

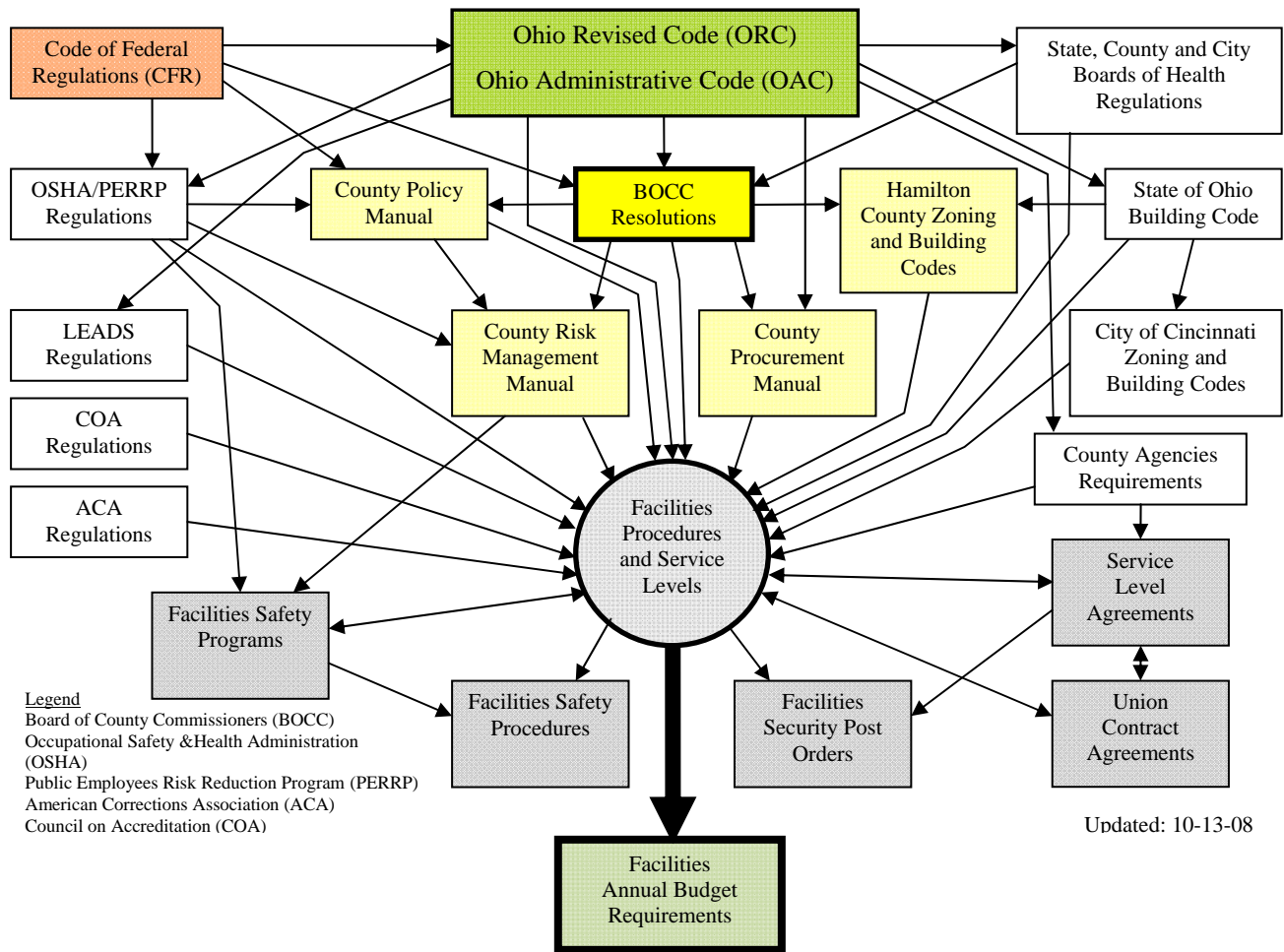
2009 Non-Mandated Expenditures Department Response

DEPARTMENT: COUNTY FACILITIES
 DEPARTMENT HEAD: Ralph Linne
 OCA TITLE: 060070 Property Management

Hamilton County departments and agencies have the opportunity to respond and provide insight to the Office of Budget and Strategic Initiatives (BSI) initial assessment as to non-mandated services. This response form should be used for each specific BSI assessment; not a general response for entire department. Take as much space as necessary for each question.

1. Are there elements of the BSI non-mandated services that you believe are mandated? If so, provide the specific Ohio Revised Code (ORC) citation, Code of Federal Regulation (CFR) and/or relevant case law information. Please be especially diligent if there is a specific service or staffing level prescribed by law.

Below is a Flow Chart showing the Laws, Rules, and Agreements which determine the budget and staffing levels for the Hamilton County Facilities Department (HCFD).



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The Director of County Facilities feels that **ALL SERVICES AND STAFFING**, provided under this OCA are required in order for:

- President of BOCC to have a County employee serve on Board of Revisions
- Enter into leases, sell, and purchase property
- Maintain and operate Parkhaus Parking Garage

below are several sections of the ORC which clearly states this.

ORC 305.16 states “The board of county commissioners may employ a superintendent, and such watchmen, janitors, and other employees as are necessary for the care and custody of the court house, jail, and other county buildings, bridges, and other property under its jurisdiction and control.”

ORC 5715.02 states “The county treasurer, county auditor, and the president of the board of county commissioners shall constitute the county board of revision, or they may provide for one or more hearing boards when they deem the creation of such to be necessary to the expeditious hearing of valuation complaints. Each such official may, appoint one qualified employee from his office to serve in his place and stead on each such board for the purpose of hearing complaints as to the value of real property only, each such hearing board has the same authority to hear and decide complaints and sign the journal as the board of revision, and shall proceed in the manner provided for the board of revision by sections 5715.08 to 5715.20, inclusive, of the Revised Code. Any decision by a hearing board shall be the decision of the board of revision.”

ORC 307.02 states “The board of county commissioners of any county, in addition to its other powers, may purchase, for cash or by installment payments, enter into lease-purchase agreements, lease with option to purchase, lease, appropriate, construct, enlarge, improve, rebuild, equip, and furnish a courthouse, county offices, jail, county home, juvenile court building, detention facility, public market houses, retail store rooms and offices, if located in a building acquired to house county offices, for which store rooms or offices the board of county commissioners may establish and collect rents or enter into leases as provided in section 307.09 of the Revised Code, county children’s home, community mental health facility, community mental retardation or developmental disability facility, facilities for senior citizens, alcohol treatment and control center, other necessary buildings, public stadiums, public auditorium, exhibition hall, zoological park, public library buildings, golf courses, and off-street parking facilities determined by the board of county commissioners to be so situated as to be useful for any of such purposes or any combination of such purposes, for the use of which parking facilities the board of county commissioners may establish and collect rates, charges, or rents, and sites therefor, such real estate adjoining an existing site as is necessary for any of such purposes, including real estate necessary to afford light, air, protection from fire, suitable surroundings, ingress, and egress; such copies of any public records of such county, made or reproduced by miniature photography or microfilm, as are necessary for the protection and preservation of public records of such county.”

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ORC 307.92 states “As used in sections 307.86 to 307.91, inclusive, of the Revised Code, “contracting authority” means any board, department, commission, authority, trustee, official, administrator, agent, or individual which has authority to contract for or on behalf of the county or any agency, department, authority, commission, office, or board thereof.”

2. Who are the recipients of the service or activity for the non-mandated service? How many recipients? Please note any internal customers, other county departments, jurisdictions, businesses, etc.

- Board Of County Commissioners
- Auditor
- Administrative Services
- Board of Elections
- Budget and Strategic Initiatives
- Building Inspections
- CAGIS
- Cincinnati Museum Center (CMC)
- Communications Center (911)
- Community Development
- Coroner's Office
- Court of Appeals
- Court of Common Pleas
- Court of Domestic Relations
- Court Jury Commissioner
- CLEAR
- Clerk of Courts
- Economic Development
- Emergency Management Agency
- Engineer's Office
- Environmental Services
- Fairgrounds
- Family and Children First
- General Health District (Board of Health)
- Greater Cincinnati Automobile Dealers Association
- Homeland Security (Regional)
- Job and Family Services
- Juvenile Court
- Law Library
- Mental Retardation and Developmental Disabilities Board (MR/DD)
- Municipal Court
- Personnel
- Planning, Zoning and Community Development
- Probate Court
- Prosecutor's Office
- Public Works
- Public Defender's Office
- Purchasing
- Recorder's Office
- River City Correctional Center
- Sheriff's Office
- Soil and Water
- Treasurer
- Veterans Service Commission

If the service is geographic specific (i.e., a satellite probation office), please identify the neighborhood, township or municipality. - N/A

3. Are there county revenues associated with the non-mandated services? If so, please provide the methodology for any lost revenues. Please consider state or federal reimbursements, grants, fees, etc. Please note if the service or activity is included in the county's indirect cost plan. - No
4. If the county did not provide the non-mandated service, is there the potential for increased expenditures in another jurisdiction within Hamilton County? If so, please list the specific municipality and/or township. - No

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5. Does the non-mandated service include Board of County Commissioner policy via resolution or motion? - Yes, the President of the BOCC historically has appointed the property manager as one of his designees to the Board of Revision. The property manager has also assumed the responsibility to manage other appointees thus ensuring representation for the President at every hearing.
6. Are there contracts or agreements that preclude the elimination of a non-mandated service? If so, please provide the specific language as to termination and/or amendment terms. - No
7. What are the equipment/non-personnel expenditure considerations with discontinuing a non-mandated service? (i.e., surplus equipment). - No
8. Do any of the non-mandated services include employees represented by a bargaining unit? If so, please note the union and provide information as to reduction-in-force and job abolishment considerations. - No
9. For positions within non-mandated services, are there are special circumstances that preclude a traditional job abolishment process? Separation costs will be addressed centrally including leave balance payouts, unemployment compensation and severance (based on current Commission policy). - No
10. In addition to positions associated with non-mandated services, the Budget Office included a review of management layers, support staff, and currently vacant positions. Please comment on the impact of eliminating these positions.

Without a **Property Manager** there will be **NO ONE** in Facilities to perform the following:

- Negotiate real estate acquisitions, dispositions and leases; research and obtain information pertaining to real estate; prepare and maintain related records and files; or to supervise assigned personnel.
- Manage County-owned properties (e.g., plans and analyses County space needs; explores potential leases, purchases and/or sales solutions; write requests for proposals and ensures Americans with Disabilities Act and Prevailing Wage requirements are met); establish payment schedule for property owners, appraisers, etc.; verify payment arrival and investigate non-payments and late payments; file tax exemptions for County-owned property.
- Negotiate real estate acquisitions, dispositions and leases; prepare necessary documents and purchase contracts; arrange and/or attend closing of real estate acquired; initiate legal suit to obtain property from owner.
- Research and obtain information pertaining to real estate (e.g., conduct market research; arrange for property surveys and market analysis; research property ownership; obtain property descriptions); prepare and/or obtain necessary resolutions.
- Plan and schedule acquisition of property for construction, maintenance and Community Development projects; determine procedures and objectives to obtain property for public use; prioritize project assignments based on project time limits.
- Meet with and respond directly to officials regarding real estate acquisitions; confer with contract appraisers, Prosecutor's Office and property owners; serve as representative on the Board of Revision; testify in legal proceedings.
- Supervise activities of assigned personnel (e.g., assign and review work; coordinate and monitor work flow; approve leave requests; review performance; interview applicants; train new employees, etc.).

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NOTE: This position requires a Real Estate License in the State of Ohio, which no one else in the Facilities Department is required to have.

Without a **Property Manager** then the President of the BOCC would have to attend all Board of Revision meetings or appoint other County employee(s) to attend for him. This would be especially difficult in 2009 since it is anticipated that there may be three hearing boards convening simultaneously for at least a portion of the year; this due to a forecasted record number of complaints because of the depressed housing market and the mandated reappraisal effective for tax year 2008 and payable in 2009.

11. What is the performance impact of not providing the non-mandated service? For example, wait times, waiting lists, case loads, operating hours and other consequences of not providing the service. - The Director of County Facilities feels that **ALL SERVICES AND STAFFING ARE MANDATED** – See question 10 for what would not be done.
12. Are there any alternatives that result in savings to the general fund? – No - In 2007, County Facilities maintenance functions were reviewed by the Competition and Efficiency Committee. The report found that County Facilities managed properties to the best, most cost-effective standards and recommended that “the County Administration should move forward with encouraging consolidating property maintenance within the Facilities Department to the largest extent possible.”
13. Are there more efficient ways to deliver a mandated service that may allow for the savings to offset the cost of a non-mandated service? – No
14. Is there an opportunity to transfer any non-mandated expenditures to another funding source (i.e., restricted fund or grant)? - No
15. Does your department have any fees that could be raised to offset the cost of a mandated service?
- No

Other Considerations and Comments: - None