

# COUNCIL CHAMBER

City of Berea, Ohio

RESOLUTION No. 2020-27

By Jim Maxwell Sponsored By Mayor Cyril M. Kleem

## A RESOLUTION

### ADOPTING THE TAX BUDGET OF THE CITY OF BEREA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, AND SUBMITTING THE SAME TO THE CUYAHOGA COUNTY FISCAL OFFICER.

**WHEREAS**, the Mayor has heretofore prepared a tentative Tax Budget of the City of Berea for the fiscal year beginning January 1, 2021, showing detailed estimates of all balances that will be available at the beginning of the Year 2021, for the purposes of such year, and of all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites, and all other types of classes of revenue; also estimates of all expenditures of charges in or for the purpose of such fiscal year to be paid or met from the said revenue or balances; and otherwise conforming with the requirements of law (attached hereto as Exhibit "A"); and,

**WHEREAS**, the Tax Budget has been made conveniently available to public inspection for at least ten (10) days by having at least two (2) copies thereof on file in the office of the Director of Finance; and

**WHEREAS**, the Council has held a public hearing on said Tax Budget of which public notice was given by publication not less than ten (10) days previous to the date thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That the Tax Budget of the City of Berea for the fiscal year beginning January 1, 2021, heretofore prepared by the Mayor and submitted to this Council, copies of which have been and are on file in the office of the Director of Finance, is hereby adopted as the official Tax Budget of the City of Berea, for the fiscal year beginning January 1, 2021.

**SECTION 2.** That this Finance Director be, and hereby is, authorized and directed to certify a copy of said Tax Budget and a copy of this Resolution, and to transmit the same to the Fiscal Officer of Cuyahoga County, Ohio.

**SECTION 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 15, 2020

[Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: June 17, 2020

[Signature]  
Mayor

Approved as to Form:

[Signature]  
Director of Law

Exhibit  
499

## ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit \_\_\_\_\_ City of Berea

For the Fiscal Year Commencing \_\_\_\_\_ January 1, 2021 - December 31, 2021

Fiscal Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

# COUNTY OF CUYAHOGA

### Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Under the law in effect prior to June 3, 2002, the budget commission could only waive the tax budget for a subdivision or other taxing unit that was receiving a share of the county undivided local government fund or the county undivided local government revenue assistance fund under an alternative method or formula pursuant to ORC Sections 5747.53 and 5747.63. Thus, tax budgets could be waived only for counties, municipalities, townships, and park districts. This restriction is now removed.

### Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

### County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

### County Budget Commission Action

Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

### Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

# **GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION**

## **SCHEDULE 1**

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any new levies. This will help to ensure that no levies are missed.

In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

## **NOTE:**

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;  
"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully, adopted under this chapter or by other information required per ORC 5705.281."

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback, and the personal property 10,000 exempt monies.

## **SCHEDULE 2**

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all funds. In column 3, total estimated receipts should include all revenues plus transfers in. All taxing authorities, except school districts, must submit a list of all tax transfers.

## **SCHEDULE 3**

The general purpose of schedule 3 is to provide inside/charter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad valorem property tax to pay debt service on general obligation debt as it becomes due, unless that debt service is paid from other sources.

## **SCHEDULE 4**

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to pay debt service on those bonds.

## **SCHEDULE 5**

The general purpose of schedule 5 is to properly account for tax anticipation notes. See schedule 5 for more details.

# DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)  
(List All Levies Of The Taxing Authority)

City of Berea

## SCHEDULE 1

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Commission
General	Current exp.	11/8/2016	renewal	5	2016/2020	2017/2021	4.10	\$450,000.00
General	Current exp.	11/6/1984	charter	continuous	1984/cont.	1985/cont.	3.85	\$1,605,000.00
Police Pension	Special levy	11/6/1984	charter	continuous	1984/cont.	1985/cont.	1.00	\$433,000.00
Fire Pension	Special levy	11/6/1984	charter	continuous	1984/cont.	1985/cont.	1.00	\$433,000.00
Community Hospital	Special levy	11/5/2019	renewal	5	2020/2024	2021/2025	1.00	\$115,000.00
Bond Retirement	Sink Fd/bond	unvoted	charter	continuous			4.45	\$1,800,000.00
Water Capital Improv	tax levy	11/7/2017	renewal	5	2017/2021	2018/2022	1.40	\$590,000.00
Totals							16.80	\$5,426,000.00

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

City of Berea

## SCHEDULE 2

I	II	III	IV	V	VI
Fund By Type	Beginning Estimated Unencumbered Fund Balance	Total Estimated Receipts	Total Resources Available For Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
General (incl prop tax+ local govt)	2,016,120.00	13,902,024.50	15,918,144.50	13,693,785.15	2,224,359.35
General - Designated	321,451.00	118,750.00	440,201.00	31,594.15	408,606.85
Court Operations	24,551.00	1,547,750.00	1,572,311.00	1,493,375.76	78,935.24
Recreation	1,908.04	1,825,453.00	1,827,371.04	1,767,693.60	59,677.44
Municipal Income Tax	657,400.00	3,318,259.75	3,975,659.75	3,417,910.00	557,749.75
State Highway	16,018.00	51,300.00	67,318.00	59,500.00	7,818.00
SCM&R	16,476.00	827,450.00	843,926.00	826,657.47	17,268.53
Fire Pension-incl prop tax revenues	7,703.00	534,497.55	542,200.55	535,240.80	5,959.75
Police Pension-incl prop tax revenues	7,374.00	510,747.55	518,121.55	516,868.40	1,253.15
Safe Student	0.00	19,000.00	19,000.00	19,000.00	0.00
Public Safety Fund	150.00	0.00	150.00	150.00	0.00
Animal Housing	10.00	200.00	210.00	200.00	10.00
Safe Passage	1,200.00	3,000.00	4,200.00	3,000.00	1,200.00
Street Lighting	23,147.00	641,574.90	654,721.90	650,000.00	14,721.90
Community Hospital-incl prop tax revenues	0.00	90,701.25	90,701.25	90,701.25	0.00
CDBG	0.00	150,000.00	150,000.00	150,000.00	0.00
Muni Vehicle Tax Levy	5,000.00	38,000.00	43,000.00	38,950.00	4,050.00
Law Enforcement Fund	8,000.00	3,000.00	11,000.00	4,390.90	6,609.10
SP3 Muni Court Health Ins Fund	30,431.00	61,750.00	92,181.00	84,191.85	7,989.15

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

City of Berea

## SCHEDULE 2

I	II	III	IV	V	VI
Fund BY Type	Beginning Estimated Unencumbered Fund Balance	Total Estimated Receipts	Total Resources Available For Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
Probation Services	2,700.00	323,876.85	326,576.85	323,988.00	2,588.85
Indigent Drivers Alcohol Treatment	269,195.00	71,250.00	340,445.00	250,000.00	90,445.00
DUI Education	8,117.00	3,387.70	11,504.70	5,000.00	6,504.70
Theft Diversion	303.00	9,500.00	9,803.00	9,500.00	303.00
DUS Diversion	250.00	19,000.00	19,250.00	19,000.00	250.00
Court Computer	183,895.00	125,000.00	308,895.00	168,150.00	140,745.00
Court Computer Research	7,230.00	35,000.00	42,230.00	40,000.00	2,230.00
Court Special Project	110,735.00	125,000.00	235,735.00	130,000.00	105,735.00
SP2-Indigent Def Alcohol Monitor	70,415.00	16,237.40	86,652.40	38,000.00	48,652.40
State Highway Patrol	10.00	4,492.55	4,502.55	4,400.00	102.55
SP4 Court Magistrates	18,528.00	74,100.00	92,628.00	77,963.65	14,664.35
General Bond Retirement (incl prop tax revenue	1,482,880.00	15,005,000.00	16,487,880.00	15,937,164.00	550,716.00
General Improvement	1,000.00	2,700,000.00	2,701,000.00	2,000,000.00	701,000.00
Safety Capital Improvement	1,000.00	275,000.00	276,000.00	235,000.00	41,000.00
Sewer Capital Improvement	1,000.00	924,000.00	925,000.00	922,000.00	3,000.00
Water Capital Improvement (incl prop tax revenue	1,000.00	1,157,000.00	1,158,000.00	1,140,000.00	18,000.00
Recreation Capital Improvement	1,000.00	154,000.00	155,000.00	147,000.00	8,000.00
Court Capital Improvement	122,200.00	80,750.00	202,950.00	150,000.00	52,950.00

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

## SCHEDULE 2

City of Berea

I Fund BY Type	II Beginning Estimated Unencumbered Fund Balance	III Total Estimated Receipts	IV Total Resources Available For Expenditures	V Total Estimated Expenditures & Encumbrances	VI Ending Estimated Unencumbered Balance
Neighborhood Improvement	2,100.00	741,000.00	743,100.00	731,048.15	12,051.85
Water Meter Improvement Fund	43,250.00	158,650.00	201,900.00	158,276.00	43,624.00
Water Revenue	27,100.00	2,369,452.95	2,386,552.95	2,375,593.60	20,959.35
Sewer Revenue	47,778.00	707,750.00	755,528.00	751,533.60	3,994.40
Medical Benefits	35,245.00	2,462,115.95	2,497,360.95	2,478,588.00	18,772.95
Property/Liability Insurance	1,280.00	338,893.50	340,173.50	336,747.00	3,426.50
Workers Compensation	8,650.00	296,479.35	305,129.35	294,500.00	10,629.35
Regional Sewer Agency	1,239,630.00	5,168,337.42	6,407,967.42	5,168,130.14	1,238,837.28
Unclaimed Monies	38,941.00	2,375.00	41,316.00	4,750.00	36,566.00
Contract Retainer	237,400.00	237,500.00	474,900.00	247,500.00	227,400.00
Guarantee Deposits	208,976.00	112,575.00	321,551.00	95,000.00	226,551.00
Ohio Board of Building Standards	200.00	5,212.65	5,412.65	5,206.00	206.65
Muni Court Comm District	4,510.00	6,177.85	10,687.85	5,040.30	5,647.55

# UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Insider/Charter Millage Only)  
 (Do Not Include General Obligation Debt Being Paid By Other Sources)  
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

## SCHEDULE 3

City of Berea

I Purpose Of Bonds Or Notes	II Date Of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Year	V Amount Required To Meet Budget Year Principal & Interest Payments
Various purpose-refunded in 2016	08/18/16	12/01/26	\$930,000	\$212,200
Various purpose	03/30/10	12/01/30	\$1,780,000	\$268,938
Various purpose	03/27/13	12/01/33	\$3,010,000	\$350,288
Various purpose	03/24/15	12/01/35	\$5,580,000	\$535,012
BAN's	03/13/19	03/12/20	\$8,035,000	\$8,445,700
Totals			\$19,335,000	\$9,812,138



# VOTED DEBT OUTSIDE 10 MILL LIMIT

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)  
 City of Berea

## SCHEDULE 4

I Purpose Of Notes Or Bonds	II Authorized By Voters On MM/DD/YY	III Date Of Issue	IV Final Maturity Date	V Principal Amount Outstanding At The Beginning Of The Year	VI Amount Required To Meet Budget Year Principal & Interest Payments
Water Plant (Phase I)	11/06/12	07/01/08	01/01/28	\$872,548	\$132,032
Water Plant (Phase II)	11/06/12	01/01/11	01/01/31	\$2,246,066	\$270,764
Milton Edwards Phase I Water Project	11/06/12	07/01/08	01/01/38	\$803,614	\$65,153
Milton Edwards Phase II Water Project	11/06/12	01/01/08	01/01/38	\$805,050	\$67,192
Water System Improvements	11/06/12	01/01/09	07/01/38	\$695,465	\$45,482
				\$5,422,743	\$580,623