

RESOLUTION NO. 9077-19

Anderson, Bullock, George, Litten, O'Leary,
BY: O'Malley, Rader

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, requesting the Cuyahoga County Fiscal Officer to draw and the Cuyahoga County Treasurer to pay to the City of Lakewood Director of Finance an advance of all real, personal property, estate taxes and special assessments collected in the year 2020 in such amounts as may be requested and available.

WHEREAS, Ohio Revised Code Section 321.34 (A)(1) provides that “[W]hen the local authorities by resolution so request, the county auditor shall pay township clerks, treasurers of municipal corporations, the treasurer of any board of education, and the treasurer of any other political subdivision or taxing district whose funds derived from taxes or other sources are payable by law to the county treasurer, any money that may be in the county treasury to the accounts of such local authorities, respectively, and lawfully applicable to the purpose of the current fiscal year in which such request is made. The auditor and county treasurer shall retain any amounts needed to make such payments of obligations of local political subdivisions or taxing districts as are required by law to be paid directly by the county authorities”; and

WHEREAS, Ohio Revised Code Section 321.341 provides that “... [A]t any time prior to a settlement under section 5731.46 of the Revised Code, the fiscal officer of a municipal corporation or a township may request the county auditor to make payment to such subdivision from the fund of an amount not to exceed seventy-five per cent of taxes paid into such fund and standing to the credit of the subdivision, including both taxes with respect to which a final determination has been made under section 5731.27 of the Revised Code and taxes subject to review and final determination under section 5731.26 of the Revised Code. Within five days of the receipt of such request the auditor shall draw a warrant in such amount upon such fund, payable to the subdivision”; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the city of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that is necessary to provide for the usual daily operation of the City in that the Cuyahoga County Fiscal Officer requires the City to file this resolution stating the City’s intent to receive advances in 2020 prior to October 1, 2019; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

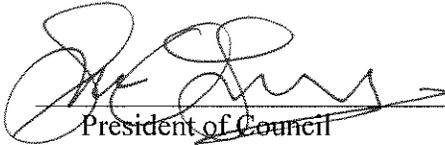
Section 1. The Cuyahoga County Fiscal Officer be requested to draw and the Cuyahoga County Treasurer be requested to pay to the City of Lakewood Director of Finance an advance of all real, personal property, estate taxes and special assessments collected in the year 2020 in such amounts as may be requested and available.

Section 2. The Director of Finance is hereby directed to forward a certified copy of this Resolution upon passage, to the Cuyahoga County Fiscal Officer.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the usual daily operation of City for the reasons set forth in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: 7/1/2019

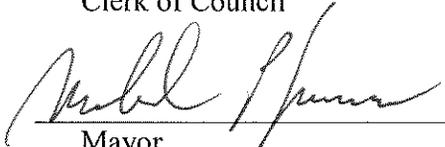


President of Council



Clerk of Council

Approved: July 2 2018



Mayor