

RESOLUTION NO. 60-89
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J. V. Stone

ON THE 20th DAY OF November, 1989.

A RESOLUTION APPROVING AN ALTERNATIVE METHOD OF APPORTIONING THE UNDIVIDED LOCAL GOVERNMENT REVENUE ASSISTANCE FUNDS OF MONTGOMERY COUNTY, AND REQUESTING THE MONTGOMERY COUNTY BUDGET COMMISSION TO PROVIDE FOR THE APPROVED ALTERNATIVE METHOD OF APPORTIONING SAID FUNDS BEGINNING WITH THE FUNDS TO BE DISTRIBUTED IN 1990.

WHEREAS, Section 5747.63 of the Ohio Revised Code authorizes the Montgomery County Budget Commission to provide for an alternative method of apportioning the Undivided Local Government Revenue Assistance Fund of Montgomery County upon approval of an alternative method of allocation by the Board of Montgomery County Commissioners, the Dayton City Commission (as the legislative body of the City located wholly or partly in Montgomery County with the largest population), and a majority of the total number of the Boards of Township Trustees and the legislative authorities of municipal authorities (excluding the City of Dayton) which are located wholly or partly in Montgomery County; and

WHEREAS, this Council desires the 1990 and subsequent years' Undivided Local Government Revenue Assistance Funds of Montgomery County to be apportioned pursuant to the alternative method of allocation set forth in Section 2 below;

NOW, THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. This Council finds and determines that it is necessary, proper, and in the best interest of the City of Centerville to approve the alternative method of apportioning the 1990 and subsequent years' Local Government Revenue Assistance Funds of Montgomery County as set forth in Section 2 below, and this Council finds and determines that this alternative method of apportionment is a proper and a fair apportionment of the 1990 and subsequent years' Undivided Local Government Revenue Assistance Funds of Montgomery County.

Section 2. This body, pursuant to and in accordance with Section 5747.63 of the Ohio Revised Code, hereby approves

the following alternative method of apportionment for the 1990 and subsequent years' Undivided Local Government Revenue Assistance Funds of Montgomery County.

A. As used in this Section 2:

1. "Area" means with respect to a city or village, that portion of the city or village located within Montgomery County, with respect to a township, means the unincorporated portion of the township, and with respect to Montgomery County, the jurisdictional limits of Montgomery County.

2. "City Subdivision Class" means all the participating cities located wholly or partly within Montgomery County, excluding the City of Dayton.

3. "City Weight" means the sum of the WPV Units for the members of the City Subdivision Class.

4. "Commission" means the Montgomery County Budget Commission.

5. "Fund" means an Undivided Local Government Revenue Assistance Fund of Montgomery County.

6. "Fund Estimate" means the estimate of the Fund for the ensuing calendar year made annually by the Tax Commissioner of the State of Ohio pursuant to Section 5747.61(C) of the Ohio Revised Code.

7. "Largest Townships" means the four members of the Township Subdivision Class which rank the highest when the members of the Township Subdivision Class (other than Mad River Township which shall never be considered one of the Largest Townships) are ranked in descending order of their Population; provided, that until the first Population Estimate is obtained, the Largest Townships shall be the townships of Harrison, Madison, Miami, and Washington.

8. "Participating" means a Subdivision entitled to an allocation from the Fund for the ensuing calendar year.

9. "Per Capita" means with respect to the allocation of a sum among members of a particular Subdivision Class, to allocate in

proportion to the population for each member Subdivision.

10. "Political Subdivision" means a city, a village, or a township.

11. "Population" means the number of residents in an area and "Population Estimate" means the most recent county estimates available from the Ohio Data Users' Center of the Ohio Department of Development which state a Population for each Subdivision; provided, however if the Commission determines the cost of such estimate to be unreasonably expensive or determines such estimate to be unavailable or otherwise unfit for its official use, then Population Estimate means the most recent estimates of the Miami Valley Regional Planning Commission as of July 15 preceding the allocation.

12. "Residual Fund" means the amount of the Fund Estimate remaining after subtracting the allocations made hereunder to the County of Montgomery, the City of Dayton, and Participating Park Districts.

13. "Smallest Townships" means the four members of the Township Subdivision Class which rank the lowest when the members of the Township Subdivision Class are ranked in descending order of their Population; provided, that until the first Population Estimate is obtained, the Smallest Townships shall be the townships of Clay, German, Jackson, and Perry.

14. "Subdivision" has the same meaning as in Section 5747.01(Q)(1) of the Ohio Revised Code.

15. "Total Weight" means the sum of the City Weight, the Township Weight, and the Village Weight.

16. "Township Subdivision Class" means all the participating townships located within Montgomery County.

17. "Township Weight" means the sum of the WPV Units for the members of the Township Subdivision Class.

18. "Village Subdivision Class" means all the participating villages located wholly or partly

within Montgomery County.

19. "Village Weight" means the sum of the WPV Units for the members of the Village Subdivision Class.

20. "WPV Unit" in the case of a city or village means the product of 1.0 and its population, and in the case of a township means the product of .75 and its population.

B. The Commission shall allocate the following percentages of the 1990 Fund to the indicated Subdivisions.

<u>Subdivision</u>	<u>Percent of Total</u>
Montgomery County	37.38000
Dayton	33.10000
Dayton/Montgomery County Park District	0.72086
Centerville/Washington Township Park District	0.01914
Centerville	1.78674
Englewood	0.93192
Germantown	0.42855
Huber Heights	3.75156
Kettering	4.90053
Miamisburg	1.40880
Moraine	0.48242
Oakwood	0.70273
Trotwood	0.71439
Union	0.44200
Vandalia	1.02231
West Carrollton	1.10121
Subtotal Other Cities	17.67316
Brookville	0.37378
Carlisle	0.02975
Clayton	0.07376
Farmersville	0.07401
New Lebanon	0.38184
Phillipsburg	0.05876
Riverside	0.12389
Springboro	0.00000
Verona	0.00807
Subtotal Villages	1.12386

<u>Subdivision</u>	<u>Percent of Total</u>
Butler	0.57460
Clay	0.29644
German	0.23812
Harrison	1.53176
Jackson	0.23011
Jefferson	0.55731
Madison	1.24715
Mad River	1.72950
Miami	1.19425
Perry	0.29473
Randolph	0.73617
Washington	1.35284
Subtotal Townships	9.98298
TOTAL	100.00000%

C. The Commission shall allocate the amount of the 1991 and future Funds to each Participating Subdivision for current operating expenses in accordance with paragraphs D through M below.

D. The Commission shall allocate to the County of Montgomery an amount equal to 37.38% of the Fund Estimate.

E. The Commission shall allocate to the City of Dayton an amount equal to 33.10% of the Fund Estimate.

F. The Commission shall allocate to Participating Park Districts located wholly or partially within Montgomery County an amount equal to .74% of the Fund Estimate, which shall be divided into parts of .72086% and .01914% for the Montgomery County Park District and the Centerville-Washington Township Park District, respectively, as long as the Participating Subdivisions include only those two park districts. If more park districts are included as Participating Subdivisions, the aggregate percentage allocation of the Fund Estimate to Participating Park Districts shall not change, and that .74% of the Fund Estimate shall be divided among them by the Commission in proportion to their relative need for funding to meet current operating expenses in the ensuing calendar year as determined in the Commission's reasonable discretion, but neither the Centerville-Washington Township Park District nor any new park district shall receive an

allocation of more than .01914% of the Fund Estimate.

G. The Commission shall allocate an aggregate amount equal to 34.68721% of the Residual Fund to the Township Subdivision Class which amount shall be allocated among its members as follows:

1. A preliminary allocation shall be made among the members of the Township Subdivision Class Per Capita. This preliminary allocation, with any adjustments required by subparagraph 2 below, shall be the allocation to each member of the Township Subdivision Class.

2. For the four Largest Townships, the initial allocation shall be reduced by 5.0%. The preliminary allocation less this 5.0% reduction shall be the allocation to the four Largest Townships. The sum of the 5.0% reductions in the initial allocation for each of the four Largest Townships shall be reallocated in equal 25% shares to the four Smallest Townships. The preliminary allocation, plus an equal 25% share of the amount reallocated from the four Largest Townships under this subparagraph, shall be the allocation of each of the Smallest Townships.

H. The Commission shall allocate an aggregate amount equal to 3.90501% of the Residual Fund to the Village Subdivision Class which amount shall be allocated among its members Per Capita.

I. The Commission shall allocate an aggregate amount equal to 61.40778% of the Residual Fund to the City Subdivision Class which amount shall be allocated among its members Per Capita.

J. The allocation described in paragraphs D through I are subject to the limitation that the allocation of the County of Montgomery shall not exceed the maximum percentage limitation set forth in Section 5747 of the Ohio Revised Code and any amount computed under paragraph D above which exceeds that statutory maximum shall be added to the Residual Fund.

K. Once the Commission has made its allocation of the Fund Estimate, the allocation of each Participating Subdivision shall be divided by the amount of the Estimated Fund to determine the percentage share of the Fund for the ensuing

calendar year to which each is entitled, and the Commission shall cause the Auditor of Montgomery County to certify to the Tax Commissioner the percentage share of the County of Montgomery. No payment shall be made from the Fund except in accordance with the percentage shares computed in accordance with this paragraph.

L. The percentage allocations of the Residual Fund specified in paragraphs G, H, and I shall be effective only until receipt of the first Population Estimate. The Board of Montgomery County Commissioners shall obtain an updated Population Estimate in each even-numbered year commencing in 1990, which shall be provided to the Commission for its use in making calculations hereunder. Upon receipt of a Population Estimate, the Commission shall first recalculate the WPV Units for each Political Subdivision, except the City of Dayton, and shall then compute revised percentage allocations as follows: the percentage allocation to the Township Subdivision Class under paragraph G shall be revised to equal one hundred times the quotient obtained when Township Weight is divided by Total Weight; the percentage allocation to the Village Subdivision Class under paragraph H shall be revised to equal one hundred times the quotient obtained when the Village Weight is divided by Total Weight; and the percentage allocation to the City Subdivision Class under paragraph I shall be revised to equal one hundred times the quotient obtained when the City Weight is divided by Total Weight. All such revised percentage allocations shall remain in effect and shall govern the Fund Estimates for the two calendar years following receipt of the Population Estimate upon which the revised percentage allocations are based.

M. If by incorporation or otherwise the Subdivision Class to which a Political Subdivision belongs changes, it shall continue to share in the Fund as if the change in Subdivision Class had not occurred until the first allocation following the change in Subdivision Class, at which time the changed Political Subdivision shall be treated as any member of its new Subdivision Class.

N. The alternative method of apportionment set forth above in this Section 2 may be amended, revised, or repealed only by resolutions of the Board of County Commissioners of Montgomery County, the Commission of the City of Dayton, and a majority

of the legislative authorities of all other Political Subdivisions then located wholly or partially within Montgomery County.


Section 3. This Council hereby requests, upon the approval of the alternative method of apportionment of the 1990 and subsequent years' Local Government Revenue Assistance Funds of Montgomery County set forth in Section 2 above by the Board of Montgomery County Commissioners, the Dayton City Commission, and a majority of the boards of township trustees and legislative authorities of municipal corporations, located wholly or partly within Montgomery County, excluding the Dayton City Commission, that the Montgomery County Budget Commission provide for the alternative method of apportionment of the 1990 and subsequent years' Undivided Local Government Revenue Assistance Funds of Montgomery County set forth in Section 2 above.

Section 4. The Clerk of Council is hereby directed to immediately forward a certified copy of this Resolution to J. Donald Mottley, Chief Deputy Auditor of Montgomery County, 451 West Third Street, Dayton, Ohio 45422-1027.

Section 5. This Council finds and determines that all formal actions of this Council, concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the Charter of the City of Centerville and with any provisions of general law not superseded by the Charter.

Section 6. This Resolution shall become effective immediately upon passage pursuant to the provisions of Section 5.08 of the Centerville Charter.

PASSED THIS 20th day of November, 1989.


Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 60-89, passed by the Council of the City of Centerville, Ohio on the 20th day of November, 1989.


Clerk of the Council

Approved as to form, consistency with existing ordinances, the charter & constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney