEREAS, pursuant to division (B) of Section 321.261 of the Ohio Revised Code, this County Council may designate an additional five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (the "Additional DTAC Fee") to be deposited in the delinquent tax and assessment collection fund (the "DTAC Fund") and appropriated for the use of a county land reutilization corporation, including the Cuyahoga County Land Reutilization Corporation (the "Corporation"); and

WHEREAS, pursuant to subdivision (B) of Section 321.261 of the Ohio Revised Code, the Corporation has requested that this Council consider designating the Additional DTAC Fee, commencing January 1, 2014, and continuing through December 31, 2018, subject to the limitation provided for in Section 1 of this Ordinance; and

WHEREAS, this Council finds that designating the Additional DTAC Fee, subject to the limitation provided for in Section 1 of this Ordinance, to provide a portion of the Corporation's Annual Base Funding, is in the best interests of the County and is necessary for the Corporation to continue to achieve its mission and public purposes of, among others, alleviating the slum and blight of vacant, abandoned and foreclosed properties within the County and the negative consequences which certain national real estate practices and the prior recession have inflicted on the local real estate markets; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the efficient and effective operation of the County and the Corporation.

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

**SECTION 1.** Sections 704.01 to 704.03 of the Cuyahoga County Code shall be amended and replaced to read as follows:

## **CHAPTER 704: Delinquent Tax Anticipation Notes (DTAN)/Delinquent Tax and Assessment Collection (DTAC)**

### **Section 704.01: Additional DTAC Fee**

Pursuant to and in accordance with Section 321.261(B) of the Ohio Revised Code and subject to the other provisions of this Chapter, this Council hereby designates the Additional DTAC Fee in the annual amount of five percent (5%) to be applied on all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments solely for the use of the Corporation as part of its annual base funding, commencing on January 1, 2014 and continuing through December 31, 2018.

### **Section 704.02: Maximum Base Funding**

Notwithstanding the provisions of Section 704.01 of the Cuyahoga County Code, the aggregate amount transferred to the Corporation from the DTAC Fund and the penalties and interest on current late and delinquent taxes and assessments deposited into the County Land Reutilization Fund in any single fiscal year of the Corporation shall not exceed \$7,000,000.00 (the "Maximum Annual Base Funding Amount").

### **Section 704.03: Deposit and Appropriation of Additional DTAC Fee**

All amounts constituting the Additional DTAC Fee shall be deposited in the DTAC Fund, and such amounts upon their deposit in such fund, subject to the provisions of Section 704.02 of the Cuyahoga County Code, are hereby appropriated for the sole use of the Corporation and shall be disbursed to the Corporation upon warrant of the Fiscal Officer of the County (the "Fiscal Officer").

**SECTION 2.** The Clerk of Council is hereby instructed to transmit a copy of this Ordinance upon its execution by the County Council President, the County Executive and the Clerk of Council to the Fiscal Officer and the County Treasurer.

**SECTION 3.** It is necessary that this Ordinance 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.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0172

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|--|---|
| Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/County Treasurer</b> | <b>A Resolution</b> making an award on RQ27791 to KeyBank Inc. for various banking and treasury services for the period 8/24/2013 - 8/23/2017; authorizing the County Executive to execute the contract and all related documents; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, the County Executive/Fiscal Officer/County Treasurer have recommended an award on RQ27791 to KeyBank Inc. for the period 8/24/2013 – 8/23/2017 for various banking and treasury services, including the following:

- (1) Depository and treasury management services;
- (2) Positive pay services;
- (3) Account reconciliation services;
- (4) Web access to account information;
- (5) Web wire service - incoming and outgoing;
- (6) Wire transfer service- incoming and outgoing;
- (7) Zero balance account service;
- (8) Controlled disbursement;
- (9) Image service;
- (10) CD ROM imaging (front and back) of all cleared checks;
- (11) Retail lockbox service – high speed & low speed processing;
- (12) Automated clearing house services – incoming and outgoing;
- (13) Debit filters and blocks;
- (14) Branch services – county warrant cashing for non-bank customers;
- (15) Cash vault services – cash deposits via armored courier;
- (16) Electronic deposit services – image cash letter;
- (17) Electronic data interchange information services;
- (18) Limited international banking service – wires and international check deposits;
- (19) Earned credit rate credits to offset service charges;
- (20) Procurement card services;
- (21) Corporate credit card services; and
- (22) Key Accounts Manager services and other custom services for the County's College Savings Account Program.

WHEREAS, the expenses for all the aforementioned banking and treasury services depend on volume, but are reasonably anticipated to be approximately \$255,000.00 annually; 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 hereby makes an award on RQ27791 to KeyBank Inc. for the period 8/24/2013 – 8/23/2017 for various banking and treasury services, including the following:

- (1) Depository and treasury management services;
- (2) Positive pay services;
- (3) Account reconciliation services;
- (4) Web access to account information;
- (5) Web wire service - incoming and outgoing;
- (6) Wire transfer service- incoming and outgoing;
- (7) Zero balance account service;
- (8) Controlled disbursement;
- (9) Image service;
- (10) CD ROM imaging (front and back) of all cleared checks;
- (11) Retail lockbox service – high speed & low speed processing;
- (12) Automated clearing house services – incoming and outgoing;
- (13) Debit filters and blocks;
- (14) Branch services – county warrant cashing for non-bank customers;
- (15) Cash vault services – cash deposits via armored courier;
- (16) Electronic deposit services – image cash letter;
- (17) Electronic data interchange information services;
- (18) Limited international banking service – wires and international check deposits;
- (19) Earned credit rate credits to offset service charges;
- (20) Procurement card services;
- (21) Corporate credit card services; and
- (22) Key Accounts Manager services and the development of additional custom services for the County’s College Savings Account Program.

**SECTION 2.** That the County Executive is authorized to execute a contract and all related documents consistent with this Resolution.

**SECTION 3.** 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,



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0200

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| Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b> | <b>A Resolution</b> accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, the County Council of Cuyahoga County, Ohio, met in regular session on the 10th of September, 2013; and

WHEREAS, this County Council, in accordance with the provision of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2014; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate of the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; 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 rates as determined by the Budget Commission in its certification be, and the same are, hereby accepted.

**SECTION 2.** That there be, and is, hereby levied on the tax duplicate of said County, the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A**  
**SUMMARY OF AMOUNT REQUIRED FROM GENERAL PROPERTY TAX**  
**APPROVED BY BUDGET COMMISSION AND COUNTY FISCAL**  
**OFFICER’S ESTIMATE OF TAX RATES**

**County Fiscal Officer’s Estimate of  
Tax Rate to be Levied**

| <b>Tax Levy</b>                     | <b>Inside 10<br/>Mill Limit</b> | <b>Outside 10<br/>Mill Limit</b> |
|-------------------------------------|---------------------------------|----------------------------------|
| General Fund                        | <b>0.60</b>                     | <b>0</b>                         |
| General Fund – Bond Retirement      | <b>0.85</b>                     | <b>0</b>                         |
| Health & Human Services             | <b>0</b>                        | <b>2.90</b>                      |
| Board of Developmental Disabilities | <b>0</b>                        | <b>3.90</b>                      |
| Health & Welfare                    | <b>0</b>                        | <b>4.80</b>                      |
| County Library                      | <b>0</b>                        | <b>2.50</b>                      |
|                                     | <b>1.45</b>                     | <b>14.10</b>                     |

**SECTION 3.** That the Clerk of Council be, and she is, hereby instructed to transmit a certified copy of this Resolution to the County Fiscal Officer; one copy to the County Budget Commission and the Director, Office of Budget & Management.

**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.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0201

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| Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/County Treasurer</b> | <b>A Resolution</b> authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, Cuyahoga County has a high percentage of delinquent taxes compared to other counties in Ohio; and,

WHEREAS, the County Executive appointed a taskforce to study the collection of delinquent taxes and how best to handle this problem to ensure that schools and other local governments are not harmed by the high tax delinquency rate; and,

WHEREAS, the taskforce considered and endorsed the sale of tax certificates to deal with the County's delinquent taxes; and,

WHEREAS, the County Council considered the recommendations of the taskforce and received testimony regarding this process in an open meeting; and,

WHEREAS, the County Council concluded that it is advantageous to the County and its citizens to proceed with the sale of tax certificates to provide funding to schools and other local governments in the County who are in need of this funding; and,

WHEREAS, Ohio Revised Code Section 5721.33 authorizes the County Treasurer to negotiate the sale and transfer of tax certificates; and,

WHEREAS, the Cuyahoga County Board of Control, acting pursuant to Section 501.12(B)(15) of the Cuyahoga County Code, authorized the County Treasurer to utilize the process authorized by O.R.C. § 5721.33 for the negotiation and sale of tax certificates; and,

WHEREAS, in addition to the requirements of O.R.C. § 5721.33, the County also advertised the notice of sale of tax certificates and solicited bids on the web sites of the County Treasurer and the National Tax Lien Association's web site; and,

WHEREAS, the County Treasurer received the bids and negotiated the sale and transfer of the tax certificates pursuant to O.R.C. §5721.33; and,

WHEREAS, the County Executive, through the County Treasurer, is recommending an award on the tax certificates sale to Woods Cove III, LLC as purchaser and Lien Servicing, LLC as servicer for up to \$25,000,000.00 U.S. Dollars; and,

WHEREAS, the County Executive is requesting authorization to enter into the tax certificate sales contract consistent with the award; 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 agency.

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

**SECTION 1.** The recommended award on the sale of tax lien certificates is hereby approved to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer. The County Executive and Treasurer are hereby authorized to execute an agreement consistent with the award in the amount not-to-exceed \$25,000,000.00 U.S. Dollars.

**SECTION 2.** 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 3.** 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 10, 2013

Committee(s) Assigned: Finance & Budgeting

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013