



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**WEDNESDAY, NOVEMBER 9, 2011**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**6:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) October 25, 2011 Regular Meeting
  - b) November 1, 2011 Special Meeting
- 7. MESSAGES FROM THE COUNTY EXECUTIVE**
- 8. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
  - a) M2011-0050: A Motion confirming the County Executive's appointment of individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board, and declaring the necessity that this Motion become immediately effective.
    - 1) Gayle Thompkins Agahi
    - 2) Daniel E. Berry

- 3) Sari Feldman
- 4) Susan Muha
- 5) Denise Smudla
- 6) Harriet Applegate
- 7) Michael Latkovich
- 8) K. Michael Benz
- 9) Joseph A. Calabrese
- 10) Daniel M. Koncos
- 11) Jeffrey K. Patterson
- 12) Stephen M. Wing
- 13) Joseph Gauntner

Sponsor: Council President Connally

- b) M2011-0051: A Motion confirming the County Executive's appointment of Christopher S. Ronayne to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

- c) M2011-0052: A Motion amending Rule 9D of the Rules of the Cuyahoga County Council; and declaring the necessity that this Motion become immediately effective.

Sponsor: Councilmember Greenspan

## **9. CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING AND REFERRAL TO COMMITTEE**

- a) M2011-0048: A Motion establishing the 2012 schedule of County Council meetings.

Sponsor: Council President Connally

## **10. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) R2011-0323: A Resolution supporting a decision of the City of Cleveland Zoning Administrator to deny an application by Ty, Inc. to use property located at 4300 Bradley Road in the City of Cleveland for grading, filling and excavation, including mining, removal, transfer and sale of soils and minerals.

Sponsor: Councilmember Conwell

**11. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) O2011-0053: An Ordinance establishing a Department of Consumer Affairs and the powers and duties of the Director of Consumer Affairs and placing the duties and responsibilities of the operation of Weights and Measures of the County under the direction of the Department of Consumer Affairs.

Sponsors: Councilmembers Brady, Gallagher and Miller

**12. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION**

- a) O2011-0041: An Ordinance authorizing, enacting and designating an additional five percent of all collections of delinquent real property, personal property, and manufactured and mobile home taxes and assessments to be deposited in the delinquent tax and assessment collection fund for the use of and appropriating such amount to the use of the Cuyahoga County Land Reutilization Corporation, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Brady, Miller, Connally, Jones, Rogers, Simon and Conwell

Committee Assignment and Chair: Finance & Budgeting – Miller

**13. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- a) R2011-0314: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

#### 14. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2011-0315: A Resolution authorizing a contract with HNTB Ohio, Inc. in the amount not-to-exceed \$467,910.00 for design engineering services for reconstruction, with additional turning lanes, of Royalton Road from West 130th Street to York Road in the City of North Royalton; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

- b) R2011-0316: A Resolution approving Right-of-Way plans as set forth in preliminary Right-of Way Plat M-5011 for the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park; authorizing the County Executive through the Department of Public Works to acquire the necessary Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

- c) R2011-0317: A Resolution approving Right-of-Way plans as set forth in preliminary Right-of Way Plat M-4985 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma; authorizing the County Executive through the Department of Public Works to acquire the necessary Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

- d) R2011-0318: A Resolution authorizing a contract with Reserve Apartments, LTD in the amount of \$2,400,205.56 for lease of office space located at 1701 E. 17<sup>th</sup> Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014; and authorizing the County Executive to execute the contract and all other documents consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Public Works/  
Central Services

- e) R2011-0319: A Resolution authorizing the donation of approximately 20 acres of land (known as "Preservation Parcels") to the Board of Park Commissioners of the Cleveland Metropolitan Park District for wetlands mitigation in connection with improvement and construction of Crocker-Stearns Extension from Lorain Road to the North Olmsted North Corporation Line and the grading, draining, paving and widening of Stearns Road from Interstate 480 to Lorain Road in the Cities of North Olmsted and Westlake, and authorizing the County Executive to execute all documents required in connection with said donation of land.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

- f) R2011-0320: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget &  
Management

- g) R2011-0321: A Resolution authorizing awards on RQ20783 to various providers in the total amount of \$900,000.00 for real estate appraisal services for the Sheriff's sale for the period 1/1/2012 - 12/31/2014, and authorizing the County Executive to execute agreements consistent with said awards:

- 1) John W. Andrews
- 2) Mark Butler
- 3) Gregory W. Conte
- 4) Thomas P. Hogan
- 5) Paul Kinczel
- 6) John H. Koz
- 7) Ruth A. Lassiter
- 8) Wayne F. Levering
- 9) Christopher J. Loftus
- 10) Paul G. McLaughlin

- 11) Stan Patriski
- 12) Daniel Rocco
- 13) Rosemary A. Schneider
- 14) Crystal A. Williams

Sponsor: County Executive FitzGerald/County Sheriff

- h) R2011-0322: A Resolution authorizing an award on RQ21041 to Court Community Service in the amount of \$555,000.00 for court community placement and supervision services for probationers for the period 1/1/2012 - 12/31/2014; authorizing the County Executive to execute a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Common Pleas Court/Corrections Planning Board

#### **15. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- a) R2011-0297: A Resolution declaring the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code.

Sponsor: County Executive FitzGerald/Department of Health and Human Services

Committee Assignment and Chair: Health, Human Services & Aging – Brady

- b) R2011-0298: A Resolution determining to proceed with submitting to the electors of Cuyahoga County to renew an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code.

Sponsor: County Executive FitzGerald/Department of Health and Human Services

Committee Assignment and Chair: Health, Human Services & Aging – Brady

- c) R2011-0299: A Resolution authorizing the County Executive to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,254,718.00 for fiscal and administrative services for the Help Me Grow Home Visiting Program for the period 7/1/2011 - 6/30/2012.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

Committee Assignment and Chair: Health, Human Services & Aging – Brady

- d) R2011-0300: A Resolution authorizing the County Executive to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,375,034.00 for fiscal and administrative services for the Federal Part C Early Intervention Program for the Invest in Children Program for the period 7/1/2011 - 6/30/2012.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

Committee Assignment and Chair: Health, Human Services & Aging – Brady

- e) R2011-0303: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Economic Development Refunding Revenue Bonds, Series 2011 (Gilmour Academy Project) in the amount not-to-exceed \$10,000,000 for the purpose of currently refunding Series 2009 Bonds issued by the County of Cuyahoga which assisted in financing the costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code; providing for the pledge of revenues for the payment of such bonds; authorizing the execution of various documents required in connection with said bond issuance and authorizing and approving related matters, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

f) R2011-0304: A Resolution authorizing the County Executive to enter into contracts with various providers for placement services for the period 10/1/2011 - 6/30/2012, and declaring the necessity that this Resolution become immediately effective:

- 1) Alliance Human Services, Inc. in the amount not-to-exceed \$2,588,175.00.
- 2) Applewood Centers, Inc. in the amount not-to-exceed \$1,588,950.00.
- 3) Beech Brook in the amount not-to-exceed \$3,602,430.00.
- 4) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$2,925,000.00.
- 5) Berea Children's Home in the amount not-to-exceed \$4,542,903.00.
- 6) BHC Belmont Pines Hospital, Inc. in the amount not-to-exceed \$419,697.00.
- 7) Caring For Kids, Inc. in the amount not-to-exceed \$36,000.00.
- 8) Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$4,827,285.00.
- 9) Christian Children's Home of Ohio, Inc. in the amount not-to-exceed \$300,240.00.
- 10) Continue Life, Inc. in the amount not-to-exceed \$225,000.00.
- 11) Cornell Abraxas Group, Inc. in the amount not-to-exceed \$38,700.00.
- 12) Diversion-Adolescent Foster Care of Ohio, Inc. in the amount not-to-exceed \$153,450.00.
- 13) Glen Mills Schools in the amount not-to-exceed \$68,742.00.
- 14) House of New Hope in the amount not-to-exceed \$1,134,000.00.
- 15) In Focus of Cleveland, Inc. in the amount not-to-exceed \$526,500.00.
- 16) National Youth Advocate Program, Inc. in the amount not-to-exceed \$1,485,000.00.
- 17) New Directions Inc. in the amount not-to-exceed \$108,000.00.
- 18) Options for Families and Youth in the amount not-to-exceed \$1,341,000.00.
- 19) Parenthesis Family Advocates Incorporated in the amount not-to-exceed \$351,000.00.
- 20) Pathway Caring for Children in the amount not-to-exceed \$199,800.00.
- 21) Pressley Ridge in the amount not-to-exceed \$1,530,000.00.
- 22) START – Support To At-Risk Teens in the amount not-to-exceed \$1,305,000.00.



- 23) Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount not-to-exceed \$2,493,000.00.
- 24) The Bair Foundation in the amount not-to-exceed \$1,800,000.00.
- 25) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$1,800,000.00.
- 26) The Twelve of Ohio, Inc. in the amount not-to-exceed \$1,071,000.00.
- 27) The Village Network in the amount not-to-exceed \$1,170,000.00.
- 28) ViaQuest Behavioral Health of Ohio, LLC in the amount not-to-exceed \$182,700.00.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services

Committee Assignment and Chair: Health, Human Services & Aging – Brady

- g) R2011-0305: A Resolution authorizing an award on RQ20792 to American Bridge Company in the amount of \$30,323,618.65 for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; authorizing the County Executive to enter into a contract consistent with said award; and authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$6,064,723.73 to fund said contract.

Sponsor: County Executive FitzGerald/Department of Public Works/County Engineer

Committee Assignment and Chair: Public Works, Procurement & Contracting – Jones

- h) R2011-0307: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1100533-01, 02 with Tri Mor Corporation for the Year Two Pavement Maintenance Program: Aprons A1, B reconstruction and Aprons A2, C, D1 rehabilitation for the period 8/9/2011 - 6/6/2012 for additional funds in the amount not-to-exceed \$675,500.00.

Sponsor: County Executive FitzGerald/Department of Development/Airport Division

Committee Assignment and Chair: Economic Development & Planning – Schron

**16. CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) Q2011-0054: An Ordinance approving the revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, effective 1/1/2012, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

**17. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- a) Q2011-0051: An Ordinance establishing the Department of Communications, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

**18. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING AND REFERRAL TO COMMITTEE**

- a) Q2011-0050: An Ordinance providing for the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Human Resource Commission

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

**19. MISCELLANEOUS COMMITTEE REPORTS**

**20. MISCELLANEOUS BUSINESS**

**21. PUBLIC COMMENT UNRELATED TO AGENDA**

**22. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE  
WHOLE (BUDGET HEARINGS): MONDAY, NOVEMBER 14, 2011  
1:00 PM / COUNCIL CHAMBERS

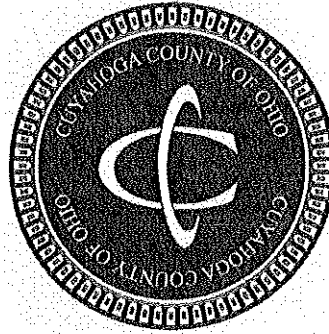
COMMITTEE OF THE  
WHOLE (BUDGET HEARINGS): THURSDAY, NOVEMBER 17, 2011  
1:00 PM / COUNCIL CHAMBERS

COMMITTEE OF THE  
WHOLE (BUDGET HEARINGS): MONDAY, NOVEMBER 28, 2011  
1:00 PM / COUNCIL CHAMBERS

REGULAR MEETING: TUESDAY, DECEMBER 6, 2011  
6:00 PM / COUNCIL CHAMBERS

REGULAR MEETING: TUESDAY, DECEMBER 13, 2011  
6:00 PM / COUNCIL CHAMBERS

\*In accordance with Ordinance No. O2011-0020, complimentary parking for the public will be available **beginning at 4:00 p.m.** on any day when the Council or any of its committees holds evening meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, OCTOBER 25, 2011  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
6:00 PM**

### **1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 6:07 p.m.**

### **2. ROLL CALL**

**Council President Connally asked the Clerk to call the roll. Councilmembers Brady, Germana, Gallagher, Schron, Conwell, Rogers, Simon, Greenspan, Miller and Connally were in attendance and a quorum was determined. Mr. Jones entered the meeting shortly after the roll call was taken.**

### **3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

### **4. SILENT MEDITATION**

**Council President Connally called on Mr. Brady, who requested a moment of silent meditation be dedicated in honor of Tracey Ann Vukovic, daughter of Ann and William Denihan, who recently passed away.**

### **5. PUBLIC COMMENT RELATED TO AGENDA**

**The following citizens addressed Council regarding issues of concern to them relating to Ordinance No. O2011-0042, an Ordinance extending healthcare benefits to domestic partners of Cuyahoga County employees :**

- a) Ms. Doris Durica**
- b) Ms. Hanna Gereby**

- c) Ms. Ilona Frank
- d) Mr. William Brownlee

**Mr. Wesley Warren of the Cuyahoga County Advisory Committee for Persons with Disabilities, addressed Council regarding issues of concern to him relating to Resolution No. R2011-0301, a Resolution proclaiming the month of October 2011 as Disability Employment Awareness Month in Cuyahoga County.**

**6. APPROVAL OF MINUTES**

- a) October 11, 2011 Meeting

**A motion was made by Ms. Conwell, seconded by Mr. Miller and approved by unanimous vote to approve the minutes of the October 11, 2011 meeting.**

**After approval of the minutes and in accordance with Rule 6B of the County Council Rules, a motion was made by Mr. Miller, seconded by Mr. Schron and unanimously approved to add Resolution No. R2011-0309 to the agenda as an additional item under #13.**

**7. MESSAGES FROM THE COUNTY EXECUTIVE**

**County Executive FitzGerald reported the following:**

- a) **A Town Hall Meeting will be held in Ms. Simon's district at Notre Dame College in South Euclid on Wednesday, October 26, 2011; and**
- b) **Complimented Council, particularly Mr. Miller, for the manner in which the budget process has progressed and hoped that the budget hearings are meeting Council's expectations. He indicated items that will be variables in the 2012-2013 biennial budget that will be forthcoming for consideration by Council:**
  - 1. **Establishment of the Department of Communications; and**
  - 2. **Human Resources Classification Plan.**
- c) **Discussed the Health and Human Services Levy and recommended the levy millage be unchanged from the previous levy.**
- d) **Summarized union negotiations with AFSCME and recommended approval of the Collective Bargaining Agreement.**

8. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING ~~ADOPTION~~  
~~UNDER SUSPENSION OF RULES~~

- a) M2011-0048: A Motion establishing the 2012 schedule of County Council meetings.

Sponsor: Council President Connally

**After the Clerk read Motion No. M2011-0048 into the record for the first reading, Council President Connally tabled the motion.**

9. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR  
SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Motion No. M2011-0049.**

- a) M2011-0049: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective:

- 1) Ann Avery
- 2) Chris Ritter
- 3) Miriam Ampeire
- 4) Michael Formen

Sponsor: Council President Connally

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

**On a motion by Mr. Schron with a second by Mr. Greenspan, Motion No. M2011-0049 was considered and approved by unanimous vote.**

10. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING  
ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Ordinance No. O2011-0052.**

- a) O2011-0052: An Ordinance amending the Cuyahoga County Code of Ethics, as amended, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Greenspan

**On a motion by Mr. Greenspan with a second by Mr. Schron, Ordinance No. O2011-0052 was considered and adopted by unanimous vote.**

**11. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING AND REFERRAL TO COMMITTEE**

- a) O2011-0042: An Ordinance providing for adoption of a policy granting health benefits to domestic partners of County employees, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Simon, Miller, Rogers, Connally, Brady and Conwell

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell and Justice Affairs – Simon

**Council President Connally referred Ordinance No. O2011-0042 to the Human Resources, Appointments & Equity Committee and to the Justice Affairs Committee.**

**12. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION**

- a) O2011-0039: An Ordinance establishing procedures governing the use by the County of alternate construction project delivery methods, including construction manager-at-risk, design-build and general contracting project delivery methods for public construction projects; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Schron, Miller, **Germana, Jones, Conwell, Simon, Gallagher, Connally and Greenspan** and County Executive FitzGerald

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Mr. Miller, Ordinance No. O2011-0039 was considered and approved by unanimous vote.**

13. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER  
SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2011-0296, R2011-0301, R2011-0302 and R2011-0309.**

- a) R2011-0296: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

**On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2011-0296 was considered and adopted by unanimous vote.**

- b) R2011-0301: A Resolution proclaiming the month of October 2011 as Disability Employment Awareness Month in Cuyahoga County: "Profit by Investing in Workers with Disabilities", and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources and Councilmembers Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally

**On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2011-0301 was considered and adopted by unanimous vote.**

- c) R2011-0302: A Resolution proclaiming the month of November 2011 as Adoption Awareness Month in Cuyahoga County; honoring selected adoptive families as part of a recognition event; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and Councilmembers Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0302 was considered and adopted by unanimous vote.**



[Note: In accordance with Rule 6B of the County Council Rules, the following item was added to the agenda and read into the record by the Clerk of Council.]

- d) **R2011-0309**: A Resolution authorizing the County Executive to accept 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.

Sponsor: County Executive FitzGerald/Budget Commission

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2011-0309 was considered and adopted by unanimous vote.

14. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER  
SUSPENSION OF RULES/~~EXECUTIVE SESSION~~

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2011-0308.

- a) **R2011-0308**: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council, Local 1746, AFL-CIO, covering approximately 1,250 employees in 81 classifications in the Department of Health and Human Services for the period 7/1/2011 - 6/30/2014; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2011-0308 was considered and adopted by unanimous vote.

15. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO  
COMMITTEE

- a) **R2011-0297**: A Resolution declaring the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code.

Sponsor: County Executive FitzGerald/Department of Health and Human Services

**Council President Connally referred Resolution No. R2011-0297 to the Health, Human Services & Aging Committee.**

- b) R2011-0298: A Resolution determining to proceed with submitting to the electors of Cuyahoga County to renew an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code.

Sponsor: County Executive FitzGerald/Department of Health and Human Services

**Council President Connally referred Resolution No. R2011-0298 to the Health, Human Services & Aging Committee.**

- c) R2011-0299: A Resolution authorizing the County Executive to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,254,718.00 for fiscal and administrative services for the Help Me Grow Home Visiting Program for the period 7/1/2011 - 6/30/2012.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

**Council President Connally referred Resolution No. R2011-0299 to the Health, Human Services & Aging Committee.**

- d) R2011-0300: A Resolution authorizing the County Executive to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,375,034.00 for fiscal and administrative services for the Federal Part C Early Intervention Program for the Invest in Children Program for the period 7/1/2011 - 6/30/2012.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

**Council President Connally referred Resolution No. R2011-0300 to the Health, Human Services & Aging Committee.**

- e) R2011-0303: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Economic Development Refunding Revenue Bonds, Series 2011 (Gilmour Academy Project) in the amount not-to-exceed \$10,000,000.00 for the purpose of currently refunding Series 2009 Bonds issued by the County of Cuyahoga which assisted in financing the costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code; providing for the pledge of revenues for the payment of such bonds; authorizing the execution of various documents required in connection with said bond issuance and authorizing and approving related matters, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2011-0303 to the Economic Development & Planning Committee.**

- f) R2011-0304: A Resolution authorizing the County Executive to enter into contracts with various providers for placement services for the period 10/1/2011 - 6/30/2012, and declaring the necessity that this Resolution become immediately effective:
- 1) Alliance Human Services, Inc. in the amount not-to-exceed \$2,588,175.00.
  - 2) Applewood Centers, Inc. in the amount not-to-exceed \$1,588,950.00.
  - 3) Beech Brook in the amount not-to-exceed \$3,602,430.00.
  - 4) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$2,925,000.00.
  - 5) Berea Children's Home in the amount not-to-exceed \$4,542,903.00.
  - 6) BHC Belmont Pines Hospital, Inc. in the amount not-to-exceed \$419,697.00.
  - 7) Caring For Kids, Inc. in the amount not-to-exceed \$36,000.00.
  - 8) Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$4,827,285.00.
  - 9) Christian Children's Home of Ohio, Inc. in the amount not-to-exceed \$300,240.00.
  - 10) Continue Life, Inc. in the amount not-to-exceed \$225,000.00.
  - 11) Cornell Abraxas Group, Inc. in the amount not-to-exceed \$38,700.00.
  - 12) Diversion-Adolescent Foster Care of Ohio, Inc. in the amount not-to-exceed \$153,450.00.
  - 13) Glen Mills Schools in the amount not-to-exceed \$68,742.00.
  - 14) House of New Hope in the amount not-to-exceed \$1,134,000.00.

- 15) In Focus of Cleveland, Inc. in the amount not-to-exceed \$526,500.00.
- 16) National Youth Advocate Program, Inc. in the amount not-to-exceed \$1,485,000.00.
- 17) New Directions Inc. in the amount not-to-exceed \$108,000.00.
- 18) Options for Families and Youth in the amount not-to-exceed \$1,341,000.00.
- 19) Parenthesis Family Advocates Incorporated in the amount not-to-exceed \$351,000.00.
- 20) Pathway Caring for Children in the amount not-to-exceed \$199,800.00.
- 21) Pressley Ridge in the amount not-to-exceed \$1,530,000.00.
- 22) START – Support To At-Risk Teens in the amount not-to-exceed \$1,305,000.00.
- 23) Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount not-to-exceed \$2,493,000.00.
- 24) The Bair Foundation in the amount not-to-exceed \$1,800,000.00.
- 25) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$1,800,000.00.
- 26) The Twelve of Ohio, Inc. in the amount not-to-exceed \$1,071,000.00.
- 27) The Village Network in the amount not-to-exceed \$1,170,000.00.
- 28) ViaQuest Behavioral Health of Ohio, LLC in the amount not-to-exceed \$182,700.00.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services

**Council President Connally referred Resolution No. R2011-0304 to the Health, Human Services & Aging Committee.**

- g) R2011-0305: A Resolution authorizing an award on RQ20792 to American Bridge Company in the amount of \$30,323,618.65 for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; authorizing the County Executive to enter into a contract consistent with said award; and authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$6,064,723.73 to fund said contract.

Sponsor: County Executive FitzGerald/Department of Public Works/County Engineer

**Council President Connally referred Resolution No. R2011-0305 to the Public Works, Procurement & Contracting Committee.**

h) R2011-0306: A Resolution authorizing the County Executive to enter into amendments to contracts with various providers for residential treatment services for youth for various time periods ending 1/31/2012, and declaring the necessity that this Resolution become immediately effective:

1) for the period 2/1/2010 – 1/31/2012:

i) for a decrease:

- a. No. CE1000250-01 with Applewood Centers, Inc. in the amount of \$75,000.00.
- b. No. CE1000251-01 with Beech Brook in the amount of \$59,000.00.
- c. No. CE1000258-01 with Carrington Youth Academy LLC in the amount of \$75,000.00.
- d. No. CE100260-01 with The Cleveland Christian Home Incorporated in the amount of \$103,500.00.

ii) for additional funds:

- a. No. CE1000253-01 with Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$68,500.00.
- b. No. CE1000257-01 with Berea Children's Home in the amount not-to-exceed \$7,000.00.
- c. No. CE1000259-01 with Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$126,000.00.
- d. No. CE1000263-01 with The Village Network in the amount not-to-exceed \$27,000.00.

2) for the period 6/1/2010 – 1/31/2012:

i) for additional funds:

- a. No. CE1000724-01 with Glen Mills Schools in the amount not-to-exceed \$590,000.00.
- b. No. CE1000727-01 with Safehouse Ministries in the amount not-to-exceed \$21,534.98.
- c. No. CE1000726-01 with Keystone Richland dba Foundations for Living in the amount not-to-exceed \$56,500.00.
- d. No. CE1000725-01 with The House of Emmanuel, Inc. in the amount not-to-exceed \$165,000.00.

Sponsor: County Executive FitzGerald on behalf of Juvenile Court

**Council President Connally referred Resolution No. R2011-0306 to the Justice Affairs Committee.**

- i) R2011-0307: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1100533-01, 02 with Tri Mor Corporation for the Year Two Pavement Maintenance Program: Aprons A1, B reconstruction and Aprons A2, C, D1 rehabilitation for the period 8/9/2011 - 6/6/2012 for additional funds in the amount not-to-exceed \$675,500.00.

Sponsor: County Executive FitzGerald/Department of Development/  
Airport Division

**Council President Connally referred Resolution No. R2011-0307 to the Economic Development & Planning Committee.**

**16. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2011-0292, R2011-0293, R2011-0294 and R2011-0295.**

- a) R2011-0292: A Resolution authorizing the County Executive to enter into a contract with TranSystems Corporation of Ohio in the amount not-to-exceed \$994,216.00 for consultant engineering services for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

Committee Assignment and Chair: Public Works, Procurement &  
Contracting – Jones

**On a motion by Mr. Jones with a second by Mr. Rogers, Resolution No. R2011-0292 was considered and adopted by unanimous vote.**

- b) R2011-0293: A Resolution establishing a list of certified providers for occupational skills training services for the Individual Training Account System for the period 7/1/2011 - 6/30/2014, and authorizing the County Executive to enter into agreements with said providers for said training services:

- 1) Allstate Hairstyling and Barber College
- 2) American Air Conditioning Academy
- 3) American Logistics Group, Inc.
- 4) American Red Cross, Greater Cleveland Chapter
- 5) Northern Ohio Chapter, Associated Builders and Contractors, Inc.
- 6) Ashari's Healthcare, LLC
- 7) ATS Institute of Technology
- 8) Auburn Career Center
- 9) Big Rig Truck Driving School, Inc.
- 10) Blossom 24 Hour We Care Center, Inc.
- 11) Brown Mackie College - Akron
- 12) Cleveland Institute for Dental - Medical Assistants, Inc.
- 13) Cleveland Industrial Training Center, Inc.
- 14) Compassions Training and Awareness Center, Inc.
- 15) Cuyahoga Community College District
- 16) Cuyahoga Valley Career Center
- 17) Gateway Educational Opportunities, Inc.
- 18) Great Lakes Truck Driving School, Inc.
- 19) Hamrick School
- 20) Hondros College
- 21) Inner State Beauty School
- 22) Kent State University
- 23) Lorain County Community College District
- 24) Lorain County JVS Adult Career Center
- 25) Med-Cert, Inc.
- 26) Micronetohio, Inc. dba Ace Tutors
- 27) New Bridge Cleveland Center for Arts and Technology
- 28) Ohio Technical College, Inc.
- 29) Polaris Career Center
- 30) Remington College
- 31) Solomon Enterprises, LTD. dba Lake Erie Barber College
- 32) The Notre Dame College
- 33) Union Construction Industry Partnership-Apprenticeship Skills Achievement Program
- 34) Ursuline College
- 35) Vatterot Educational Centers, Inc. dba Vatterott College
- 36) Vocational Guidance Services
- 37) Willoughby-Eastlake School of Practical Nursing

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3 and **Councilmembers Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller and Connally**

Committee Assignment and Chair: Economic Development & Planning  
– Schron

**On a motion by Mr. Schron with a second by Mr. Conwell, Resolution No. R2011-0293 was considered and adopted by unanimous vote.**

- c) R2011-0294: A Resolution authorizing awards on RQ19758 to various providers, in the total amount of \$2,995,616.00, for Workforce Investment Act In-School and Out-of School Youth Training for the period 9/1/2011 - 6/30/2012; and authorizing the County Executive to enter into contracts consistent with said awards:
- 1) Baldwin-Wallace College in the amount of \$110,180.00.
  - 2) Cuyahoga Community College District in the amount of \$400,000.00.
  - 3) Esperanza, Incorporated in the amount of \$175,000.00.
  - 4) Linking Employment, Abilities & Potential in the amount of \$196,436.00.
  - 5) Mayfield City School District in the amount of \$370,000.00.
  - 6) Open Doors, Inc. in the amount of \$259,000.00.
  - 7) Youth Opportunities Unlimited in the amount of \$450,000.00.
  - 8) Berea Children's Home in the amount of \$490,000.00.
  - 9) Cuyahoga Community College District in the amount of \$220,000.00.
  - 10) Lutheran Metropolitan Ministry in the amount of \$175,000.00.
  - 11) Towards Employment, Incorporated in the amount of \$150,000.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development and Councilmembers Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller and Connally

Committee Assignment and Chair: Economic Development & Planning  
– Schron

**On a motion by Mr. Schron with a second by Mr. Conwell, Resolution No. R2011-0294 was considered and adopted by unanimous vote.**

- d) R2011-0295: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.



Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

Committee Assignment and Chair: At request of Finance & Budgeting Chair to Health, Human Services & Aging – Brady

**On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2011-0295 was considered and adopted by unanimous vote.**

17. CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2011-0049: An Ordinance authorizing the County Executive to establish an Economic Development Fund for the purpose of investing in job growth and economic development in Cuyahoga County; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Ordinance No. O2011-0049 to the Economic Development & Planning Committee.**

- b) O2011-0050: An Ordinance providing for the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Human Resource Commission

**Council President Connally referred Ordinance No. O2011-0050 to the Human Resources, Appointments & Equity Committee.**

- c) O2011-0051: An Ordinance establishing the Department of Communications, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald

**Council President Connally referred Ordinance No. O2011-0051 to the Human Resources, Appointments & Equity Committee.**

#### 18. MISCELLANEOUS COMMITTEE REPORTS

**President Connally reported that she has been appointed to the Debt Collection Task Force and to the MMPI Task Force and thanked County Executive FitzGerald for his consideration in selecting her to serve on these committees.**

**Mr. Miller reported that the budget hearings will continue next week on Monday, October 31, 2011 from 1:00 p.m. to 6:00 p.m. and on Tuesday, November 1, 2011 from 9:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. The Finance & Budgeting Committee will be on Wednesday, November 2, 2011 at 1:00 p.m. to continue discussions regarding the DTAC legislation.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, October 27, 2011 at 11:00 a.m.**

#### 19. MISCELLANEOUS BUSINESS

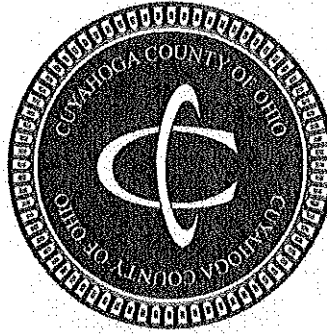
**There was no miscellaneous business.**

#### 20. PUBLIC COMMENT UNRELATED TO AGENDA

**No public comments were given.**

#### 21. ADJOURNMENT

**With no further business to discuss and on a motion by Mr. Greenspan with a second by Mr. Miller, the meeting was adjourned at 7:45 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL SPECIAL MEETING  
"A SALUTE TO VETERANS"  
TUESDAY, NOVEMBER 1, 2011  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
6:00 PM**

### **1. CALL TO ORDER**

**At the request of Council President Connally, the meeting was called to order by Councilmember Schron, Lieutenant Colonel United States Army (Retired) and highest ranking military officer on Council, at 6:07 p.m.**

### **2. ROLL CALL**

**LTC Schron (Ret.) asked the Clerk to call the roll. Councilmembers Gallagher, Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Schron and Connally were in attendance and a quorum was determined.**

### **3. PRESENTATION OF NATIONAL ANTHEM**

**The National Anthem was played.**

### **4. PRESENTATION OF COLORS**

**The colors were presented by The United State Army Recruiting Command.**

### **5. SILENT MEDITATION**

**LTC Schron (Ret.) requested that George Phillips, Council Services Coordinator, and Cheyanne Martin, a sophomore at The Cleveland School of Arts, recite poems in honor of veterans.**

6. PUBLIC COMMENT RELATED TO AGENDA

**No public comments were given.**

7. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive FitzGerald complimented Council regarding Council initiated services that are available to veterans.**

8. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Connally, seconded by Mr. Rogers and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2011-0310, R2011-0311, R2011-0312 and R2011-0313.**

- a) R2011-0310: A Resolution recognizing the service and sacrifice of the military and intelligence personnel serving in the Vietnam War; recognizing March 29 as Vietnam Veterans Day in Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Connally

Speakers: Ray Saikus and Patrick McLaughlin

**Mr. Ray Saikus, President of the Memorial Day Association of Greater Cleveland, and Mr. Patrick McLaughlin, President of the Greater Cleveland Veteran's Memorial, spoke briefly regarding the recognition of March 29<sup>th</sup> as Vietnam Veterans Day in Cuyahoga County.**

**On a motion by Ms. Connally with a second by Mr. Greenspan, Resolution No. R2011-0310 was considered and adopted by unanimous vote.**

- b) R2011-0311: A Resolution recognizing and expressing gratitude for the service and contributions of all veterans of the U.S. Armed Forces and National Guard in Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Connally

Video presentations by elected officials

**Video messages from U. S. Congressman Dennis Kucinich and U.S. Senator Sherrod Brown, were viewed thanking veterans of Cuyahoga County for their service.**

**On a motion by Mr. Greenspan with a second by Mr. Rogers, Resolution No. R2011-0311 was considered and adopted by unanimous vote.**

- c) R2011-0312: A Resolution supporting the Cleveland Municipal Court's Veterans Treatment Docket and the efforts of the Cleveland Municipal Court and its partner agencies to address the special needs of veterans of the U.S. Armed Forces and National Guard who become involved with the criminal justice system in Cleveland and Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Connally

Speaker: Judge Lynn McLaughlin-Murray

**The Honorable Lynn McLaughlin-Murray, Cleveland Municipal Court Judge, spoke briefly regarding the Veterans Treatment Docket.**

**On a motion by Mr. Rogers with a second by Mr. Germana, Resolution No. R2011-0312 was considered and adopted by unanimous vote.**

- d) R2011-0313: A Resolution recognizing the service of Villa Angela-St. Joseph High School students in honoring veterans by cataloguing more than 1,300 veterans' graves at All Souls Cemetery to ensure their continued proper and dignified upkeep, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Connally

Speakers: Emily Robinson and Dave Csank

**Kaja Kijauskas, senior at Villa Angela – St. Joseph High School, spoke on behalf of her classmates and teachers regarding the cataloguing project.**

**On a motion by Ms. Connally with a second by Mr. Rogers, Resolution No. R2011-0313 was considered and adopted by unanimous vote.**

## 9. PRESENTATIONS

### a) Veterans Administration

**Ms. Judy Zamelin-Spotts, Consumer Affairs Specialist for Outreach at the Louis Stokes Veterans Administration Medical Center, spoke in regard to the services offered by the Veterans Administration.**

### b) Cuyahoga Community College

**Mr. Rick DeChant, Executive Director of Veteran Services & Programs at Cuyahoga Community College, spoke in regard to the services offered by Cuyahoga County Community College.**

### c) Fisher House

**Mr. Tom Sweeney, President of the Thos. Sweeney Group, Inc., spoke in regard to the services offered at Fisher House and the need to have a Fisher House built in Cuyahoga County.**

### d) Veterans Service Commission

**Mr. Bob Schloendorn, Executive Director of the Cuyahoga County Veterans Service Commission, spoke in regard to the services offered by the Veterans Service Commission.**

### e) Soldiers' and Sailors' Monument

**Mr. Jon Silvis, Trustee of the Cuyahoga County Soldiers' and Sailors' Monument, spoke in regard to the history of the Soldiers' and Sailors' Monument.**

## 10. PRESENTATION OF AMERICA THE BEAUTIFUL

**After the song was played, LTC Schron (Ret.) and Council President Connally thanked George Phillips, Council Services Coordinator, and Kahlil Seren, Research & Policy Analyst, for their contributions in coordinating this meeting.**

**LTC Schron (Ret.) then turned the gavel back to Council President Connally.**

## 11. RETIRE COLORS/ADJOURNMENT

**With no further business to discuss, the meeting was adjourned by Council President Connally at 7:40 p.m., without objection.**

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2011-0050

Sponsored by: Council President Connally

**A Motion confirming the County Executive's appointment of individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Cleveland/Cuyahoga County Workforce Investment Board was established to fulfill the functions outlined in the Federal Workforce Investment Act of 1998, and was created pursuant to the provisions of ORC Chapter 6301; and,

WHEREAS, the joint operation between the City of Cleveland and Cuyahoga County provides public policy guidance and exercises oversight of local programs of workforce activities; and,

WHEREAS, such workforce development activities include helping individuals maximize their employment opportunities; help employers gain access to skilled workers; help employers retain skilled workers; help develop or enhance the skills of incumbent workers; improve the quality of the workforce and enhancing the productivity and competitiveness of the economy; and,

WHEREAS, the nominations for the individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board are submitted pursuant to applicable provisions, including Section 117(b)(2) of the 1998 Federal Workforce Investment Act; and,

WHEREAS, members of the Cleveland/Cuyahoga County Workforce Investment Board shall be appointed to serve a three (3) year term expiring on June 30, 2014; and,

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

WHEREAS, the County Executive has nominated the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board:

- a) Gayle Thompkins Agahi, Director of External Partnerships, Talent Management/HR of Cleveland Clinic;
- b) Daniel E. Berry, President and CEO of MAGNET (the Manufacturing Advocacy and Growth Network);
- c) Sari Feldman, Executive Director of the Cuyahoga County Public Library;
- d) Susan Muha, Executive Vice President of Workforce and Economic Development Division at Cuyahoga Community College;
- e) Denise Smudla, Director of Human Resources at Jennings Center for Older Adults;
- f) Harriet Applegate, Executive Secretary at North Shore AFL-CIO Federation of Labor;
- g) Michael (Mick) Latkovich, Vice President, Rehabilitation Services at Vocational Guidance Services;
- h) K. Michael Benz (Community Partner), President and CEO of United Way of Greater Cleveland;
- i) Joseph A. Calabrese, CEO and General Manager/Secretary-Treasurer for Greater Cleveland RTA;
- j) Daniel M. Koncos (Mandatory Partner), Region 2 Coordinator for Ohio Department of Job & Family Services;
- k) Jeffrey K. Patterson, Chief of Staff and Operations for Cuyahoga Metropolitan Housing Authority;
- l) Stephen M. Wing, President of Corporate Voices for Working Families;
- m) Joe Gauntner (Mandatory Partner-TANF), Deputy Chief of Staff for Human Services, Office of the County Executive; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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



**SECTION 1.** The Council of Cuyahoga County hereby confirms the appointment of the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for a three (3) year term expiring on June 30, 2014:

- a) Gayle Thompkins Agahi, Director of External Partnerships, Talent Management/HR of Cleveland Clinic;
- b) Daniel E. Berry, President and CEO of MAGNET (the Manufacturing Advocacy and Growth Network);
- c) Sari Feldman, Executive Director of the Cuyahoga County Public Library;
- d) Susan Muha, Executive Vice President of Workforce and Economic Development Division at Cuyahoga Community College;
- e) Denise Smudla, Director of Human Resources at Jennings Center for Older Adults;
- f) Harriet Applegate, Executive Secretary at North Shore AFL-CIO Federation of Labor;
- g) Michael (Mick) Latkovich, Vice President, Rehabilitation Services at Vocational Guidance Services;
- h) K. Michael Benz (Community Partner), President and CEO of United Way of Greater Cleveland;
- i) Joseph A. Calabrese, CEO and General Manager/Secretary-Treasurer for Greater Cleveland RTA;
- j) Daniel M. Koncos (Mandatory Partner), Region 2 Coordinator for Ohio Department of Job & Family Services;
- k) Jeffrey K. Patterson, Chief of Staff and Operations for Cuyahoga Metropolitan Housing Authority;
- l) Stephen M. Wing, President of Corporate Voices for Working Families;
- m) Joe Gauntner (Mandatory Partner-TANF), Deputy Chief of Staff for Human Services, Office of the County Executive; and,

**SECTION 2.** It is necessary that this Motion become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Motion receives the affirmative vote of eight members of Council, this Motion shall become immediately effective.

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

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Motion was duly approved.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

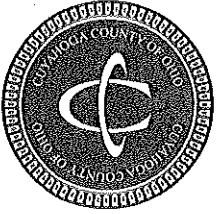
\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**EDWARD FITZGERALD**  
Cuyahoga County Executive

October 24, 2011

**OCT 28 2011**

Cuyahoga County Council

C. Ellen Connally, President  
Cuyahoga County Council  
Cuyahoga County Administration Building  
1219 Ontario Street, 4<sup>th</sup> Floor  
Cleveland, OH 44113

Re: Cleveland/Cuyahoga County Workforce Investment Board

Dear President Connally:

As you know, the Cleveland/Cuyahoga County Workforce Investment Board was established to fulfill the functions outlined in the Federal Workforce Investment Act of 1998. This joint operation between the City of Cleveland and Cuyahoga County provides public policy guidance and exercises oversight of local programs of workforce activities. For this Board, I am pleased to offer the nominations of the following individuals:

Gayle Thompkins Agahi  
Daniel E. Berry  
Sari Feldman  
Susan Muha  
Denise Smudla  
Harriet Applegate  
Mick Latkovich

K. Michael Benz (Community Partner)  
Joseph A. Calabrese  
Daniel M. Koncos (Mandatory Partner)  
Jeffrey K. Patterson  
Stephen M. Wing  
Joe Gauntner (Mandatory Partner-TANF)

Supporting documentation including biographical information about each nominee and appropriate nomination materials are attached for your review. These nominations are submitted pursuant to applicable provisions, including Section 117(b)(2) of the 1998 Workforce Investment Act. Upon confirmation, each appointee will serve a full-term to expire on June 30, 2014.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089. I thank you for your assistance.

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive



1240 Huron Road E, Suite 300  
Cleveland, Ohio 44115  
p 216.621.3300 • f 216.621.6013  
www.gcpartnership.com

October 19, 2011

Mr. David Reines  
Interim Executive Director, Employment Connection  
Cleveland/Cuyahoga County Workforce Investment Board  
1020 Bolivar Road  
Cleveland, OH 44115

Dear David,

The Greater Cleveland Partnership, the chamber of commerce for the Cleveland area, hereby endorses the nomination of the following candidates to the Cleveland/Cuyahoga County Workforce Investment Board (CCWIB) as recommended by the Mayor of the City of Cleveland and the Cuyahoga County Executive in accordance with Section 117, (b) (2) of the 1998 Workforce Investment Act:

Gayle Thompkins Agahi – Cleveland Clinic  
Chijioke Asomugha - Cyprium Partners  
Dan Berry – MAGNET  
Joe Calabrese – GRTA  
Jay Carson – Franz Ward LLP  
Aaron Grossman – Alliance Group of Companies  
Dave Kulchar – Oswald Companies  
Mick Latkovich – Vocational Guidance Services  
Quentin McCorvey – KeyCorp

Darrell McNair – The President's Council  
Marsha Mockabee - Urban League of Greater Cleveland  
Patty Quiñónez – Quiñónez & Associates/ Ameriprise Financial  
Dr. James Robey - Mohr Partners  
Jeanne Romanoff - Greater Cleveland Film Commission  
Fred Rogers – Ozanne Construction Co.  
Denise Smudla – Jennings Center for Older Adults  
Steve Wing – Corporate Voices for Working Families

There is a great need to focus increasing attention and resources on addressing workforce development challenges in our region. In this context, the future promises to be exciting and challenging for the Cleveland/Cuyahoga County Workforce Investment Board. It is important that the CCWIB continue to play a center role in this important work and have a positive impact on the workforce, especially in the current economic climate.

Your approval of the above nominations will enhance the CCWIB's ability to continue to address the workforce needs of employers and residents in the communities we both serve. In our shared interest of building a demand-driven workforce system, we look forward to working with you to nominate additional business representatives to the WIB in your next election cycle.

Please feel free to contact me at (216) 592-2341 with questions or for additional information.

Sincerely yours,

Joseph D. Roman  
President and Chief Executive Officer

JDR:pjm

# NORTH SHORE AFL-CIO



Board Chairman  
Mike Bauer

Treasurer  
John Kilbane

Reporting Secretary  
Meryl T. Johnson

Sergeant-At-Arms  
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Edward Thomas  
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Dean Wright

LOREE K. SOGGS  
President

HARRIET APPLIGATE  
Executive Secretary



## FEDERATION OF LABOR

3250 EUCLID AVENUE • ROOM 250 • CLEVELAND, OHIO 44115-2520  
PHONE: 216/881-7200 • [www.clevelandaflcio.org](http://www.clevelandaflcio.org) • FAX: 216/881-9025

August 15, 2011

Dave Reines  
Interim Director  
The Workforce Investment Board  
1020 Bolivar  
Cleveland, OH 44115

Dear Dave:

Please accept the following names that are our nominations for the Workforce Investment Board:

- Loree Soggs, Executive Sec'y, Cleveland Building & Construction Trades Council
- Harriet Applegate, Executive Sec'y, North Shore AFL-CIO Federation of Labor

Thank you for your consideration in this matter.

Sincerely,

Harriet Applegate  
Executive Sec'y



Cuyahoga County Public Library  
browsing is just the beginning

October 11, 2011

David Reines  
Interim Executive Director  
Cleveland/Cuyahoga County Workforce Investment Board  
1020 Bolivar Road  
Cleveland, OH 44115

Dear David,

As the President of the Cuyahoga County Public Library (CCPL) Board of Trustees, it is my pleasure to nominate Sari Feldman to be a member of the Cleveland/Cuyahoga County Workforce Investment Board (WIB). As you know, Sari is the Executive Director of CCPL which serves 47 communities across Cuyahoga County. We are independently ranked #1 in the United States among library systems serving more than 500,000 people. That ranking is obviously a reflection of Sari's leadership qualities and the excellent staff she has assembled.

One of CCPL's six priorities is to "Put Cuyahoga County Back to Work." We have community initiatives led by our Career Center staff and Technology Trainers that are extremely popular in assisting people with their job search and computer skills. Our 28 branches have increasingly become community centers, especially for those seeking jobs and skill upgrades.

I wholeheartedly endorse Sari Feldman's participation on the WIB. I am sure her knowledge and expertise will be invaluable for the Workforce Investment Board's important responsibilities.

Sincerely Yours,

Leonard M. Calabrese  
President, CCPL Board of Trustees  
mms

*Administrative Offices*

2111 Snow Road / Parma, Ohio 44134-2728 / p 216.398.1800 / f 216.749.9500 / [cuyahogalibrary.org](http://cuyahogalibrary.org)

*Executive Director / Sari Feldman Board of Trustees / Leonard M. Calabrese, President Robert W. Vayley, Vice President  
Maria L. Haller, Secretary Susan M. Adams, Trustee Edward H. Blakemore, Trustee Sanjiv K. Kapur, Trustee Dale D. Powers, Trustee*



Gayle Thompkins Agahi  
 Director of External Partnerships  
 Talent Management/HR  
 Cleveland Clinic  
 Work: 216-448-0748  
 agahig@ccf.org

**Affiliations**

Northeast Ohio Health Science and Innovation Coalition (NOHSIC) – Board of Trustees,  
 Vice Chairperson  
 Cuyahoga Valley National Park, Board of Trustees  
 Youth Opportunities Unlimited, Board of Trustees

**Gayle Thompkins Agahi** was a founding leader and the first board chairman of the Northeast Ohio Health Science and Innovation Coalition (NOHSIC). Established in 2007, NOHSIC membership includes Cleveland Clinic, EMH Regional Healthcare, Louis Stokes Veterans Administration, MetroHealth System, and Southwest General Hospital, Summa Health System and University Hospitals. NOHSIC members employ over 75,000 healthcare workers and contribute an estimated \$11.6 billion<sup>1</sup> to the regional economy.

Member hospital systems work together in a formal, employer-driven endeavor to address the issues of critical labor shortages in healthcare fields. NOHSIC recently hired its first Executive Director and plans to become a tenant of the Cleveland Medical Mart & Convention Center. NOHSIC continues to expand its membership across 17 counties of Northeast Ohio. Under Agahi's leadership, NOHSIC became the first industry coalition to sign on with the USAR Employer Program Initiative (EPI). NOHSIC also has formal partnerships with Cleveland/Cuyahoga Workforce Investment Board, Summit/Medina Workforce Investment Board and NeoHealthForce. NOHSIC in partnership with the Center for Health Affairs, were selected to be Ohio Skills Bank intermediaries for Ohio Economic Region 8.

Agahi served as the workforce development representative for Cleveland Clinic on the Ohio Governor's Workforce Policy Board during the Strickland administration. Throughout her 11 years in the Cleveland Clinic Health System, Agahi also held positions in Government Relations and Development.

Prior to working for the Cleveland Clinic Health System, Agahi was a business owner. She spent nine years at the Cuyahoga Metropolitan Housing Authority (CMHA) Government Affairs, Public Relations, Marketing and Communications.

Agahi grew up in New Orleans, Louisiana and is a graduate of the University of New Orleans with a Bachelors of Arts in English and in May 2011 will graduate from Executive MBA program at Baldwin-Wallace College.

<sup>1</sup> Source: Center for Health Affairs, *Economic Impact of Healthcare in Northeast Ohio*, February 23, 2005.



## WORKFORCE INVESTMENT BOARD

City of Cleveland/Cuyahoga County – Area 3

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700

### Current WIB Member - County

**K. Michael Benz**  
President & CEO  
United Way of Greater Cleveland  
1331 Euclid Avenue  
Cleveland, OH 44115  
216.436.2101

**K. Michael Benz** is the President and CEO of **United Way of Greater Cleveland**, one of the largest and most innovative United Way programs in the nation. Under his leadership, United Way implemented GuitarMania®, a public art project that raised more than \$1.6 million for health and human service programs in Greater Cleveland. Mike is a Clevelander and his work reflects his passion for the community. He was instrumental in bringing the Rock and Roll Hall of Fame and Museum to Cleveland and served as the museum's director before joining United Way. Mike's career also includes 12 years as the Greater Cleveland Growth Association Executive Vice President and seven years as COSE Executive Director. Mike currently serves on six organization boards, including the Better Business Bureau, Baldwin-Wallace College and Cuyahoga Community College, as well as several United Way of America national committees.





## WORKFORCE INVESTMENT BOARD

City of Cleveland/Cuyahoga County – Area 3

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700

### Candidate for WIB Membership - County

**Daniel E. Berry**

President & CEO

MAGNET

1768 E. 25th Street

Cleveland, OH 44114

216.391.7002 (main)

**Daniel E. Berry** is president and chief executive officer of MAGNET, the Manufacturing Advocacy and Growth Network, located in Cleveland Ohio. He joined MAGNET on a permanent basis in May 2010 after serving as interim CEO for several months on loan from the Greater Cleveland Partnership (GCP).

When he left the GCP, Berry was executive vice president for strategy, membership and marketing. Previously, he was senior vice president, strategic integration, for the Greater Cleveland Growth Association, which he joined in 1995 as vice president for workforce development. While with the Association, he helped manage and conclude the merger negotiations with Cleveland Tomorrow and the Greater Cleveland Roundtable that created the GCP in 2004. In his capacities at GCP and the Association, Berry helped with planning for the creation of organizations such as Team NEO and MAGNET.

Prior to the Growth Association, Berry spent 13 years with The George Gund Foundation and was serving as associate director when he left the organization. In that capacity, he was involved with helping build organizations such as Neighborhood Progress Inc. and the Great Lakes Science Center. Berry also has worked with The Charles F. Kettering Foundation in Dayton, Ohio where he was an urban affairs program associate from 1979-1981.

Berry holds a doctorate in management from the Weatherhead School of Management at Case Western Reserve University and earned both a B.A. and M.A. from Kent State University. He has served on the boards of numerous civic and public sector organizations and is presently a trustee of Vocational Guidance Services and the Cleveland Center for Arts and Technology. He and his wife Mary Jo live in Orange Village, Ohio, and have one son, Douglas.

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700



## **WORKFORCE INVESTMENT BOARD**

City of Cleveland/Cuyahoga County – Area 3

### **Candidate for WIB Membership - County**

**Joseph A. Calabrese**  
CEO & General Manager/Secretary-Treasurer  
Greater Cleveland RTA  
1240 West Sixth Street  
Cleveland, Ohio 44113  
216.566.5218

**Joe Calabrese** was named the CEO and General Manager/Secretary-Treasurer of the Greater Cleveland RTA in 2000, upon leaving his position as President of the Central New York RTA.

RTA serves approximately 180,000 customers on a typical weekday, with over 60% of all trips being job related. In addition to regular bus, rail and paratransit service for individuals with disabilities, RTA also operates its Work Access Van Program where RTA's Mobility Managers connect workers with jobs if regularly scheduled RTA services cannot meet their specific mobility needs. RTA's operating and capital budgets stand at approximately \$300 million annually.

Joe has spent more than 30 years in the public transit industry in the areas of Human Resource Management, Training, Labor Relations and General Management.

Under Joe's leadership, RTA won the first FTA Ridership Initiative Award, was awarded the Smart Business/Lexus "World Class Customer Service Award", was named "The Best (Large) Public Transit System in North America" by the APTA, and won the "Gold" system safety award.

In 2008, Joe was named the "Best Public Transit Manager in North America", and in 2009 he received the John Hill Award from the Public Relations Society of America.

Joe received his undergraduate degree in Economics from Syracuse University, his MBA from the University of Buffalo, and completed post-graduate fellowships at Northeastern, the University of Chicago and the Wharton School.

Past president of the NY State Public Transit Association and the Ohio Public Transit Association, Joe serves on the Board of American Public Transportation Association, the Ohio Public Transit Association, the United Way, The Old Stone Educational Center, the Downtown Cleveland Alliance, and the Senior Transportation Connection.

Joe resides in Westlake with his wife Debra

**Quentin L. McCorvey, Sr.**  
Chairman



## **WORKFORCE INVESTMENT BOARD**

City of Cleveland/Cuyahoga County – Area 3

**Dave Reines**  
Interim Executive Director  
(216) 664-3700

### **Candidate for WIB Membership – County**

**Sari Feldman**  
Executive Director  
Cuyahoga County Public Library  
2111 Snow Road  
Parma, OH 44134  
216.749.9490

**Sari Feldman**, Executive Director of Cuyahoga County Public Library since June 2003, heads one of the nation's ten busiest and best library systems. Cuyahoga County Public Library has 28 branches and serves 47 communities. In 2010, a total of 20 million items were borrowed, branches were visited 7.6 million times, and [www.cuyahogalibrary.org](http://www.cuyahogalibrary.org) more than 6 million Home Page views.

Prior to joining Cuyahoga County Public Library, Ms. Feldman was Deputy Director of the Cleveland Public Library. She received a Bachelor of Arts degree in English from State University of New York at Binghamton and a Master's in Library Science degree from the University of Wisconsin, Madison. Since 1984, she has served as an adjunct faculty member at the School of Information Studies, Syracuse University, in Syracuse, New York, teaching graduate courses in library management, reference services, policy and grant writing. She was honored in 1995 with the Vice President's Award for Teacher of the Year.

Ms. Feldman was the President of the Public Library Association, a division of the American Library Association, for the 2009-2010 term. She is a member of the Leadership Cleveland Class of 2004. She serves on the boards of Cuyahoga Arts and Culture. She is a Fellow of the Cleveland State University Maxine Goodman Levin College of Urban Affairs Leadership Academy. In addition, Ms. Feldman was named a 2005 YWCA Woman of Achievement and this year was recognized for her achievements by *Smart Business Magazine*. She is the recipient of the David C. Sweet Leadership Academy Alumni Community Leadership Award and the Leadership Academy's 2002 Community Impact Award. In 2008, she received the Jane Donelson Player of the Year Award from the USA Toy Library Association.

Her past civic involvement includes being a Founding Board Member of OneCommunity and a Board Member of the Literacy Coalition. She also served on the Advisory Task Force of the PlayhouseSquare Education Department and the Cuyahoga Valley Organizational Design Collaborative.

Her professional affiliations include the American Library Association, Beta Phi Mu, the Ohio Library Council, and the Public Library Association. She has written widely for professional publications and is the co-author of three books.



## WORKFORCE INVESTMENT BOARD

City of Cleveland/Cuyahoga County – Area 3

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700

**Current WIB Member – Mandatory Partner**

**(Wagner-Peyser Act/TAA/NAFTA/Vet Employment/Unemployment)**

**Daniel M. Koncos**

Region 2 Coordinator

Ohio Department of Job & Family Services

161 S. High Street, Suite 300

Akron, Ohio 44308

330.252.6502

**Daniel M. Koncos** is the Region 2 Coordinator for the Ohio Department of Job and Family Services. In this position Daniel is responsible for the Workforce areas of Lorain, Cuyahoga and Lake counties. In this roll Mr. Koncos supervises the State Wagner Pyser staff at the One-Stop offices in these areas.

Mr. Koncos has served on the Workforce Investment Board in Cuyahoga County and the City of Cleveland since 1998. As a result, he has been with the WIA Board through numerous changes, including the combined board, and Employment Connection, which has proven to be very successful and is a state model. Mr. Koncos has served on a number of committees to include the Partner Committee and is presently a member of the Finance Committee.

During Mr. Koncos's 29 year career with the Ohio Department of Job and Family Services he has served in various rolls, to include Management of the Unemployment Claims Processing office in Richmond Heights and the Unemployment Claims Call Center in Akron. Daniel has also served in a number of different capacities overseeing the Wagner Pyser Program, Veterans Services Program, Trade Adjustment Assistance and Reemployment Services in Northeast Ohio and other areas of the state.

Mr. Koncos is currently the President of the International Association of Workforce Professionals, the Ohio Chapter. IAWP is an international professional organization for workforce professionals. The mission of IAWP is to develop, serve and support those interested in workforce development programs.

Daniel is a graduate of Kent State University with a Bachelor of Science Degree in Education.

**Quentin L. McCorvey, Sr.**  
Chairman



## **WORKFORCE INVESTMENT BOARD**

City of Cleveland/Cuyahoga County – Area 3

**Dave Reines**  
Interim Executive Director  
(216) 664-3700

### **Candidate for WIB Membership – Mandatory Partner**

#### **(Perkins Act/Education)**

#### **Susan Muha**

Executive Vice President  
Workforce and Economic Development Division (WEDD)  
Cuyahoga Community College  
2451 Woodland Avenue, Room 207  
Cleveland, Ohio 44115  
216.987.3110

**Ms. Susan Muha** serves as the Executive Vice President of Workforce and Economic Development at Cuyahoga Community College. The Workforce and Economic Development division (WEDD), under Ms. Muha's leadership, provides non-credit and credit programming for both individuals and businesses. Through employee training programs, professional development, lifelong learning opportunities and community service programs, WEDD is helping individuals enhance their contributions in the workplace. WEDD's programs offer fast-track training for individuals needing to enter the workforce quickly. Ms. Muha also provides oversight to Tri-C's Corporate College. Corporate College offers employers affordable, cutting-edge and custom-designed training programs to enhance future workforce development, job growth and job retention in Northeast Ohio. At Corporate College, employee participants engage in lifelong learning that builds knowledge, skills and abilities, which furthers their vitality in the workforce and their bottom-line performance. Specifically, Corporate College strategically partners with companies to help them become more innovative, more productive and thus more profitable through the investment in training, education and employee development. This position is responsible for developing new programs and services that progressively impact the greater Northeast Ohio economy.

Prior to joining Cuyahoga Community College, Ms. Muha served as Executive Vice President, Strategic and Economic Development, at San Jacinto Community College. Ms. Muha has also, since 2004 until present, served as CEO of Benchstrength, Inc., a consulting firm. Some of her recent leadership projects and program development include:

#### **ENERGY**

- Worked with the Power Technology Institute, the largest provider of wind technicians in the U.S., to open their new Houston Campus in October 2010.
- Developed a skills development grant for Aggreko, a portable power generation company, to train workers for natural disasters.
- Co-developed the Texas Gulf Coast Petrochemical Industry Network to address the need for 30,000 new petrochemical and maintenance workers over a five to ten year period -- a four-county regional workforce and economic development coalition of 140 companies, four colleges, four economic development agencies and one WIB. Procured over 8.5 million dollars in four years for training, education, and awareness.
- Worked with the Vice President and staff of CenterPoint Energy to secure \$1 million in training dollars to retrain employees to work with the implementation of the smart meter technology in Houston.
- Worked as part of a team from four organizations to obtain a Department of Energy grant for \$2 million to fund identification of new skill sets and new training as a result of changes in the power grid.
- Designed the Energy Venture Summer program as an industry solution to increase awareness of good paying jobs in the industry for young people. Over 500 young people, five colleges, 45 companies and two states are involved annually.

**TRANSPORTATION, DISTRIBUTION AND LOGISTICS**

- Served as the Southern Regional Director of the Manufacturing Skills Standards Council, (MSSC) and is in charge of deploying the certified production technician program and the two new logistics programs across the Southern states.
- Developed the fast-track Logistics Academy for the Maritime University in Virginia Beach.
- Developed the Houston Community College new logistics credit program.
- Collaborated with the Economic Alliance, Port of Houston Region, to establish the International Maritime & Energy Center of Houston framework.
- Developed the first Maritime Training Consortium in Texas to train deck hands and officers in U.S.C.G. certifications. Received funding from the State of Texas, from an earmark from Congress.
- Designed the successful CEVA Logistics training grant.
- Worked with the Houston Pilots Association to support the development of Maritime education in the local High Schools.
- Served on the Port of Houston Education and Training Committee.

**OTHER PROJECTS**

- Designing and deploying a Lean Six Sigma training strategy across Texas, with The Quality Group, for community colleges.
- Developed a consortium of 35 inspection and testing companies for training new and current employees in non-destructive testing (NDT) with a \$3 million dollar grant.
- Assisted Brock Industries with the development of their talent strategy for the construction and maintenance workers across their Texas footprint.
- Received over \$1.5 million to design new industrial technology, machine operator and PLC training.
- Worked with the Northern Brazoria County Education Alliance (NBCEA), a coalition of business and community leaders, to build integrated workforce and economic development strategies.

Ms. Muha earned her Bachelor's in Education from the University of Georgia and her Master's in Health Education from the University of Central Arkansas.



## WORKFORCE INVESTMENT BOARD City of Cleveland/Cuyahoga County – Area 3

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700

### Candidate for WIB Membership – Mandatory Partner

(HUD)

**Jeffery K. Patterson**  
Chief of Staff and Operations  
Cuyahoga Metropolitan Housing Authority  
1441 West 25th Street  
Cleveland, Ohio 44113  
216.348.5031

**Jeffery K. Patterson**, Chief of Staff and Operations, has executive authority over the Operational Departments within the Cuyahoga Metropolitan Housing Authority. A 21-year veteran of public service, Mr. Patterson is a reliable team player with excellent leadership and communication skills that are used to bring various viewpoints to a productive consensus that lead to positive outcomes. As Chief of Staff and Operations, he is responsible for the Authority's \$233 million dollar budget, 700 employees, as well as the oversight and administration of the Departments of Asset Management, Planning and Development, Property Maintenance, Construction, Energy Conservation/Sustainability, Real Estate/HOPE VI Development, Marketing and Communications, Resident Services and Human Resources. Clearly, his extensive expertise in the areas of workforce and organizational development, labor/employment principals, project management, and inter-governmental relations are useful assets to rely on when handling such diverse areas of responsibility.

Prior to being named Chief of Staff and Operations in October of 2006, Mr. Patterson served as Deputy Executive Director of Operations and Human Resource Management. He joined CMHA in January 2002 as Director of Human Resources, bringing significant experience in developing and implementing various policies, procedures, and workforce initiatives. Previous to joining CMHA, Mr. Patterson worked for the City of Cleveland for more than twelve years. He started as an intern in labor relations and worked his way up to the cabinet level position of Director of Personnel and Human Resources. During this period, Mr. Patterson managed the collective bargaining process on behalf of the Mayor as well as directed the Federal Job Training and Employment programs.

Mr. Patterson holds a Bachelor's of Administration from Mount Union College and a Master's of Business Administration from Baldwin-Wallace College. Mr. Patterson serves on the Boards of the Cleveland Area's Alzheimer's Association, University Settlement House, Western Reserve Revitalization Management Company, and CMHA Charities of Choice. In addition, Mr. Patterson is recognized in the first edition, of "Who's Who in Black Cleveland" as well as the 2001 International Edition of "Who's Who in Public Service." Mr. Patterson is a member of Kaleidoscope 40 under 40 class of 2000, and more recently he was a member of Leadership Cleveland's Class of 2010. He is a member of the Society for Human Resource Management, National Public Employer Labor Relations Association, and Public Sector Labor Relations Association. Finally, he is committed to public service, and enjoys working on behalf of the residents of the Cuyahoga Metropolitan Housing Authority.



**Stephen M. Wing**  
President  
Corporate Voices for Working Families

Stephen Wing is the President of Corporate Voices for Working Families, the leading national business membership organization representing the private sector voice in the dialogue on public policy to improve the lives of America's working families. As a nonpartisan 501(c) 3, Corporate Voices facilitates research to advance policy changes in government and business on Worker Flexibility, Family Economic Stability, Early Childhood Education and After School Care, Youth Transitions, and the future of the Mature Workforce.

Prior to Corporate Voices, Wing was Director of Workforce Initiatives for CVS Caremark, the largest provider of prescriptions and related health care services in the nation. With 7,000 stores and 225,000 employees, CVS Caremark and its retail division, CVS/pharmacy, is also one of the country's largest retailers and employer of hourly workers. In his position at CVS, Wing partners with government agencies, non-traditional employment organizations, educational institutions, faith-based organizations and corporate colleagues to provide opportunities for employment and training. Since 1996, CVS Caremark has hired 80,000 former welfare recipients. Wing has helped CVS Caremark to develop cutting-edge programs such as the *Regional Learning Center*, designed in partnership with One-Stop employment offices, and the *Pathways to Pharmacy* initiative which introduces young people in inner city and rural schools to careers in pharmacy. Wing has also expanded the CVS Caremark *Mature Worker* program and has helped to grow the number of CVS employees over the age of 50 to nearly 20% of the company's workforce, thanks in part to flexible work arrangements such as the popular *Snowbird* program.

CVS Caremark has been honored as "2009 National Employer of the Year" from the *Clubhouse Coalition for People with Disabilities* and in 2009 was ranked #20 on list of "Top 50 Employers" for *Careers & the disABLED* magazine. CVS Caremark also received the "2008 Pioneer Award" from *Homes for Working Families* and the U.S. Department of Labor's, "New Freedom Award". The company was also a recipient of *Corporate Voices for Working Families* "Leadership Award" & *Smart Business Magazine's* "Pillar Award".



## **Harriet Shaw Applegate**

County -  
additional partners  
Labor

### **Education:**

1970 – B.A., History, University of Rochester  
1972 – M.A., History, University of Cincinnati.

### **Employment:**

University of Cincinnati  
Instructor, Department of History, 1977-78  
Ohio Public Interest Campaign, 1979-85  
Chair, Citizen/Labor Energy Coalition  
Coordinator, Cincinnati Right-to-Know Campaign  
Statewide Director, Toxic Action Project  
Cincinnati AFL-CIO Labor Council  
Director, Greater Cincinnati Occupational Health Center, 1985-98  
AFL-CIO Department of Field Mobilization  
Field Representative, NE Ohio, 1998-2003  
AFL-CIO Political Department  
National Representative, NE Ohio 2003-06.  
North Shore AFL-CIO Federation of Labor  
Executive Secretary, 07-present

### **Administrative Experience:**

Director, Greater Cincinnati Occupational Health Center, 1985-98  
Administered a \$250,000 annual budget, wrote grants, administered research grants & grants to teach Haz Mat classes, oversaw a medical practice which focused on occupational disease and winning workers compensation claims, organized and conducted medical screenings for asbestos and other lung toxins.  
Labor 2004 Zone Coordinator, Zone H (8)  
Directed the work of 80 paid staff & 350 volunteers; ran walks and phone banks in two locations (Akron & Canton) as well as coordinated Election Day operations in both cities. Stark County, Ohio's 'bellwether county' was the only county in Ohio to switch from red to blue in 2004.  
Executive Secretary, North Shore AFL-CIO Federation of Labor

### **Selected Community Service:**

Co-Chair with Rev. Fred Shuttlesworth, Cincinnati Movement for Human Rights, 1978-79.  
Member, Religion Labor Task Force, 1978-81.  
President, Cincinnati Women Working, 1980-82.  
Member, Cincinnati Environmental Advisory Council (City Mgr appointment), 1985-91.  
Board Member, EEO Advisory Board of Cincinnati (City Mgr appointment), 1991-93.  
Vice-Chair, Cincinnati Civic Renewal Initiative, 1997-98.  
Board Chair, United Labor Agency, 2007-present  
Board member, Hard Hatted Women, 2009-present  
Executive Board member, United Way, 2007-present  
Co Chair, Jobs with Justice, 2007-present  
Member, Cuyahoga County Economic Development Commission, 2011

### **Publications & Papers:**

H. Applegate, ed. Toxic Substances in the Workplace, A Cincinnati Profile. Issued by ORVCOSH, 1981.  
H. Applegate, ed. The Chonider, Cincinnati Labor Council monthly publication, 1983-91.  
H. Applegate et al. The Cincinnati Right-to-Know Law: Use it & Make a Difference: Worker Manual, 1983; Technical Manual, 1983.  
H. Genzer, M. Chermiak, H. Applegate, J. Osterman. Report & Recommendations on Hazardous Waste. Issued by the Environmental Advisory Council for the City of Cincinnati, 1986.  
H. Applegate, C. Reh. Asbestos & Your Health; A GCOHC Educational Pamphlet. 1988.  
H. Applegate, et al. "What Role Can a Labor-Management Committee Play in Reducing Ergonomic Risks to Carpenters?" Paper presented at the American Public Health Assn., 1996.

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700



## **WORKFORCE INVESTMENT BOARD**

**City of Cleveland/Cuyahoga County – Area 3**

### **Current WIB Member – Mandatory Partner**

#### **(Ohio Works First)**

#### **Joe Gauntner**

Deputy Chief of Staff for Human Services  
Office of the County Executive  
1219 Ontario Street, 4<sup>th</sup> Floor  
Cleveland, OH 44113  
216.698.2064

**Joseph Gauntner** currently serves as Deputy Chief of Staff for Human Services, Office of the County Executive.

Prior job titles and roles working for the county commissioners include Director of Employment & Family Services (EFS) providing executive responsibility for a staff of 900 and an annual budget in excess of \$200 million in a department that delivers health care, nutrition, employment and financial benefits in excess of \$2 billion per year to more than 240,000 Cuyahoga County residents. He also served as Director of Cuyahoga Health & Nutrition, Director of the Department of Entitlement and Employment Services, and Director of the Child Support Enforcement Agency.

Mr. Gauntner's community involvement is broad in scope. His prior commitments include State of Ohio Anti-Poverty Commission, Leadership Cleveland Class of 2007, City of Cleveland/ Cuyahoga County Workforce Investment Board, United Way, Harvest for Hunger, Kids Health 2020, Governor's Appointee to Ohio Managed Care Study Committee, Catholic Charities, Healthcare for the Homeless, Near West Housing, Neighborhood Ministry, Catholic Commission on Community Action, Cuyahoga County Ombudsman Program, Ohio Job and Family Services Directors Association, and others. He holds three Master's degrees. He is a graduate of the Executive MBA Program at Cleveland State University.

He holds a Master of Science in Social Work from the University of Louisville and a Master of Science in Urban Studies from Cleveland State University, with the area of focus being management of public agencies. His Bachelor of Arts in Social Service is from Cleveland State University. He is a graduate of the Program for Senior Executives in State and Local Government at the Kennedy School of Government, Harvard University. Mr. Gauntner is a Licensed Independent Social Worker, State of Ohio.

Joe and his wife, Mary Jo Tadsen, have four children and live on Cleveland's Near West Side. He is in the 30th year of a three-year home renovation project.

**Quentin L. McCorvey, Sr.**  
Chairman

**Dave Reines**  
Interim Executive Director  
(216) 664-3700



## **WORKFORCE INVESTMENT BOARD**

City of Cleveland/Cuyahoga County – Area 3

### **Current WIB Member - County**

**Michael Thomas Latkovich**  
Vice President, Rehabilitation Services  
Vocational Guidance Services  
2239 East 55<sup>th</sup> Street  
Cleveland, OH 44103  
216.881.6024

#### **EDUCATION:**

- Master of Applied Communication Theory and Methodology  
Cleveland State University (1989)
- Bachelor of Arts in Mass Media Communication  
Cleveland State University (1981)

#### **EXPERIENCE:**

Vocational Guidance Services (1990 – Present)

Vice President, Rehabilitation Services (2006 – Present)

Maintain fiduciary and legal responsibilities as an elected Officer of the agency. Manage budget, program and personnel factors associated with agency Public Relations, Organizational and Financial Development, services designed to support individuals facing economic barriers to employment and vocational rehabilitation programs including Work Evaluation, Occupational Skills Training, Work Adjustment, Job Coaching, Job Placement, Retention and MR/DD services.

Previous positions with VGS

Vice President, Organization and Resource Development (1997-2006)  
Division Director, Organization and Resource Development (1996)  
Development Officer (1990 – 1996)

Development Director, Bellflower Center for Prevention of Child Abuse (1987-1990)

Grassroots Community Organizing and Fundraising (1984-1987)

#### **PROFESSIONAL AFFILIATIONS:**

- Cuyahoga County/City of Cleveland Workforce Investment Board (2000 – present)
  - WIB Finance Committee, current member, former Committee Chair
- Dress for Success Cleveland, Board Member

#### **PAST PROFESSIONAL AFFILIATIONS:**

- Ohio Council of Fund Raising Executives, Officer and Director
- CSU Alumni Association, Officer and Trustee
- Greater Cleveland Community Shares, Founding Trustee
- Heights Parent Center, Trustee and Chair of Development Committee
- Center for Employment Training - Cleveland, Founding Trustee
- Cuyahoga Work and Training Alliance, Founding Trustee
- Member of WIB Committee on Employment for Persons with Disabilities
- WIB Youth Council, former Committee Chair

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2011-0051

Sponsored by: Council President Connally

**A Motion confirming the County Executive's appointment of Christopher S. Ronayne to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Cleveland-Cuyahoga County Port Authority Board of Directors was established in 1968 to manage maritime operations, and the Organization of the Board of Directors was created pursuant to the provisions of ORC Chapter 4582.03; and,

WHEREAS, the Port of Cleveland fosters job creation and economic vitality in Cleveland and Cuyahoga County; and,

WHEREAS, the Cleveland-Cuyahoga County Port Authority Board of Directors has nine members and the members are appointed by both the City of Cleveland and Cuyahoga County; and,

WHEREAS, members of the Cleveland-Cuyahoga County Port Authority Board of Directors shall be appointed to serve a four (4) year term; and,

WHEREAS, the individual appointed shall have a term commencing immediately upon signature of this Motion, and the expiration of said term shall be January 28, 2015; and,

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

WHEREAS, the County Executive has nominated Christopher S. Ronayne, AICP, President of University Circle Incorporated to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors; and,

WHEREAS, Christopher S. Ronayne, AICP has a vast amount of experience to offer to the Board; including expertise in Urban Planning, Economic Development

and Green Initiatives, and as holding leadership positions in both Cuyahoga County and the City of Cleveland; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

**SECTION 1.** The Council of Cuyahoga County hereby confirms the appointment of Christopher S. Ronayne, to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors for a term of four years, commencing immediately and with a term expiring January 28, 2015.

**SECTION 2.** It is necessary that this Motion become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Motion receives the affirmative vote of eight members of Council, this Motion shall become immediately effective.

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

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Motion was duly approved.

Yeas:

Nays:

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

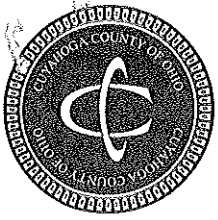
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**EDWARD FITZGERALD**  
Cuyahoga County Executive

October 28, 2011

NOV 2 2011

Cuyahoga County Council

C. Ellen Connally, President  
Cuyahoga County Council  
Cuyahoga County Administration Building  
1219 Ontario Street, 4<sup>th</sup> Floor  
Cleveland, OH 44113

Re: Cleveland-Cuyahoga County Port Authority Board of Directors

Dear President Connally:

Pursuant to Ohio Revised Code Section 4582.03, I submit for Council's confirmation, the following appointee to the Cleveland-Cuyahoga County Port Authority Board of Directors:

- **Christopher S. Ronayne, AICP**

The Port Authority was created in 1968 to manage this area's maritime operations. The Board of Directors has nine members and the members are appointed by both the City of Cleveland and Cuyahoga County. The term for all members of this body is four years.

A copy of Mr. Ronayne's CV and background information are attached for your review. Mr. Ronayne will bring a vast amount of experience to this Board, including expertise in Urban Planning, Economic Development and Green Initiatives. Additionally, his leadership positions with both Cuyahoga County and the City of Cleveland are well suited to this body that embraces the need for collaboration and regionalism for our continued success, growth and vitality.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive

cc: Yvonne Conwell  
William D. Friedman

# Christopher S. Ronayne, AICP

1267 W. 103<sup>rd</sup> Street, Cleveland, OH 44102

(216) 651-3165 (h) / (216) 225-8450 (c)

cronayne@roadrunner.com

cronayne@universitycircle.org

## PROFESSIONAL EXPERIENCE

### 12/05-Present **President, University Circle Incorporated, Cleveland, OH**

- Oversee \$9M annual budget, \$45M asset portfolio, and 80 employees
- Manage 7 company service lines including a community police department, property management and maintenance department, community education department, marketing and communications department, finance and administration, resource development department, and community planning department
- Align resources to corporate mission of creating a premier urban district in Cleveland's 2<sup>nd</sup> largest employment center.
- Oversee the management of 370 residential and commercial properties, education programs that serve over 20,000 school programs, and marketing programs that contribute to over 3M annual visitors to the University Circle District

### 01/05-12/05 **Chief of Staff & Chief Development Officer, City of Cleveland, OH**

- Oversaw 20 city departments comprised of 9,000 public employees
- Coordinated the chief functions of the operations, development, health and safety, law and finance clusters of the City of Cleveland
- Administered \$485 M annual budget allocated to operations, safety, development, utilities, and administration
- Tracked outcome-based performance measures of the city's development, operations, and health and safety departments through a managed *CitisStat* program
- Secured \$49M from the Ohio Department of Transportation for a new lakefront boulevard
- Organized a public advocacy campaign that successfully secured \$146 M in federal dollars for local infrastructure projects from the 2005 Transportation Bill
- Oversaw the public and external design, infrastructure development, legislative framework, and public finance portion of \$3B in Cleveland community investment projects currently underway
- Directly managed the directors of the departments of Building and Housing, Community Development, Economic Development, and City Planning

### 01/02-12/04 **Director, Department of City Planning, City of Cleveland, OH**

- Directed the Cleveland Waterfront District Plan, which engaged 5,000 residents through 150 public meetings over three years
- Won the American Institute of Architect's Planning Achievement Award for *Connecting Cleveland: The Waterfront District Plan*. The 3,000 acre concept development plan is the largest in the city's history and has already received \$75 M in federal and state support for infrastructure.

- Founded the Downtown Livabilities Committee, which delivered a new 4-acre downtown park, a new skatepark at Northcoast Harbor, the Detroit Superior Veteran's Memorial Bridge enhancement project, and a series of summer events for the public malls downtown.
- Directed the web-based update of the Comprehensive Citywide Plan, *Connecting Cleveland: The 2020 Citywide Plan*
- Managed the department's \$1M budget and its 33 employees in the divisions of planning and design review, landmarks, urban design, geographic information systems, information technology, and administrative services
- Directly staffed the community boards of the Cleveland City Planning Commission, the Cleveland Landmarks Commission, and the City Design Review Committee and represented the Great Lakes Cities Initiative in collaboration with 40 other Great Lakes Cities

10/00-07/01 **Division Manager, Employer Resources Division, Cuyahoga County  
Department of Development, Cleveland, OH**

- Initiated employee retention and resource development outreach for 5,000 Countywide employers
- Managed staff of four persons responsible for workforce and training contract assistance for employers receiving public support
- Developed employee-resource assistance tools and outreach portfolio for development assistance to employers
- Created on-line job skills matching program to interface with Cuyahoga Department of Work and Training to assist department in complying with the job placement requirements of Workforce Reconciliation Act and to assist employers with workforce needs

10-97/10-00 **Executive Assistant, Board of County Commissioners, Cleveland, OH**

- Served two County Commissioners and Board President as external liaison to community development, NOACA metropolitan planning organization, the First Suburbs Consortium, the Cuyahoga County Mayors and Managers Association, and the HOME program
- Served as internal executive assistant to the departments of development, county planning, properties, purchasing and diversity, justice services, Cuyahoga work and training, health and nutrition, and senior and adult services
- Coordinated constituent management program for Commissioners Office
- Co-created, with the County Planning Commission and the Regional Transit Authority, a work and transit program to respond to the Workforce Reconciliation Act requirements for welfare reform and the persistent reverse commute problems affecting transit dependent constituents

5/96-10/97 **Planner, Cuyahoga County Planning Commission, Cleveland, OH**

- Chief Demographic Specialist in charge of data coordination and dissemination of US Census Data in conjunction with two other local census affiliates at Cleveland State University and the Northeast Ohio Areawide Coordinating Agency (NOACA) Metropolitan Planning Organization
- Co-Managed local 2000 Census Campaign with the City of Cleveland
- Conducted cohort population forecasting for municipal school districts
- Developed comprehensive community master plans for the communities of Bedford and Bedford Heights Ohio



## EDUCATION

**CLEVELAND STATE UNIVERSITY, CLEVELAND, OH**  
Maxine Goodman Levin College of Urban Affairs  
Masters of Urban Planning Design and Development, 1997  
Concentration: Housing and Environmental Planning

**MIAMI UNIVERSITY, OXFORD, OH**  
Bachelor of Science, Business Administration, 1990  
Major: Organizational Behavior  
Minor: Political Science

**MIAMI UNIVERSITY, GD LUXEMBOURG**  
Miami University Dolibois European Center  
International Business School, 1989  
Concentration: International Business and Economics

## PROFESSIONAL SPEAKING INVITATIONS AND LECTURES

### **Canadian Institute of Planners**

Topic: *"The Next Urban Frontier"*

Keynote Address CIP Annual Meeting, Niagara Falls Ontario 2009

### **Chilean Ministry of Housing and Urbanism, National Bicentennial Commission**

Topic: *"Historic Preservation and Renewal Management of Waterfront Cities"*

United States Department of State Specialist Grant

Concepcion and Santiago, Chile 2005

### **American Planning Association**

Topic: Training Module for Planning Directors *"Finding Resources for Plan Implementation"*

American Planning Association – Big City Planning Directors Division  
APA National Conference, San Francisco 2005

### **Great Lakes Cities Initiative**

Topic: *"Connecting Cleveland: The Waterfront District Plan"*

Great Lakes Mayors Conference, Chicago 2004

### **American Planning Association**

Topic: *"Focus Washington D.C: Benefits of a City Planning Commission"*  
American Planning Association – Big City Planning Directors Division  
APA National Conference, Washington DC 2005

**Strategy Group Institute, Toronto Ontario**

Topic: *"Reclaiming Urban Waterfronts – Getting over the Roadway"*  
Strategy Group – Urban Waterfronts Forum, Toronto 2003

**PROFESSIONAL ACTIVITIES & AFFILIATIONS**

2011-Present: Board Member, Notre Dame College, South Euclid Ohio  
2008-Present: Board Vice Chairman, Friends of the Cleveland School of the Arts  
2007-Present: Board Member, Sherwick Foundation  
2006-Present: Board Member, Cleveland Convention and Visitor's Bureau  
2006-Present: Board Member, John Hay School for Architecture and Design  
2005-Present: Board Chairman, Holden Parks Trust  
2005-Present: Board Chairman, Visiting Committee, CSU Levin College of Urban Affairs  
2004- Present: U.S. Delegate, British American Project  
2003-Present: Certified Planner, American Institute of Certified Planners  
2002-Present: Board Member, University Circle Inc.  
2000-Present: Member, City Club of Cleveland  
2002-2005: Board Member, Northeast Ohio Areawide Coordinating Agency  
2002-2005: Board Member, Cuyahoga County Planning Commission  
2002-2004: Chairman, City of Cleveland Downtown Livabilities Committee  
2002-2004: Board Member, Cleveland Landmarks Commission

**AWARDS & ACHIEVEMENTS**

2010 NOACA Annual Walter Ernfeldt Award for Regional Collaboration  
2009 University Distinguished Alumni Recipient, Cleveland State University  
2005 Smart Growth Education Foundation, Comprehensive Plan Award for *"Connecting Cleveland, the Waterfront District Plan"*  
2005 American Institute of Architects Planning Achievement Award for *"Connecting Cleveland, the Waterfront District Plan"*  
2004 Dean's Distinguished Alumni Award, Cleveland State University Levin College of Urban Affairs  
2004 Public Administrator of the Year Award, CSU American Society of Public Administrators  
2003 Crain's Cleveland Business "Forty under Forty" Award  
1996 Wallace G. Teare "Outstanding Planning Student" Award

References: Available Upon request

## CHRIS RONAYNE



Chris Ronayne was named President of University Circle Inc (UCI) in 2005. UCI is the non-profit community service corporation responsible for the development, service, and advocacy of University Circle as a world-class center of innovation in health care, education, and arts & culture and premier urban district. Since becoming UCI's seventh president, Ronayne developed a dynamic and aggressive agenda to leverage the institutional assets of the Circle's anchor "Eds, Meds, and Arts" organizations and transform it into a vibrant mixed-use district.

Ronayne and his staff partner with more than 40 member institutions to oversee the growth and direction of Ohio's fastest growing employment district, with UCI providing community planning, development, education, marketing, police, and other shared services.

Before joining UCI, Ronayne served the City of Cleveland as the City's Planning Director, Chief Development Officer, and Chief of Staff. He was the chief architect of the City's Waterfront District Plan, an ambitious effort to reconnect the people of Cleveland to Lake Erie.

In addition to his role with UCI, Ronayne is Chairman of the Holden Parks Trust, a member of CEOs for Cities, the American Planning Association, and numerous local boards and foundations. Ronayne is a frequent speaker and lecturer at urban development seminars and forums across the United States and internationally. Ronayne holds a Masters degree in Urban Planning, Design, and Development from Cleveland State University and a Bachelors degree in Business from Miami University in Oxford, Ohio.

He is married to Natalie Ronayne, executive director for the Cleveland Botanical Garden. They live in the City of Cleveland with their two children.

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2011-0052

Sponsored by: <b>Councilmember Greenspan</b>	<b>A Motion</b> amending Rule 9D of the Rules of the Cuyahoga County Council; and declaring the necessity that this Motion become immediately effective.
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WHEREAS, the Cuyahoga County Charter provides in Article 2, Section 10, Subsection 2 that the Cuyahoga County Council shall adopt its own rules; and

WHEREAS, on January 3, 2011, the Cuyahoga County Council adopted interim rules that are set to expire on March 22, 2011; and

WHEREAS, on March 22, 2011, the Cuyahoga County Council amended Rule 16D of the interim rules to change the expiration date to April 26, 2011.

WHEREAS, the interim Rules of Council provided that permanent rules shall be adopted by a Motion of Council receiving the affirmative vote of at least seven (7) members of County Council; and

WHEREAS, the Council's purpose and intent in adopting these rules is to develop operating procedures for the Council that are clear and understandable, promote fair and orderly conduct of the Council's business, facilitate openness and public participation, provide for easy access to public records, and encourage ethical conduct;

WHEREAS, Council approved permanent rules on April 26, 2011 in Motion No. M2011-0007; and

WHEREAS, Council deems it necessary to amend the permanent Rules of Council in order to strengthen the requirement that legislation be read at three (3) regular meetings of Council and to facilitate the clear understanding of possible changes to said legislation by Council and by the public.

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

**SECTION 1:** The Rules of Cuyahoga County Council, approved by Council in Motion No. M2011-0007, is hereby amended to read as follows (additions are bolded and underlined; deletions are stricken out):

# Cuyahoga County Council Rules



**Cuyahoga County Council**  
**Rules, Charter Review, Ethics and Council Operations Committee**  
**Dave Greenspan, Chair**  
**Dale Miller, Vice Chair**  
**C. Ellen Connally**  
**Sunny Simon**  
**Dan Brady**

**~~April 26, 2011~~**

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## **Article I. Rules of the Cuyahoga County Council**

Proposed to be adopted as the Permanent Rules of Cuyahoga County Council

## **Article II. Council Rules Adopted**

The following "Rules of the Cuyahoga County Council" are hereby adopted for the fair, orderly, open, and ethical conduct of business by the County Council. These rules shall be posted on the County's website and shall be available as a public record.

## **Article III. Definitions**

Section 1. "Adopted" or "adoption" means approval of legislation by Council after three (3) or more readings or after dispensing with the requirement of three (3) readings.

Section 2. "Adjourned session" means a meeting that has concluded, but prior to the conclusion of the meeting the time and date for another meeting to continue the business of the meeting has been set.

Section 3. "Agenda" means a list of all ordinances, resolutions, motions, and reports to be considered by Council at a regular or special meeting that is prepared by the Clerk of Council in written form prior to the meeting, or a similar list of matters to be considered at a Council committee meeting.

Section 4. "Charter" means the Charter of Cuyahoga County, adopted by the electors of Cuyahoga County at the general election on November 3, 2009, as amended.

Section 5. "Clerk" means the Clerk of Council.

Section 6. "County" means Cuyahoga County.

Section 7. "Enacted" or "enactment" means, with respect to legislation, adoption by Council and approval by the Executive within ten (10) days after presentation by the Clerk; or adoption by Council and the expiration of ten (10) days without approval or veto by the Executive; or approval by the vote of at least eight (8) Members of Council upon reconsideration after disapproval by the Executive as provided by the Charter.

Section 8. "Executive" means the County Executive of Cuyahoga County as provided in Article 2 of the Charter.

Section 9. "Executive Session" means a meeting of Council or a Committee of Council not open to the public held according to ORC Section 121.22, as amended.

Section 10. "Record of Council" means the permanent record, maintained by the Clerk, of the agenda, minutes, reports, legislation adopted, and motions approved by the County Council and its committees.

Section 11. "Legislation" means any ordinance or resolution, including a Motion of Council or Ceremonial Resolution, submitted to the Council for consideration. Legislation shall be designated as an "ordinance" if it is of a general and permanent nature and as a "resolution" if it is of a temporary nature or does not prescribe any permanent rules of conduct and/or expression of legislative intent.

Section 12. "Matters" mean all legislation, parliamentary motions, agenda items, and requests to address Council.

Section 13. "Meeting" means any prearranged discussion of public business by a majority of the Members of Council or by a majority of the Members of any Council committee.

Section 14. "Member" means a Member of the County Council, as provided in Article 3 of the Charter, unless the context clearly indicates otherwise.

Section 15. "Motion of Council" means a form of resolution which proposes action by the Council that is not of a general nature and is not subject to veto by the Executive.

Section 16. "Organizational Meeting" means the Regular Council Meeting which occurs on the first business day of each year that immediately follows the year during which elections are held for the office of Member of County Council.

Section 17. "Parliamentary Motion" means a proposal made in a meeting of Council or a Committee of Council in accordance with the Rules of Council to expedite or control deliberations and the transaction of business.

Section 18. "Presiding officer" means the President for a meeting of Council and the Chairperson for a committee.

Section 19. "Regular Council Meeting" means a prearranged meeting of the County Council scheduled pursuant to a Motion of Council approved to set or amend the Council calendar for each year.

Section 20. "Special Council Meeting" means a meeting of Council that is neither a Regular Council Meeting, nor the resumption of a Regular or Special Council Meeting that had been adjourned to another time or day and time.

## **Article IV. Rules**

### **Rule 1. Members of Council**

#### Rule 1A: Member Conduct

Members shall at all times conduct themselves with courtesy and respect for their fellow officeholders, the Executive and members of the administration, county employees, and the public, and shall discharge their duties in accordance with the high public trust placed in them.

#### Rule 1B: Members to Provide Contact Information

Upon taking office, each Member shall provide the clerk contact information including business and residential address, office, facsimile, home and cellular telephone number(s) and email address(es). Based on the information provided, the Member shall designate primary contact information to which notices shall be sent.

#### Rule 1C: Council Vacancy

If a vacancy occurs in the position of any Member and it becomes the responsibility of Council to fill that vacancy according to Article 3, Section 5 or 6 of the Charter, the Council shall fill the vacancy by adoption of a Motion of Council within the 30-day time limit set by the Charter.

#### Rule 1D: Proclamations and Letters of Commendation and Condolence

The President may, on the request of any Member, sign proclamations or letters of commendation or condolence on behalf of the Council. Such proclamations or letters shall include the signatures of the President and the sponsoring Member(s).

### **Rule 2. Officers of Council**

#### Rule 2A: Organizational Meeting

On the first business day of each year following a general election for Members of Council, the Council shall conduct an Organizational Meeting, at which it shall elect one of its Members as President and one other Member as Vice-President, in accordance with Article 3, Section 10 Subsection 1 of the Charter, to serve until their successors are chosen at the next organizational meeting of Council.

#### Rule 2B: Clerk's Role at Organizational Meeting

The Clerk shall preside over the Organizational Meeting until the President is chosen, after which the President shall preside over the remainder of the Organizational Meeting.

#### Rule 2C: Process for Election of Council Leadership

The President and Vice President shall be elected at the Organizational Meeting as follows:

- (1) Any Member may nominate themselves or another Member, and a second shall not be required.
- (2) After all nominations for President have been made, the Clerk shall call the roll, and each Member shall vote for one candidate.
- (3) A Member must receive at least six (6) votes for election. If no Member receives six (6) votes and one candidate receives the fewest number of votes, the candidate receiving the fewest number of votes shall be eliminated and the voting process shall be repeated. If two or more candidates are tied for the least number of votes, then no candidates shall be eliminated, and the voting process shall be repeated. If no candidate receives six (6) votes in the second round, the process described above shall be repeated until a candidate is elected.
- (4) After the election of the President, the Vice President shall be elected in the same manner.

#### Rule 2D: Duties of President of Council

The President shall preside at all meetings of Council and shall perform all duties as specified in the Charter, the Codified Ordinances of Cuyahoga County, these Council Rules, or by Motion of Council. The President may appoint any Member to preside at any meeting of Council, but such appointment shall not extend beyond the duration of that meeting.

#### Rule 2E: Duties of Vice-President of Council

The Vice-President shall preside in the absence or disability of the President at all meetings of Council, shall perform all the duties of the President during such absence or disability, and shall perform all other duties as set forth in the Charter, the Codified Ordinances of Cuyahoga County, these Council rules, or by Motion of Council.

#### Rule 2F: Absence or Disability of President and Vice-President

In the absence or disability of both the President and Vice-President, the Member with the most seniority shall serve as President Pro-Tem and perform all the duties of the President during such absence or disability. If no one Member has the most seniority, the Clerk shall conduct an election for President Pro-Tem, with all Members being eligible, using the procedure set forth in Rule 2C, except that a majority of those voting shall be sufficient for election.

#### Rule 2G: Council Officer Vacancy

If a vacancy occurs in the office of President, the Vice-President shall become President. Not later than the second regular meeting after the vacancy occurs, the

President shall conduct an election for Vice- President, following the procedure set forth in Rule 2C. The same election procedures shall be followed if a vacancy occurs in the office of Vice-President.

**Rule 2H: Council Officers Entitled to Vote**

The President and Vice-President shall be entitled to vote on all matters.

**Rule 3. Council Personnel**

**Rule 3A: Clerk of Council**

The Council shall appoint and set the salary and compensation for a Clerk of Council, who shall have the following duties:

- (1) Attend meetings of Council, determine quorums, record the proceedings and the votes of each Member, and keep the minutes of the proceedings;
- (2) Provide notices as required by the Charter, general law, and these Council Rules;
- (3) Accept, record, and compile proposed legislation for inclusion in the agenda of Council;
- (4) Deliver all adopted legislation to the Executive;
- (5) Deliver proposed legislation to the Committee Chairs;
- (6) Accept and provide to the President requests to address Council;
- (7) Publish all legislation as required by these Council Rules;
- (8) Publish the Record of Council;
- (9) Conduct the election of the President of Council;
- (10) Attend Council Committee meetings in person or by designee, determine quorums, record the proceedings and the votes of each member, keep the minutes of the proceedings, and accept and provide the Chairperson requests to address the Committee;
- (11) Any other duties that the Council determines are necessary for the performance of its duties.

**Rule 3B: Other Council Personnel**

- (1) The Council shall, by appropriate legislation, determine the job titles, classifications, compensation and duties of full or part-time staff as are needed to properly perform the duties of Council as set forth in the Charter; and in so doing,

Council shall reference the classification and salary administration system as established by ordinance and administered by the Human Resources Commission.

(2) The Council shall, by appropriate legislation, determine the compensation and duties of other personnel, such as contractors or professional experts or other consultants on a retainer or contract basis, as are needed to properly perform the duties of Council as set forth in the Charter.

#### **Rule 4. Quorum of Council**

##### **Rule 4A: Quorum Defined**

A quorum of Council shall consist of six (6) Members, which shall constitute the number of Members required to transact any business that does not require a larger number of Members, as specified in the Charter and/or these Council Rules.

##### **Rule 4B: Clerk to Determine Quorum**

The Clerk shall determine the presence of a quorum by roll call at the beginning of each Council meeting, shall announce that a quorum is present, and shall keep a record of Members present.

##### **Rule 4C: Absence of Quorum**

A Member may at any time raise a point of order and request the President to determine whether a quorum is present. The President shall then direct the Clerk to call the roll of Members. If a quorum is not present, the Council may not conduct any business until a quorum is restored, except to adjourn, fix a date and time to which to adjourn, or take any other action permitted in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

#### **Rule 5. Meetings of Council**

##### **Rule 5A: Schedule of Regular Council Meetings**

At each Organizational Meeting, the Council, by a Motion of Council, shall establish a schedule of the dates, times, and locations of all Regular Council meetings for the following two years.

##### **Rule 5B: Regular Place and Times for Council Meetings**

All meetings of Council shall take place at the County Council Chambers on the first floor of the Justice Center at 1200 Ontario Avenue, Cleveland, Ohio, 44113, unless otherwise specified. Regular Council Meetings shall take place on the 2nd and 4th Tuesday of each month at 6:00 PM, unless otherwise specified in the annual schedule established by the Council.

#### Rule 5C: Procedure and Notice for Change of Council Meeting Schedule

(1) The Council may, by Motion of Council, change the date, time, or place of any Regular Council Meeting or cancel any Regular Council Meeting; however, the Council shall provide at least three (3) days notice in rescheduling any Regular Council Meeting. In an emergency, the President may cancel and/or reschedule a Regular Council Meeting. Notice of any rescheduled Regular Meeting of Council shall be promptly given to all Members, posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

(2) When any changes are made to the Council's annual schedule, the Clerk shall promptly update the biennial schedule on the County's website. The Clerk shall also provide a copy of the current biennial schedule of Council meetings to any member of the public upon request.

#### Rule 5D: Notice Required for Adjourned Meeting of Council

The Council may adjourn any meeting to a time and place certain. Notice shall be given to any Members not in attendance at the meeting so adjourned, not later than the third business day prior to the meeting of the adjourned session or as soon as practicable if such adjournment is for a time less than four (4) days. Notice of the adjourned session shall at the same time also be posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

#### Rule 5E: Special Council Meetings

A Special Council Meeting may be called by the President upon notification to the Clerk or by any five (5) Members, upon delivery to the Clerk of a written request, specifying the date, time, location, and purpose of such meeting, along with the titles of any legislation to be discussed. At a Special Council Meeting called by five (5) Members, only matters specified in the request may be considered. All Special Council Meetings shall follow all rules regarding open meetings and public notice that apply to Regular Council Meetings.

#### Rule 5F: Notice Required for Special Council Meeting

Notice of the date, time, location, and agenda for any Special Council Meeting shall be given to all Members not later than twenty-four (24) hours prior to the time of such meeting and shall at the same time be posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

#### Rule 5G: Digital Record of Council Meetings Required

All meetings of Council shall be audiotaped and/or videotaped, and these recordings shall be preserved by the Clerk as public records.

Rule 5H: Absence of Members

Members are expected to attend all Regular Council Meetings. Not later than the second Regular Council Meeting following a meeting at which a Member is absent, the Council may vote to excuse that member's absence. Absences may be excused by parliamentary motion. The Clerk shall record the presence or absence of each Member at each Council Meeting, and shall record which absences are excused. As provided in Article 12, Section 3 of the Charter, any Member who is absent from three consecutive Regular Council Meetings, without being excused by Council, shall forfeit his/her office in the Council.

Rule 5I: Council Meeting Agenda

The Clerk, with the approval of the President shall prepare the agenda for each Council meeting. The agenda shall include proclamations, ordinances, resolutions, Motions of Council, messages from the Executive, committee reports, and other business to be considered, arranged in order as provided for in Rule 6A.

Rule 5J: Publication of Agenda for Council Meetings

Not later than the close of business on the second business day prior to any Council meeting, the Clerk shall post the agenda for the meeting and supporting information from the packets of information prepared for Council on the County's website and include the same information in the Record of Council, and the Clerk shall post the agenda at the Clerk's office.

Rule 5K: Council Member Packets

Not later than the close of business on the second business day prior to any meeting of Council, the Clerk shall provide each Member with a packet providing background information on the matters expected to come before Council at the next meeting and containing the draft minutes of the previous meeting. The packets may be provided in an electronic format.

Rule 5L: Deadline for Submission of Items for Council Agenda

All items requested to be placed on the agenda for introduction at any Regular Council Meeting shall be submitted to the Clerk in the final form that they will be submitted to Council no later than the close of business on the fifth (5th) business day prior to the Regular Council Meeting. Exceptions to this deadline may be made with the approval of the President and the Clerk.

**Rule 6. Order of Business**

Rule 6A: Order of Business

The business of Council shall be conducted in the following order:

- (1) Call meeting to order
- (2) Roll Call



- (3) The Pledge of Allegiance to the flag of the United States of America
- (4) Silent meditation
- (5) Public comment relating to today's agenda
- (6) Approval of minutes
- (7) Messages from the Executive
- (8) Consideration of Ceremonial Resolutions
- (9) Consideration of Motions of Council
- (10) First reading of legislation by title
- (11) Consideration of motions for first reading adoption under suspension of rules
- (12) Committee reports and second reading of legislation by title
- (13) Consideration of motions for second reading adoption under suspension of rules
- (14) Consideration of legislation being read by title for the third time or more
- (15) Miscellaneous committee reports
- (16) Miscellaneous business
- (17) Public comment not relating to today's agenda
- (18) Adjournment of meeting

**Rule 6B: Council Authority to Determine Agenda**

The Council may, by adoption of a parliamentary motion, change the order of business or add items to or delete items from the order of business at any meeting of Council. Rule 6A shall not apply to an Organizational Meeting of Council, at which the Council shall adopt its own order of business and agenda by parliamentary motion.

**Rule 7. Actions of Council**

**Rule 7A: Types of Council Action**

The Council may take action only through ordinances, resolutions, Ceremonial Resolutions, Motions of Council, and parliamentary motions.

Rule 7B: Ordinances

- (1) An ordinance shall provide for matters of a general and permanent nature.
- (2) The heading of an ordinance shall be as follows:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

Ordinance No. \_\_\_\_\_

Sponsored by \_\_\_\_\_

- (3) Each ordinance shall contain only one subject. The title shall be a succinct summary of the subject and purpose of the ordinance. Legislation amending existing law shall also be noted as such in the title.
- (4) The Clerk shall assign a number to each ordinance, which shall indicate the year of introduction, and the number of the ordinance within that year.
- (5) The ordinance shall state the sponsor and any cosponsors. Two or more Members may jointly sponsor an ordinance.
- (6) The enacting clause shall read , "Be it enacted by the County Council of Cuyahoga County, Ohio:"

Rule 7C: Resolutions

- (1) A resolution proposes legislative action that does not involve permanent changes in law.
- (2) The heading for a resolution shall be as follows:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

Resolution No. \_\_\_\_\_

Sponsored by: \_\_\_\_\_

- (3) Each resolution shall contain only one subject. The title shall be a succinct summary of the subject and purpose of the resolution.
- (4) The Clerk shall assign a number to each resolution, which shall indicate the year of introduction and the number of the resolution within that year.
- (5) The resolution shall state the sponsor and any cosponsors. Two or more Members may jointly sponsor a resolution.
- (6) The resolution shall contain statements of support, followed by a resolution clause that reads, "Be it resolved by the County Council of Cuyahoga County, Ohio, that..."

#### Rule 7D: Ceremonial Resolutions

- (1) Ceremonial resolutions are acknowledgements, generally of congratulation or condolence, to recognize a noteworthy event or person.
- (2) Ceremonial resolutions shall be adopted in the same manner as other resolutions.

#### Rule 7E: Motions of Council

- (1) Any non-legislative power of the County Council or actions not subject to Executive veto, other than Ceremonial Resolutions, may be exercised by adoption of a resolution in the form of a Motion of Council. These powers include, but are not limited to:
  - (A) Organization and administration of the Council.
  - (B) Confirmation or rejection of appointments proposed by the Executive.
  - (C) Actions necessary to exercise Council's oversight authority, pursuant to Article 3, Section 9, Subsection 10 and Article 3, Section 12 of the Charter.
  - (D) Actions expressing the sentiment of Council on a public issue.
- (2) All approved Motions of Council shall be in written form, provide the full text of the motion, indicate the name(s) of the Member(s) who made the motion and the date of approval by Council, and shall be signed by the President and Clerk.
- (3) A Motion of Council shall be adopted in the same way as other resolutions.
- (4) The Clerk shall assign a number to all Motions of Council, and they shall be posted on the County's website and shall be kept in the Record of Council.

#### Rule 7F: Parliamentary Motions

Actions of a procedural nature, including to excuse the absence of a member, may be approved by passage of the appropriate parliamentary motion.

#### Rule 7G: Sponsorship

At any point prior to final passage of legislation in Council, any Member may add or withdraw his/her name as a sponsor by notifying the Clerk.

### **Rule 8. Decorum**

#### Rule 8A: Visual Demonstrations Prohibited

No posters, placards, banners or signs shall be carried into Council Chambers or into any committee meeting.

Rule 8B: Respectful Presence

Any applause, outburst, or demonstration during any Council or committee meeting shall be permitted only when respectful toward all persons present and not disruptive of the proceedings at the meeting.

Rule 8C: Audible Communication Devices Prohibited

No use of any audible wireless communication device shall be permitted during Council or committee meetings.

Rule 8D: Filming, Taping, and Recording

No one may film, tape, or record any meeting of Council or a committee meeting in a way that disrupts or significantly interferes with the conduct of the meeting. Anyone who intends to film, tape, or record any meeting of Council or a committee meeting is requested to register with the Clerk prior to the meeting on a written form that will be provided for this purpose. The Clerk shall set up a process for those who intend to film, tape, or record on a regular basis to provide a single registration, which shall be effective until the next Organizational Meeting of Council.

**Rule 9. Parliamentary Procedure**

Rule 9A: Parliamentary Procedure Manual

The parliamentary guide for procedural issues not covered in these Council Rules shall be Robert's Rules of Order, Newly Revised.

Rule 9B: Presiding Officer to Direct Meetings

All discussion in Council and committee shall go through the presiding officer, who shall control the order of speakers and shall put motions offered by Members before the Council or committee for consideration and action.

Rule 9C: Reading of Legislation

Legislation shall be read by title only.

Rule 9D: Three Readings Required

**(1)** All legislation shall be read on three (3) separate days at regular Council meetings, unless this requirement is dispensed with by the affirmative vote of seven (7) Members of Council, as provided in Article 3, Section 10, Subsection 4 of the Charter. A motion to dispense with the requirement that legislation be read on three (3) separate days shall be in order only if each Member has a readily accessible paper or electronic copy of the ordinance or resolution to which this motion applies; and this motion may not apply to more than one ordinance or resolution, except by unanimous consent.

**(2) If legislation is voted out of committee with the stipulation that it is to be sent back to committee, then the original re-introduction to council shall not be considered, an "Official Reading" for purposes of three readings.**

## Rule 9E: Parliamentary Motions

(1) Parliamentary motions are classified as follows: main motion, subsidiary motions, privileged motions, incidental motions, and renewal motions.

(2) Privileged motions do not relate to the pending business, but deal with matters of immediate importance, and given precedence, in the following order, starting with the highest:

(A) Adjourn to a time certain

(B) Adjourn

(C) Recess

(D) Raise a question of privilege, making a request relating to the rights of members

(E) Call for orders of the day, to ask that the Council or committee conform to the agenda

(3) Subsidiary motions aid in handling the main motion. They rank below privileged motions and are listed below in order of precedence, starting with the highest:

(A) To lay on the table, a motion to set aside business temporarily when something else of immediate urgency has arisen. This motion is not to be used simply to prevent a direct vote on a motion.

(B) Previous question, a motion to close debate and vote immediately, which requires a 2/3 vote of the Members present and voting.

(C) To limit or extend debate

(D) To postpone to a day certain

(E) To commit or refer to committee

(F) To postpone indefinitely

(G) To amend

(4) Incidental motions deal with questions of procedure which must be decided before business can proceed. The following incidental motions may take priority over a privileged or subsidiary motion, depending on how the motion relates to the main motion.

(A) Point of order

(B) Suspension of the rules

(C) To withdraw a motion

(D) To divide a question, asking that allows a motion with several parts be considered as two or more separate questions.

(5) A main motion to bring an item for consideration before the Council or any committee of Council is not in order when any other question is before the Council and yields to all privileged, incidental, and subsidiary motions.

(6) The following renewal motions bring a question back before the Council or committee:

(A) Take from the table

(B) Rescind, a motion to cancel the action taken in a previously approved motion

(C) Reconsider, a motion to bring back for further consideration a motion that had previously been voted on.

#### Rule 9F: Renewal of Motions

Motions that failed to be adopted may be renewed at another meeting, but may not be reintroduced at the same meeting.

#### Rule 9G: Motion to Reconsider

A motion to reconsider must be made by a Member who voted on the prevailing side when the question was first voted on and must be made on the same day or at the next meeting of the Council or committee at which the question was originally voted on.

#### Rule 9H: Time Limit for Members Speaking

Members may not speak for more than five (5) minutes at a time at a Council meeting on any one topic; but this limit may be extended at the discretion of the President.

#### Rule 9I: Non-debatable Motion Following Speech Prohibited

It shall not be in order to conclude a speech in the Council or in committee by making a non-debatable motion.

#### Rule 9J: Amendments

All amendments shall be germane to the subject that is proposed to be amended. All proposed amendments to an ordinance, resolution, or Motion of Council shall be in written form, except that the President or the chairperson of a committee may accept for consideration a verbal amendment that is clear, unambiguous, and may be

presented in a single sentence or a few words. A parliamentary motion need not be in written form.

**Rule 9K: Committee Authority to Pass Amendments**

If an amendment is approved in committee, it shall not need to be approved by Council; nor shall passage of an amendment change the number of readings in Council required for passage of an ordinance, resolution, or Motion of Council.

**Rule 9L: Executive Appointments**

Approval of appointments of the Executive shall require a Motion of Council. The prospective appointment shall be considered at one or more meetings of the appropriate committee, unless this requirement is dispensed with by a vote of at least eight (8) Members. The Council shall make decisions regarding appointments of the Executive based on the best obtainable information on how well the experience and qualifications of the applicant match the requirements of the position for which the applicant is being considered, and based on the need that appointees be reflective of all the people of Cuyahoga County.

**Rule 9M: Expedited Consideration of Executive Appointments**

If the Executive makes a recommendation for appointment at a time that does not closely coincide with the date of a Regular Council Meeting, the President may refer the appointment to the appropriate committee prior to its presentation at a Regular Council Meeting. The Clerk shall promptly notify all Members when such referral is made. An appointment referred in this manner may be approved at a single Regular Council Meeting following the committee hearing only by suspending Rule 7E, requiring Motions of Council to be heard at two Regular Council Meetings.

**Rule 9N: Council Appointments**

Appointments to Boards, Commissions, and Advisory Committees that the Charter directs be made by the Council shall be done by a Motion of Council. The President shall make recommendations to Council on Council appointments, based on work done by the appropriate committee to find candidates whose experience and qualifications best match the requirements of the positions for which they are being considered, and on consideration of the need that appointees be reflective of all the people of Cuyahoga County.

**Rule 10. Voting**

**Rule 10A: Duty to Vote and Recusal**

Every Member present shall vote on every question in Council or in committee, unless the Member has recused him/herself. A Member shall recuse him/herself from voting whenever the Member has a personal or monetary interest in any manner under consideration or when voting on the matter could for any reason constitute a violation of state or county ethics law.

Rule 10B: Proxy Voting Prohibited

Proxy voting shall not be allowed in the Council or in committee.

Rule 10C: Voting Procedure

Voting on all matters shall generally be by voice vote, except that a roll call vote may be held on any matter at the discretion of the presiding officer or upon the request of any Member or the Clerk. Voting may also be done electronically, provided that the appropriate equipment is available and that the vote of every Member is publicly displayed or announced by the Clerk. The presiding officer shall insure that the Clerk is able to record the vote of every Member on all matters. At all roll calls, the names of Members shall be called in order by the number of their district, except that the President shall vote last. At each successive Council Meeting, the Clerk shall advance the starting point in the roll call by one Member, in order to insure variation in the order in which Members vote.

Rule 10D: Change of Vote

Prior to the announcement of the vote on any question, any Member may request to change his/her vote, and such request shall be approved by the Presiding Officer, except for good cause; however, no Member shall be permitted to change his/her vote after the result of the vote has been declared.

**Rule 11. Legislation**

Rule 11A: Information Required in Legislation

Legislation, consisting of ordinances and resolutions, shall recite the name of the sponsor(s) and cosponsors(s), the date of all readings in Council, the date of any committee reports, the date of adoption, the date of approval or disapproval by the Executive, and the date of enactment upon reconsideration if disapproved by the Executive, as applicable.

Rule 11B: Signatures Required for Adoption of Legislation

Legislation adopted shall be authenticated by the signatures of the President, the Clerk, and, if approved, by the Executive.

Rule 11C: Clerk to Maintain Legislation

Following introduction, the Clerk shall maintain all original copies of proposed and adopted legislation in a safe and permanent manner, allow for public inspection of all proposed and adopted legislation, and provide copies upon request pursuant to the public records law.

Rule 11D: Vote Required for Adoption of Legislation

Adoption of legislation shall require the affirmative vote of at least six (6) Members of Council, except as otherwise provided by the Charter, the Codified Ordinances of Cuyahoga County, or applicable general law.



#### Rule 11E: Effective Date of Legislation

Legislation shall take effect at the time provided for in general law, unless a later time is specified in the legislation. The time normally required for legislation to become effective may be dispensed with and an ordinance or resolution may be designated to become effective immediately upon enactment; however such action requires that the legislation contain a statement of the necessity for such action and that the legislation receive the affirmative vote of at least eight (8) Members, as specified in Article 3, Section 10, Subsection 8 of the Charter. If an ordinance or resolution fails to receive the necessary eight (8) votes to become effective immediately, the Council may amend the legislation by removing the language stating the reason for necessity that the legislation become effective immediately upon enactment and then vote on it again.

#### Rule 11F: Expiration of Pending Legislation

Prior to the end of each year in which a General Election for Members of Council takes place, the Council shall consider a Motion of Council, providing that legislation introduced prior to July 1 of that year and not adopted shall expire. At least two weeks prior to the consideration of that Motion of Council, the Clerk shall provide each Member a list of legislation sponsored by that Member that is set to expire. The Council may adopt this Motion of Council so as to decide which items of legislation set to expire shall expire.

#### Rule 11G: Reconsideration After Executive Veto

When the Executive has disapproved an ordinance or resolution, or a part or item thereof, the Council may, not later than its second regular meeting following such disapproval, proceed to reconsider the disapproved measure. If on reconsideration, it received the affirmative vote of at least eight (8) Members of Council, it shall then take effect as if it had received the approval of the Executive, as provided in Article 3, Section 10 Subsection 7 of the Charter.

#### Rule 11H: Publication and Codification of Legislation

All legislation shall be published on the County's website, codified as prescribed by law and these Rules of Council, and shall be kept in a permanent file, which may be in an electronic format.

#### Rule 11I: Codification of Legislation

The Clerk, in consultation with the Director of Law, shall regularly compile the legislation of Cuyahoga County into a code or compilation of laws in book form by title, chapter, and section, without substantive change or alteration of purpose or intent. The codification shall be known as "The Codified Ordinances of Cuyahoga County."

Rule 11J: Authorization to Make Technical Changes

The Clerk, in consultation with the Director of Law, may make technical, non-substantive changes, only to the extent deemed necessary, to convert the original ordinances to codified form, including, but not limited to:

- (1) Creating a consistent system of capitalization.
- (2) Making chapter, section, and subdivision designations consistent.
- (3) Substituting for the term "this ordinance," if necessary, a term such as "section" or "chapter."
- (4) Substituting the proper calendar date for phrases such as "effective date of this ordinance."
- (5) Elimination from the Codified Ordinances of titles to ordinances, enacting and repealing clauses, statements of facts, preambles, effective dates, declarations of severability and reasons for ordinances to become effective immediately upon enactment.

Rule 11K: Historical Record of Codified Ordinances

The Clerk, with appropriate assistance, shall prepare and maintain full historical records showing the enactment, amendment, revision, supersession, and repeal of the various sections of the Codified Ordinances.

Rule 11L: Maintenance of Codified Ordinances

The Clerk shall maintain the Codified Ordinances and historical records of the Codified Ordinances on the County's website and in a permanent file, which may be in an electronic format; however, some printed copies shall be prepared at least annually.

**Rule 12. Committees**

Rule 12A: Referral to Committee

All legislation shall first be introduced at a Council meeting, and the President shall then assign that legislation to committee for review and recommendation, unless the Council, through suspension of the rules, decides to dispense with committee review on any matter.

Rule 12B: Referral to Multiple Committees

The President may assign a matter to multiple committees, either simultaneously or sequentially.

- (1) If a matter is referred to multiple committees sequentially, it shall be heard in Council on second reading after being reviewed by all assigned committees. The

recommendations of all assigned committees shall be considered and the matter shall be reported in the form recommended by the last committee.

(2) If a matter is referred to multiple committees simultaneously, the President shall designate one of the assigned committees as the lead committee. The matter shall be heard in Council on second reading after being reviewed by all assigned committees. The recommendations on all assigned committees shall be considered and the matter shall be reported in the form recommended by the lead committee.

#### Rule 12C: Joint Committees

The President may assign a matter to be heard jointly by two or more standing committees. The President shall determine the Chairperson and Vice-Chairperson of the joint committee from the Chairpersons and Vice-Chairpersons of the standing committees that make up the joint committee. A quorum of the joint committee shall be a majority of all of its Members, and each Member shall have one vote on the joint committee, regardless of whether they belong to one or more of the standing committees that make up the joint committee.

#### Rule 12D: Subcommittees

The Chairperson of any standing committee, with the approval of the President, may appoint one or more subcommittees, comprised of Members of that standing committee, to study and make recommendations to the full committee or the Council on specific subjects within the standing committee's jurisdiction. The chairperson of each standing committee shall, with the approval of the President, appoint the Chairperson and Vice-Chairperson of each subcommittee created under that standing committee. Except for the provisions of this rule relating to the appointment of Members and officers of subcommittees, all other rules that apply to committees of Council shall also apply to subcommittees, including but not limited to rules regarding notice of meetings, keeping of minutes, advance publication of the agenda, and provision of time for public comment.

#### Rule 12E: Advisory Subcommittees

(1) The Chairperson of any standing committee, with the approval of the President as described more fully below, may appoint the Chairperson, Vice-Chairperson, and members of one or more advisory subcommittees, comprised of one or more Members of that standing committee and one or more members of the general public, to study and make written recommendations to the full committee on specific subjects within that standing committee's jurisdiction. Members of the public serving on advisory subcommittees shall be electors of Cuyahoga County and shall serve at the pleasure of the Chairperson. The Chairperson of each advisory subcommittee shall be a Member of Council.

(2) Prior to the appointment of any advisory subcommittee, the President of Council shall approve the purpose, duration, persons to be appointed as officers, and persons to be appointed as members of the advisory subcommittee.

(3) Except for appointment and composition as provided above, all rules that apply to Committees of Council shall also apply to advisory subcommittees, including but not limited to rules regarding notice of meetings, keeping of minutes, advance publication of the agenda, and provision of time for public comment.

Rule 12F: Temporary Appointments to Committee

If a Member is absent from any Council committee meeting, the President may appoint a replacement as Member Pro Tem, but such appointment shall not extend beyond that meeting of the committee.

Rule 12G: Standing Committees

The following standing committees are established for the council:

- (1) Health, Human Services & Aging
- (2) Public Safety
- (3) Justice Affairs
- (4) Economic Development & Planning
- (5) Finance & Budgeting
- (6) Public Works, Procurement & Contracting
- (7) Intergovernmental Relations & Collaboration
- (8) Human Resources, Appointments & Equity
- (9) Environment & Sustainability
- (10) Rules, Charter Review, Ethics & Council Operations

Rule 12H: Committee Assignments to be for Two Years

Committee assignments shall be for a term of two years, but changes in assignments may be made at other times through a Motion of Council.

Rule 12I: President to Appoint Committees

Not later than the second Regular Council Meeting in each calendar year, the President shall appoint the Chairperson, Vice-Chairperson, and Members for each standing committee. The President shall to the best extent possible, make committee assignments that reflect the interests and experience of Members.

Rule 12J: Council to Set Regular Committee Times

Not later than the third Regular Council Meeting each year, the Council shall pass a Motion of Council, setting the regular days, meeting times, and locations for the standing committee meetings. After the regular schedule of standing committees is set, the Chairperson of any standing committee may, with the approval of the President, change the regular day, time, or location of a standing committee. The Clerk shall update the list provided for in Rule 12W to reflect any changes.

Rule 12K: Special Committees

The Council may, by Motion of Council, create special or ad hoc committees in addition to the standing committees. The President shall appoint the Chairperson, Vice-Chairperson, and Members for such committees in the same way as for standing committees.

Rule 12L: Committees to Appoint Secretary

Each committee, at its first meeting and at its first meeting following each Organizational Meeting, shall elect one of its Members as Secretary, who shall perform the duties of the Clerk at any meeting in which the Clerk or his/her designee is unable to be present.

Rule 12M: Quorum and Record of Attendance at Committee Meetings

A quorum for any committee shall be a majority of its Members. The Clerk shall determine the presence of a quorum by roll call at the beginning of each committee meeting, shall announce when a quorum is present, and shall keep a record of Members present. In the absence of a quorum, a committee may take testimony, but otherwise may not taken any action, other than those actions allowed to be taken in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

Rule 12N: Notice Requirements for Committee Meetings

Except as provided in Rule 12O, all Members shall be notified of the date, time, location, and agenda for any committee meeting at least two (2) business days before the meeting, and the same information shall at the same time be listed in the Record of Council, posted on the County's website, and posted at the Clerk's Office. For any committee meeting that is scheduled for a day, time or location other than its regularly scheduled day, time, and location as provided for in Rule 12J, the same information shall be distributed to the news media that have requested this information. The agenda shall include a list by number and short title of all legislation to be considered at the meeting.

Rule 12O: Emergency Committee Meeting

An Emergency Committee Meeting may be conducted with shorter notice than that required in Rule 12N, provided that at least twenty-four (24) hours before the meeting, all the notice requirements of Rule 12N are completed and same notice is distributed to the news media that have requested this information. At an Emergency Committee Meeting, only matters on the agenda for the meeting may be considered.

**Rule 12P: Vote Required for Committee Recommendations**

A majority of all Members of a committee shall be required to approve a recommendation regarding an ordinance, resolution, or Motion of Council; but all other actions may be taken with the approval of the required majority or supermajority of those present for the motion in question, providing that a quorum is present.

**Rule 12Q: Committee Reports**

For each committee meeting at which legislation is heard, the minutes shall include a separate section providing a status report listing all legislation heard by number and short title and stating the action taken by the committee on each item. Whenever legislation is amended in committee or a substitute version is accepted, whether or not the legislation is reported out of committee, a copy of the latest version shall be attached to the minutes, included in the Record of Council, and included in a posting of pending legislation on the County's website.

**Rule 12R: Clerk or Designee to Staff Committees**

The Clerk shall determine the presence of a quorum, keep minutes, and record votes at each committee meeting, but may appoint another member of Council's staff to perform these duties for any committee meeting. Minutes shall be kept at each committee meeting and shall be promptly included in the Record of Council and posted on the County's website, but in no case later than seven (7) days after the conclusion of the meeting.

**Rule 12S: Committee of the Whole**

The full Council may operate as a Committee of the Whole, with the President and Vice President of Council serving as the President and Vice President of the committee, respectively. The President may refer any matters to the Committee of the Whole in the same way that matters are referred to other committees.

**Rule 12T: Discharge from Committee**

Any matter pending before any committee or committees of Council may be discharged from committee and placed on 2nd reading upon presentation to the Clerk of a discharge petition signed by not less than six (6) Members of Council. The Clerk shall immediately notify all members when a valid discharge petition is presented. The matter discharged shall be placed on 2nd reading at the next Council meeting following presentation of the discharge petition if that Council meeting occurs at least three (3) business days following presentation of the discharge petition; otherwise, the matter discharged shall be placed on 2nd reading at the second meeting of Council following presentation.

**Rule 12U: Participation of Members at Committee Meetings**

Any Member may be seated at the committee table and participate in all discussions, whether or not that Member has been appointed to that committee; however, a

Member who has not been appointed to a committee may not offer motions or vote at that committee.

**Rule 12V: Notice Provisions for Adjourned Committee Meeting**

A committee may adjourn to a time and place certain, but shall follow the notice provisions of Rule 5D in giving notice of the time and place to which the meeting is adjourned. Notice shall be given to all Members, whether or not they have been assigned to the committee.

**Rule 12W: List of Committees**

The Clerk shall maintain and post on the County's website a list of all standing, joint, ad hoc, or special committees and all subcommittees and advisory subcommittees currently existing within the Council, the officers and members of each, and the regular day, time, and location of meeting of each, if established.

**Rule 13. Work Sessions**

**Rule 13A: Work Sessions**

At the discretion of the presiding officer, the Council or any Committee of Council may hold a Work Session to work on matters through a more informal process.

**Rule 13B: Work Sessions Considered Committee Meetings**

Except as provided in Rule 14C, work sessions shall be considered committee meetings in all other respects. All other rules that apply to Council committees shall also apply to Work Sessions, including but not limited to the requirements for open meetings, advance notice of the meeting, advance publication of the agenda, keeping of minutes, and provision of time for public comment.

**Rule 13C: Informal Process Permitted at Work Sessions**

All Work Sessions shall be conducted under the leadership of the presiding officer, but the presiding officer may suspend the usual rules regarding the control of discussion and debate to allow for informal discussion among Members or between Members and the public and informal processes for drafting potential language for inclusion in ordinances, resolutions, and Motions of Council.

**Rule 13D: No Formal Action Permitted at Work Sessions**

No formal action regarding any legislation or a Motion of Council may be taken at a Work Session. The results of Work sessions shall be put into formal action at a meeting of Council or regular committee meeting, subsequent to conclusion of the Work Session.

#### **Rule 14. Open Records, Executive Session, Specific Notice**

##### **Rule 14A: Open Meetings**

All meetings of Council or any Council committee shall be open to public and conducted only after prior public notice as required in Article 12, Section 5 of the Charter, Section 121.22 of the Ohio Revised Code, and these Council Rules.

##### **Rule 14B: Availability of Public Records**

All records of the Council that relate to public business shall be available to the public as public records as required in Article 12, Section 6 of the Charter, general law, the Codified Ordinances of Cuyahoga County, and these Council Rules.

##### **Rule 14C: Executive Session**

Notwithstanding Rule 14A, the Council or any Council committee may conduct an Executive Session under the provisions of Ohio Revised Code Section 121.22, as amended. The motion to adjourn to an Executive Session shall be specific as to the matters to be discussed during the Executive Session and shall require the affirmative vote a majority of Members present. An Executive Session may be conducted only if the intent to conduct an Executive Session is stated in the published agenda for the meeting at which the Executive Session is to be conducted. Minutes shall be kept at all Executive Sessions and shall be included within the minutes of the meeting at which the Executive session was conducted. The minutes of an Executive Session shall include the location of the meeting, the date and time that the meeting started and concluded, a list of Members present, the names and titles of other persons present, and general subject matter(s) discussed.

##### **Rule 14D: Advance Notice of Meetings Concerning Specific Topics**

Any person may visit, telephone or contact by electronic mail the office of the Clerk during that office's regular office hours to determine, based on information available at that office, the time, place, and location of regular meetings; the time, place, location, and purpose of any then known special meetings; and whether the available agenda of any such future meeting states that any specific type of public business, identified by the person, is to be discussed at such meeting. In addition, any person may request, through the Clerk's office, to obtain reasonable advance notice of all meetings at which any specific type of business is to be discussed. Any person making this request may choose to receive such notifications either by electronic mail or regular U.S. mail. The Council may set a reasonable annual fee to receive this information by regular U.S. mail, but there shall be no fee to receive this information by electronic mail.

##### **Rule 14E: Notice Available to News Media**

The Clerk shall provide to any news medium organization, upon request, information including the date, time, location, and agenda of any Special Council Meeting, Regular Council Meeting adjourned to a time and place certain, Special Committee Meeting, Emergency Committee Meeting, or a committee meeting adjourned to a



time and place certain. The Clerk shall establish a procedure that complies with Section 121.22 of the Ohio Revised Code for news media to apply to receive this information on an ongoing basis.

**Rule 14F: Requirements for Emergency Meeting**

No Council Meeting or Committee Meeting may be held with less than twenty-four (24) hours notice unless (1) the meeting is called to deal with an emergency requiring immediate official action, (2) the appropriate rules are suspended as provided for in these Rules of Council, and (3) the public notice and other requirements of Section 121.22 of the Ohio Revised Code regarding such meetings are complied with.

**Rule 15. Records of Meetings of Council and Committees**

**Rule 15A: Minutes of Council Meetings**

The Clerk shall keep minutes of all Council meetings, which shall include the time, date, and location of all meetings; roll call of Members present; actions taken; and the vote of each Member on all questions.

**Rule 15B: Minutes to be Provided to Council Members**

Not later than the close of business on the second day prior to each meeting of Council, the Clerk shall provide each Member a copy of the minutes of the previous meeting, and shall provide copies of the final version of the minutes to each Member if the minutes are amended. Copies of the minutes may be provided in electronic format. The minutes shall include a written summary of actions taken at the meeting. The minutes shall also include a digital record of each Council meeting, but the digital record is not required to be included in the copies of minutes sent to Members.

**Rule 15C: Record of Council**

The Clerk shall keep a Record of Council, which shall be posted on the County's website and kept in a permanent file, which may be in an electronic format. The Record shall include all minutes and shall include a list of all legislation, including the number, title, sponsor, date of first reading, committee assignment, date of second reading, date of third reading, or date of dispensing with the requirement for three readings, and date of the adoption or failure to adopt. The Record of Council shall also include the agenda for all Council meetings and the agenda and minutes for all committee meetings.

**Rule 16. Continuity, Amendment and Suspension of Rules**

**Rule 16A: Continuity of Rules**

These Rules of Council shall remain in effect until amended or repealed and shall not need to be re-enacted at each Organizational Meeting of Council.

Rule 16B: Amendment of Rules

Any provision in these Council rules may be amended by adoption of a Motion of Council, approved by at least seven (7) Members of Council.

Rule 16C: Suspension of Rules

Unless otherwise specified in the Charter, the Codified Ordinances of Cuyahoga County, or these Council Rules, any rule may be suspended by a vote of 2/3 of the Members present and voting, provided that a quorum is present.

**Rule 17. Requests to Address Council**

Rule 17A: Public Comment at Committee Meetings

The Council encourages the public to direct any address or presentation to the applicable Committee of Council. Requests to address a committee shall be made in writing to the Chairperson of the committee, prior to addressing the committee on a form to be provided for this purpose. The request shall include the name of the requesting party and the topic(s) on which the requesting party wishes to speak.

Rule 17B: Public Comment Available at All Committee Meetings

The Chairperson shall honor all requests to address committee received before the start of a committee meeting and shall honor requests received during a committee meeting whenever it is practical to do so. The Chairperson may impose a reasonable time limit per presentation, and such time limit may be extended at the discretion of the Chairperson.

Rule 17C: Public Comment at Council Meetings

The Council shall provide time at the beginning of each Council meeting for public comment regarding items on the agenda for that meeting, and shall provide time at the end of each Council meeting for public comment that relates to County business but does not relate to the agenda for that meeting. Requests to address Council shall be made in writing to the Clerk prior to the meeting on a form to be provided for this purpose. Requests submitted to the Clerk not later than 12 Noon on the day of the meeting shall be given priority in the order of presentation. After being recognized by the President, the presenter shall state his/her name and address and may speak for not more than three (3) minutes, unless such time is extended at the discretion of the President.

**SECTION 2. Effective Date.** Provided that this motion receives the affirmative vote of at least eight (8) of the members of Council, it shall take effect immediately upon adoption by Council. It is hereby determined to be necessary that this motion become immediately effective in order that the County Council continue to have operating rules in place without interruption, and so that the usual and daily operations of county government may continue to function.

**SECTION 3.** It is found and determined that all formal actions of the Council and Council committees relating to the adoption of this motion occurred in open meetings and that all deliberations of this Council and any of its committees that resulted in such formal action took place in meetings open to the public, in compliance with all legal requirements, including those of Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Motion was duly approved.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011

# County Council of Cuyahoga County, Ohio

## Motion No. M2011-0048

Sponsored by: <b>Council President Connally</b>	<b>A Motion</b> establishing the 2012 schedule of County Council meetings.
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WHEREAS, Rule 5A of the Cuyahoga County Council Rules requires that Council establish a schedule of the dates, times and locations of all regular Council meetings; and

WHEREAS, Rule 5B of said Rules states that all meetings of Council shall take place at the County Council Chambers located on the first floor of the Justice Center at 1200 Ontario Avenue, Cleveland, unless otherwise specified; and

WHEREAS, Rule 5B of said Rules also states that regular Council meetings shall take place on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month at 6:00 p.m., unless otherwise specified in the annual schedule established by the Council.

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

**SECTION 1.** The Council of Cuyahoga County hereby establishes the 2012 schedule of meetings as follows:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>MEETING TYPE</u>	<u>LOCATION</u>
TUESDAY	1/10/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	1/24/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	2/14/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	2/28/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	3/13/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	3/27/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	4/10/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	4/24/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	5/8/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	5/22/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	6/12/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	6/26/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	7/10/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	7/24/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	8/14/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	8/28/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	9/11/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	9/25/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	10/9/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER

TUESDAY	10/23/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	11/13/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	11/27/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER
TUESDAY	12/11/2012	3:00 P.M.	REGULAR	COUNCIL CHAMBERS-JUSTICE CENTER

**SECTION 2.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Motion were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Motion was duly approved.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Tabled: October 25, 2011

Journal CC004

\_\_\_\_\_, 2011

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0323

Sponsored by: <b>Councilmember Conwell</b>	<b>A Resolution</b> supporting a decision of the City of Cleveland Zoning Administrator to deny an application by Ty, Inc. to use property located at 4300 Bradley Road in the City of Cleveland for grading, filling and excavation, including mining, removal, transfer and sale of soils and minerals.
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WHEREAS, W.B. and M.E. Baumann and Bradley Road Inc. (the "Owners") are the owners of certain property located at 4300 Bradley Road (PPNs: 009-36-001, 0099-36-002, 009-36-005, 009-36-006, 009-36-007, 009-34-002, 009-34-004) in the Old Brooklyn neighborhood in the City of Cleveland (the "Property"); and

WHEREAS, Ty, Inc., an independent corporation, as contractor and on behalf of the Owners, applied to the Ohio Department of Natural Resources for a Mineral Mining Permit (#10428) to strip mine 8.5 acres along Skylane Drive and Bradley Road in the City of Cleveland; and

WHEREAS, Ty, Inc. intends to go down 30-40 feet in order to obtain approximately 20,000 to 30,000 cubic yards of clay and sand; and

WHEREAS, the land area requested to be strip mined is located between two creeks running through the area; and

WHEREAS, the strip mine would be adjacent to residences on Skylane Drive in the City of Cleveland; and

WHEREAS, the 15-year permit may compromise the ecosystem of the creeks, the water and air quality of the area, the property value of the area residents and the quality of life of those residents; and

WHEREAS, granting such a permit could cause a negative impact and create poor precedent for other vacant land in our communities; and

WHEREAS, on March 22, 2010, Cleveland City Council adopted Resolution No. 375-10, which opposed the application to the Ohio Department of Natural Resources by Ty, Inc. for a Mineral Mining Permit to strip mine sand and clay from 4300 Bradley Road adjacent to Skylane Drive in the City of Cleveland; and

WHEREAS, on September 29, 2010, the Ohio Department of Natural Resources granted the requested permit to Ty, Inc.

WHEREAS, an application by Ty, Inc., as contractor and on behalf of the Owners, to the City of Cleveland Department of Building and Housing to use the Property for grading, filling and excavation, including mining, removal, transfer and sale of soils and minerals (the "Proposed Use") was denied by the City of Cleveland Zoning Administrator (the "Zoning Administrator"); and

WHEREAS, the Owners and Ty, Inc. have appealed the denial to the City of Cleveland Board of Zoning Appeals (the "BZA") and have filed additional appeals with the BZA for: a) a special permit for the Proposed Use under Section 345.04(b) of the Codified Ordinances of Cleveland, Ohio (the "C.C.O."), and/or b) a use variance authorizing the Proposed Use under Section 329.03 of the C.C.O.; and

WHEREAS, residents living in the vicinity of the Property expressed strong opposition to the Proposed Use at a public meeting hosted by Old Brooklyn Community Development Corporation, WireNet, Cleveland City Councilmember Brancatelli (Ward 12), and the City of Cleveland on May 22, 2010.

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

**SECTION 1.** That Cuyahoga County Council hereby supports the decision of the Zoning Administrator denying the application for the Proposed Use.

**SECTION 2.** That the Clerk of Council is hereby directed to transmit copies of this Resolution to the Chief of the Ohio Department of Natural Resources, Division of Mineral Resources Management; to the City of Cleveland Zoning Administrator; to the City of Cleveland Board of Zoning Appeals and to the Clerk of Council of the City of Cleveland.

**SECTION 3.** It is found and determined that all formal actions of this County Council meeting relating to the adoption of this Resolution were adopted in an open meeting of the County Council and that all deliberations of this County Council and any of its committees that resulted in such formal actions took place 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:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0053

Sponsored by: <b>Councilmembers Brady, Gallagher and Miller</b>	<b>An Ordinance</b> establishing a Department of Consumer Affairs and the powers and duties of the Director of Consumer Affairs and placing the duties and responsibilities of the operation of Weights and Measures of the County under the direction of the Department of Consumer Affairs.
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WHEREAS, Section 3.09(2) of the Charter of Cuyahoga County grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in the Charter, as the Council determines to be necessary for the efficient administration of the County; and,

WHEREAS, Section 7.01 of the Charter of Cuyahoga County declares that the County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents; and,

WHEREAS, Section 5.02 of the Charter of Cuyahoga County declares that “[t]he Fiscal Officer shall exercise all powers and perform all duties now or hereafter vested in or imposed by general law upon county auditors;” and,

WHEREAS, Section 319.58 of the Ohio Revised Code states that the County Auditor “shall see that all state laws relating to weights and measures are strictly enforced throughout his county, and shall assist generally in the prosecution of all violations of such laws;” and,

WHEREAS, Sections 1327.50 and 1327.52 of the Ohio Revised Code together declare that “[a]ny weights and measures official elected or appointed for a county” shall determine whether packaged commodities are “sold in accordance with sections 1327.46 to 1327.61 of the Revised Code or rules adopted under those sections;” and,

WHEREAS, Sections 1327.53 and 1327.54 of the Ohio Revised Code prohibit deceptive selling or buying practices and the misrepresentation of the price of a commodity or service; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Consumer Affairs is necessary for the economic well-being and prosperity of the residents of Cuyahoga County; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Consumer Affairs and placing Weights and Measures operation in the Department of Consumer Affairs is necessary for the efficient administration of the County; and,

WHEREAS, Section 3.09(5) of the Charter of Cuyahoga County grants Council the power to adopt and amend the County's annual tax budget, operating budget and capital improvements program to make appropriations for the County.

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

**SECTION 1.** The Cuyahoga County Department of Consumer Affairs

(a) There is hereby established the Department of Consumer Affairs for Cuyahoga County under the supervision of the County Executive and the Fiscal Officer.

(b) The official title of the department established in this section shall be the "Cuyahoga County Department of Consumer Affairs."

(c) For convenience, the Cuyahoga County Department of Consumer Affairs may also be referred to as the County's "Department of Consumer Affairs" or "Consumer Affairs Department" in correspondence, legislation, or as is otherwise necessary or convenient.

(d) The Department of Consumer Affairs shall contain the following divisions and sections: (1) Weights and Measures, and (2) Consumer Protection, containing an Investigation and an Outreach Section.

(e) The Department of Consumer Affairs shall have jurisdiction over all consumer transactions which take place within Cuyahoga County, regardless of the residence of any of the persons directly or indirectly affected by such transaction, unless prohibited by the Charter or general law.

(f) The functions, employees, duties and responsibilities of the former Department of Weights and Measures are hereby incorporated into the Division of Weights and Measures within the Department of Consumer Affairs.

(g) The duties and responsibilities of the Division of Consumer Protection shall include:

(1) Promoting consumer/financial literacy and asset building in Cuyahoga County;

- (2) Investigating alleged violations of laws, rules and regulations pertaining to consumer affairs and predatory lending as provided by Ordinance of Cuyahoga County, the Ohio Revised Code, and other applicable consumer law; and referring such violations to the Cuyahoga County Prosecutor, Ohio Attorney General, or other appropriate law enforcement agency if necessary;
- (3) Educating consumers and businesses about laws related to consumer protection;
- (4) Mediating disputes between consumers and businesses related to consumer protection complaints;
- (5) Collaborating with businesses, non-profit organizations and government agencies on programs related to consumer affairs issues;
- (6) Advising, when requested, the County Executive and the County Council on policies and programs related to consumer protection;

**SECTION 2.** The Director of Consumer Affairs

(a) There shall be a Director of Consumer Affairs who shall lead the Department of Consumer Affairs. The Director shall have thorough knowledge of county, state, and federal consumer protection laws; experience in the areas of consumer protection and education, the promotion of fair business practices, and the investigation, mediation and resolution of consumer complaints and issues; demonstrated knowledge, skills and abilities required in managing a division within a consumer affairs organization including directing budget, personnel, fiscal, supply and other administrative functions of an organization; and experience establishing collaborative relationships with business, non-profit and public entities for the purpose of addressing consumer protection issues.

(b) The Director of Consumer Affairs shall be responsible for fulfilling the duties of the Department of Consumer Affairs and is authorized to hire personnel in the Department of Consumer Affairs to aid and assist the Director in the proper discharge of his or her duties and powers, subject to the approval of the County Executive; consistency with the Human Resources policies and procedures of the County, the County Charter and general law; and budgetary constraints set by County Council and the County Executive.

**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.



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0041

Sponsored by: <b>Councilmembers Brady, Miller, Connally, Jones, Rogers, Simon and Conwell</b>	<b>An Ordinance</b> authorizing, enacting and designating an additional five percent of all collections of delinquent real property, personal property, and manufactured and mobile home taxes and assessments to be deposited in the delinquent tax and assessment collection fund for the use of and appropriating such amount to the use of the Cuyahoga County Land Reutilization Corporation.
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WHEREAS, the Treasurer of Cuyahoga County, Ohio (the "County Treasurer"), pursuant to and in accordance with Section 321.341 of the Ohio Revised Code, has heretofore made the special tax advances authorized in Section 321.341 of the Ohio Revised Code (the "Special Tax Advances") from the collections of current late and delinquent taxes and the proceeds of current year delinquent tax collection anticipation notes (the "DTANs") to provide base funding to the Cuyahoga County Land Reutilization Corporation (respectively, the "Base Funding" and the "Corporation") in the form of the penalties and interest on such current late and delinquent taxes and assessments upon their collection (the "P&I Collections") and in an annual estimated amount of, but not exceeding in any event, \$7,000,000 (the "Maximum Base Funding Amount");

WHEREAS, in order to (i) more accurately estimate, more efficiently provide and more economically collect and distribute Base Funding to the Corporation, up to, but not exceeding, the Maximum Base Funding Amount for its fiscal years 2011 and 2012, (ii) eliminate the need for the issuance by Cuyahoga County, Ohio (the "County") of DTANs and (iii) save the Corporation the costs of issuance of the DTANs and the payment of interest thereon by the Corporation, the Corporation has asked that the County Treasurer, pursuant to division (B) of Section 321.261 of the Ohio Revised Code, request that this County Council, upon consultation with the County Executive, authorize, enact and designate pursuant to division (B) of Section 321.261 of the Ohio Revised Code an additional five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (hereafter, the "Additional DTAC Fee") to be deposited in the delinquent tax and assessment collection fund (the "DTAC Fund") and, subject to the limitation hereinafter provided through the Maximum Base Funding Amount, transferred in part or in whole to the Corporation as part of its Base Funding in lieu of P&I Collections otherwise generated from the Special Tax Advances made with DTAN Proceeds; provided, however, that the aggregate amount

transferred to the Corporation in any fiscal year from the DTAC Fund and the county land reutilization fund created and maintained under Section 321.263 of the Ohio Revised Code (the "County Land Reutilization Fund") shall not exceed the Maximum Base Funding Amount;

WHEREAS, pursuant to subdivision (B) of Section 321.261 of the Ohio Revised Code, the County Treasurer has communicated to one or more members of this Council a request from the Corporation that this Council consider the authorization, enactment and designation of the Additional DTAC Fee; and

WHEREAS, this Council acknowledges and finds that continuing provision through the County of the annual Base Funding of the Corporation in an amount equal to, but not exceeding, the Maximum Base Funding Amount 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 recent recession have inflicted on the local real estate markets, and therefore this Council desires to authorize, enact and designate the Additional DTAC Fee in lieu of P&I Collections otherwise generated from the Special Tax Advances made with DTAN Proceeds, subject to the provisions of this Ordinance;

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

**SECTION 1. 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 Ordinance, this Council hereby authorizes, enacts and designates the Additional DTAC Fee in the 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 Base Funding, commencing immediately upon the effective date of this Ordinance and continuing through December 31, 2012.

**SECTION 2. Maximum Base Funding.** Notwithstanding the provisions of Section 1 of this Ordinance, the aggregate amount transferred to the Corporation from the DTAC Fund and the County Land Reutilization Fund in any single fiscal year of the Corporation shall not exceed the Maximum Base Funding Amount.

**SECTION 3. 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 2 hereof, 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 4. Delivery to County Treasurer and Fiscal Officer.** 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 5. Replacement of DTAN.** The issuance of DTAC funds under this Ordinance shall be contingent upon the County Treasurer not electing to recommend issuance of DTAN advances pursuant to Sections 321.341 and 133.082 of the Ohio Revised Code. Should DTAN advances be issued, the additional 5% DTAC fee under this Ordinance shall no longer be applied.

**SECTION 6. Open Meeting Determination.** It is found and determined that all formal actions of this Council meeting and relating to the adoption of this Ordinance 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 actions 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 Ordinance was duly enacted.

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: August 23, 2011

Committee(s) Assigned: Finance & Budgeting

Second Reading/Referred to Committee: September 13, 2011

Committee(s) Assigned: Finance & Budgeting

Additional Sponsorship Requested on the Floor: September 13, 2011

Additional Sponsorship Requested: November 4, 2011

Journal CC004  
November 9, 2011



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0314

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on October 28, 2010, the former governing body of Cuyahoga County adopted the 2011 Annual Appropriation Measure establishing the 2011 annual budgets for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the 2011 Annual Appropriation Measure to reflect budgetary funding increases, funding reductions, to transfer budget appropriations, and to transfer cash between budgetary funds, in order to accommodate the operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is further 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 County departments, offices, and agencies;

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

**SECTION 1.** That the 2011 Annual Appropriation Measure be amended to provide for the following additional appropriation increases and decreases:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 21A283 – Psych Clinic Second Opinion Evaluation CO753343 – Psych Clinic Second Opinion Evaluation FY 2012 Personal Services \$ 22,000.00	<b>BA1100924</b>

Funding Source: Alcohol, Drug Addiction & Mental Health Services Board.

B. 20A192 – TASC HHS **BA1100822**  
 CO456533 – TASC HHS  
 Other Expenses \$ 165,000.00

Funding Source: Health and Human Services Levy Fund.

C. 29A391 – Health and Human Service Levy 4.8 **BA1100878**  
 SU514216 – Criminal Justice Intervention  
 Other Expenses \$ 165,000.00

Funding Source: Health and Human Services Levy Fund.

D. 63A200 – Communications/Telecom Mgmt. Services **BA1100933**  
 IS694166 – Telecom Management Services  
 Other Expenses \$ (53,275.04)

Funding Source: Funding for this line comes from charges to agencies for data processing services.

E. 63A100 – Information Services Center **BA1100944**  
 IS821009 – Information Services Center  
 Other Expenses \$ 53,275.04

Funding Source: Funding for this expenditure comes from chargebacks to agencies for data processing services.

F. 40A526 – Ohio Department of Transportation (ODOT) **BA1100913**  
 Local Projects Administration (LPA)  
 CE785006 – ODOT - LPA  
 Personal Services \$ 99,169.05

Funding Source: 80% Federal Highway Transportation dollars passed through the Ohio Department of Transportation, 10% County (\$5.00 fund), and 10% the municipalities of Lyndhurst, Mayfield Heights and Highland Heights.

G. 22A105 – Department of Housing and Urban Develop. **BA1100914**  
 (HUD) Section 108  
 DV711606 – HUD Section 108  
 Other Expenses \$ 7,109.36

Funding Source: Department of Housing and Urban Development (HUD).

H. 22A063 – SHP'10 SA PASS Transitional **BA1100945**  
 HS753368 – SHP'10 SA PASS Transitional  
 Other Expenses \$ 537,741.00

Funding Source: United States Department of Housing & Urban Development.

I. 21A072 – Invest In Children - SPARK Program **BA1100827**  
 EC720870 – Martha Holden Jennings Foundation  
 Other Expenses \$ 30,000.00

Funding Source: Donation from the Martha Holden Jennings Foundation.

J.	21A453 – Felony Coordinator Project	<b>BA1100911</b>
	JA753384 – Felony Coordinator 2012	
	Personnel Services	\$ 200,424.00

Funding Source: Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section.

K.	21A494 – VOCA Children Who Witness Violence	<b>BA1100929</b>
	JA765206 – VOCA Children Who Witness Violence 2012	
	Other Expenses	\$ 79,833.00

Funding Source: Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section.

L.	21A518 – Juvenile Court Victim Advocate	<b>BA1100930</b>
	JA753376 – Juvenile Court Advocacy Program FY2012	
	Personnel Services	\$ 15,030.00

Funding Source: Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section.

M.	21A885 – State Victims Assistance Act	<b>BA1100931</b>
	JA765214 – State Victims Assistance Act (SVAA) FY12	
	Other Expenses	\$ 5,925.00

Funding Source: Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section.

N1.	01A001 – General Fund	<b>BA1100939</b>
	JA100990 – Division of Information Technology	
	Other Expenses	\$ 105,186.00

N2.	01A001 – General Fund	
	JA302224 – Public Safety Grants Administration	
	Other Expenses	\$ 128,899.00

Funding Source: General Fund.

O.	21A660 – Pathways II Cooperative	<b>BA1100715</b>
	MR741025 – Pathways II Cooperative	
	Other Expenses	\$ 1,361,335.00

Funding Source: Ohio Rehabilitation Services Commission.

P.	21S653 ARRA Special Educ Part B IDEA MR741264-FY10 William P Day Early Child Ctr ARRA Personal Services	\$ (1,189.21)	<b>BA1100946</b>
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Funding Source: IDEA grant with Federal Stimulus dollars.

**SECTION 2.** That the 2011 Annual Appropriation Measure be amended to provide for the following appropriation transfers:

<u>Fund Nos. /Budget Accounts</u>	<u>Journal Nos.</u>	
A. FROM:	01A001 – General Fund CT577601 - Archives Other Expenses \$ 125,000.00	<b>BA1100912</b>
TO:	01A001 – General Fund CT577106 – Risk and Property Management Other Expenses \$ 125,000.00	

Funding Source: General Fund.

B. FROM:	24A301 – Children & Family Services CF135467- Administrative Services Other Expenses \$ 10,000.00	<b>BA1100826</b>
TO:	24A301 – Children & Family Services CF135491 – Information Services Other Expenses \$ 10,000.00	

Funding Source: Federal and State revenues, as well as the Health and Human Services Levy Fund.

C. FROM:	21A359 – Internet Crimes Against Children PR764860 – Internet Crimes Against Children FY09 Personnel Services \$ 150,000.00	<b>BA1100925</b>
TO:	21A359 – Internet Crimes Against Children PR764860 – Internet Crimes Against Children FY09 Capital Outlays \$ 150,000.00	

Funding Source: United State Department of Justice.

D. FROM:	21A900 – Regional Collaboration Project JA752196 – Regional Collaboration Project 2010/2011 Capital Outlays \$ 1,028.02	<b>BA1100910</b>
TO:	21A900 – Regional Collaboration Project JA752196 – Regional Collaboration Project 2010/2011 Other Expenses \$ 1,028.02	

Funding Source: Ohio Emergency Management Agency.

E. FROM:	21A854 – DNA Backlog Reduction Program		<b>BA1100926</b>
	CR752931 – 10/12 DNA Backlog Reduction Program		
	Other Expenses	\$	89,516.14
TO:	21A854 – DNA Backlog Reduction Program		
	CR752931 – 10/12 DNA Backlog Reduction Program		
	Personnel Services	\$	61,516.14
	Capital Outlays	\$	28,000.00

Funding Source: National Institute of Justice.

F. FROM:	21A838 – JAG Assistance Justice		<b>BA1100934</b>
	JA755405 – JAG Assistance Justice 07		
	Capital Outlays	\$	5,000.00
TO:	21A838 – JAG Assistance Justice		
	JA755405 – JAG Assistance Justice 07		
	Other Expenses	\$	5,000.00

Funding Source: United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

G. FROM:	01A001 – General Fund		<b>BA1100935</b>
	CR180026 – Coroner-Operations		
	Personnel Services	\$	50,000.00
TO:	01A001 – General Fund		
	CR180026 – Coroner-Operations		
	Other Expenses	\$	50,000.00

Funding Source: General Fund.

**SECTION 3.** That the 2011 Annual Appropriation Measure be amended to provide for the following cash transfers between County funds.

<u>Fund Nos. /Budget Accounts</u>		<u>Journal Nos.</u>
A1. FROM:	29A390 – Health and Human Services Levy 2.9	<b>JT1100096</b>
	SU513986 – Employment and Family Subsidy 2.9	
	Transfer Out	\$ 171,970.96
TO:	24A510 – Work and Training Admin.	
	WT137109 – Administrative Services	
	Revenue Transfer	\$ 171,970.96
A2. FROM:	29A390 – Health and Human Services Levy 2.9	
	SU513986 – Employment and Family Subsidy 2.9	
	Transfer Out	\$ 66,510.74

TO: 24A510 – Work and Training Admin.  
 WT137109 – Administrative Services  
 Revenue Transfer \$ 66,510.74

A3. FROM: 29A391 – Health and Human Services Levy 4.8  
 SU514430 – Employment and Family Subsidy 4.8  
 Transfer Out \$ 280,584.20

TO: 24A510 – Work and Training Admin.  
 WT137109 – Administrative Services  
 Revenue Transfer \$ 280,584.20

A4. FROM: 29A391 – Health and Human Services Levy 4.8  
 SU514430 – Employment and Family Subsidy 4.8  
 Transfer Out \$ 108,517.52

TO: 24A510 – Work and Training Admin.  
 WT137109 – Administrative Services  
 Revenue Transfer \$ 108,517.52

Funding Source: Health and Human Services Levy Fund.

B. FROM: 20A824 – Family Justice Center **JT1100126**  
 JA107441 – Family Justice Center  
 Transfer Out \$ 50,106.00

TO: 21A453 – Felony Coordinator Project  
 JA753384 – Felony Coordinator 2012  
 Revenue Transfer \$ 50,106.00

Funding Source: Health and Human Services Levy Fund.

C. FROM: 20A824 – Family Justice Center **JT1100127**  
 JA107441 – Family Justice Center  
 Transfer Out \$ 19,958.00

TO: 21A494 – VOCA Children Who Witness Violence  
 JA765206 – VOA Children Who Witness Violence 2012  
 Revenue Transfer \$ 19,958.00

Funding Source: Health and Human Services Levy Fund.

**SECTION 4.** This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**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.

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

Journal CC004  
November 9, 2011

November 2, 2011

REVISED: November 3, 2011

Clerk of County Council

Dear Ms. Schmotzer:

What follows is a brief summary of the fiscal items, which will be presented for your consideration at the Council meeting scheduled for November 9, 2011.

**Additional Appropriation Summary** – Additional appropriations are needed when there is a new or increased revenue source, or a revision to the original budget appropriation that is required to cover expenses that exceed the original estimate.

A reduction in appropriation is requested in conjunction with the close out of a program, grant, project or decertification of an encumbrance.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Common Pleas Court – To appropriate a grant from the Alcohol, Drug Addiction, and Mental Health Services Board for the Court Psychiatric Clinic. (See OBM Review Document.)	\$22,000.00
Common Pleas Court – Additional appropriation to cover space maintenance charges which were not included in the 2011 budget for Treatment Alternatives to Street Crimes HHS division. Funding is from the Health & Human Services Levy Fund. (See OBM Review Document.)	\$165,000.00
Health & Human Services Levy 4.8 – To increase appropriation to cover space maintenance charges for the Treatment Alternatives to Street Crimes HHS division of Common Pleas Court.	\$165,000.00
Development – An increase for the HUD Section 108 to cover the payment of fees, interest and principal. Funding is from the Department of Housing and Urban Development.	\$7,109.36
Office of Homeless Services – To appropriate a grant award from the U.S. Department of Housing and Urban Development for the Continuum of Care for Homeless Assistance program.	\$537,741.00
Justice Services – An increase in appropriation to cover encumbrances in the Information Technology Division (\$105,186) and a cash match for the firefighters grant with the City of Westlake (\$128,899). Funding is from the General Fund. (See OBM Review Document.)	\$234,085.00
<b>TOTAL</b>	<b>\$1,130,935.36</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Information Services Center – A decrease from Communications/Telecommunications Management Services from decertified contracts and a corresponding increase to Information Services to cover the purchase of licenses, to add storage capacity, and cover contractual obligations. Funding is from data processing charges to user agencies. (\$53,275.04)	\$0.00
<b>TOTAL</b>	<b>\$0.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Public Works/Engineer – Additional appropriation for the Ridgebury Road project to cover transfer of overhead expenses from the Road and Bridge Fund. Funding for the project is 80% Federal Highway dollars, 10% County \$5.00 fund and 10% from the municipalities.	\$99,169.05
Early Childhood/Invest in Children – To appropriate an award from the Martha Holden Jennings Foundation for the Assure Ready Kids Program.	\$30,000.00
Justice Services – To establish appropriation for the Felony Coordinator 2012 grant award from the Ohio Attorney General's Office for the General/Crime Victims Assistance and Prevention Section.	\$200,424.00
Justice Services – To establish appropriation for the Victims of Crimes Act Children Who Witness Violence 2012 grant award from the Ohio Attorney General's Office for the General/Crime Victims Assistance and Prevention Section.	\$79,833.00
Justice Services – To establish appropriation for the Juvenile Court Victim Advocate Program FY2012 grant award from the Ohio Attorney General's Office for the General/Crime Victims Assistance and Prevention Section.	\$15,030.00
Justice Services – To establish appropriations for the State Victims Assistance Act FY2012 grant award from the Ohio Attorney General's Office for the General/Crime Victims Assistance and Prevention Section.	\$5,925.00
Board of Developmental Disabilities – To appropriate the Pathways II Cooperative Project grant from the Ohio Department of Rehabilitation Services Commission.	\$1,361,335.00
Board of Developmental Disabilities - Decreasing William P Day Early Childhood IDEA appropriation to close-out grant.	-\$1,189.21



TOTAL	\$1,790,526.84
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<b>Total Additional Appropriations - All Funds</b>	<b>\$2,921,462.20</b>
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The following represents the overall changes made to the 2011 Annual Appropriation Measure since its adoption on October 28, 2010. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation measure.

APPROPRIATION STATUS SUMMARY:

	<u>11/09 Agenda</u>	<u>Year to Date</u>	<u>Adjusted Annual Appropriation</u>
General Fund	\$ 0.00	\$ 24,766,153.19	\$ 329,683,305.19
Other Fund	\$ 2,921,462.20	\$ 149,265,775.68	\$ 1,558,260,136.92
Total	\$ 2,921,462.20	\$ 174,031,928.87	\$ 1,887,943,442.11

**Appropriation Transfer Summary** – Is a transfer of appropriation between two or more budget accounts or between different expenditure categories within the same budget account.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Public Works/Central Services – Realigning appropriation from the Archives division to the Risk & Property Management division to cover expenses through year-end. Funding is from the General Fund.	\$125,000.00
Children & Family Services – Realigning appropriation from the Administrative Services division to the Information Services division to cover the purchase of software and licenses. Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$10,000.00
Medical Examiner – Realigning appropriation within the Coroner Operations division to cover projected expenses through year-end. Funding is from the General Fund.	\$50,000.00
<b>TOTAL</b>	<b>\$185,000.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
<b>TOTAL</b>	<b>0</b>

<b>Grants/Projects</b>	<b>Amount</b>
Prosecutor – Realigning appropriation within the Internet Crimes Against Children FY09 to cover the purchase of a van and technical equipment for monitoring internet crimes. Funding is from the U.S. Department of Justice.	\$150,000.00
Justice Services – Realigning appropriation within the Regional Collaboration Project division to cover final expenses to close out the grant from the Ohio Emergency Management Agency.	\$1,028.02
Medical Examiner – Realigning appropriation within the DNA Backlog Reduction Program division to properly capture expenses in the correct account. Funding is from the National Institute of Justice.	\$89,516.14
Justice Services – Realigning appropriation within the JAG Assistance Justice division to cover the purchase of software. Funding is from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.	\$5,000.00
<b>TOTAL</b>	<b>\$245,544.16</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$430,544.16</b>
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**Cash Transfer Summary** – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

Residual Equity Transfers are non-recurring or non-routine transfers of cash between funds. They are used to close out a fund and to transfer remaining fund balance to another fund. This transaction only affects cash fund balance and does not post as a revenue or expenditure. No appropriation is required to process this type of transaction.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Health & Human Services Levy Fund – A cash transfer to cover the County's monthly mandated share of Temporary Assistance To Needy Families (TANF) and Non TANF related medicaid, and food expenses. Funding is from the Health & Human Services Levy Fund.	\$627,583.42
<b>TOTAL</b>	<b>\$627,583.42</b>

Other Operating Funds	
<b>TOTAL</b>	<b>Amount</b> 0

Grants/Projects	
Justice Services – A cash transfer to provide the cash match for the Felony Coordinator 2012 program grant from the Ohio Attorney General's Office for the General/Crime Victims Assistance and Prevention Section.	\$50,106.00
Justice Services - A cash transfer to provide the cash match for the Children Who Witness Violence 2012 program grant from the Ohio Attorney General's Office for the General/Crime Victims Assistance and Prevention Section.	\$19,958.00
<b>TOTAL</b>	<b>\$70,064.00</b>

<b>Total Cash Transfers - All Funds</b>	<b>\$697,647.42</b>
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Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino  
 Director, Office of Budget & Management  
[mrubino@cuyahogacounty.us](mailto:mrubino@cuyahogacounty.us)  
 (216) 443-7448  
 Fax: (216) 443-7256

# MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council **REVISED: November 3, 2011**  
FROM: Matthew Rubino, Director, Office of Budget & Management  
DATE: November 2, 2011  
RE: Agenda Items

The Office of Budget & Management requests that the following fiscal items be presented to the members of County Council for their consideration at the meeting of November 9, 2011. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

## **Resolution: Additional Appropriations**

A. 21A283 – Psych Clinic Second Opinion Evaluation **BA1100924**  
CO753343 – Psych Clinic Second Opinion Evaluation FY 2012  
Personal Services \$ 22,000.00

To establish appropriations for the above grant. The Court Psychiatric Clinic receives funds from the Alcohol, Drug Addiction & Mental Health Services Board to provide second opinion evaluations pursuant to Senate Bill 285. More specifically, these evaluations are conducted on defendants who previously were adjudicated as incompetent to stand trial, unrestorable criminal jurisdiction or not guilty by reason of insanity and due to their mental illness have been hospitalized. This grant is a continuation of services and is for the period 07/01/11 through 06/30/12. No cash match is required.

B. 20A192 – TASC HHS **BA1100822**  
CO456533 – TASC HHS  
Other Expenses \$ 165,000.00

The Court of Common Pleas TASC HHS division was formally located in the Department of Justice Affairs. In November 2010, at the very end of the 2011 budget formulation process, a decision was made to move these activities from the Department of Justice Affairs to the Court of Common Pleas. Because of time constraint the projected 2011 cost for space maintenance charges was not available and was not included in the final budget resolution that was passed by the Board of County Commissioners. This appropriation increase provides the funding to pay these charges. Sufficient cash exist for this increase. The funding source for this sub-fund is the Health and Human Services Levy Fund.

C. 29A391 – Health and Human Service Levy 4.8 **BA1100878**  
SU514216 – Criminal Justice Intervention  
Other Expenses \$ 165,000.00

The Court of Common Pleas TASC HHS division was formally located in the Department of Justice Affairs. In November 2010, at the very end of the 2011 budget formulation process, a decision was made to move these activities from the Department of Justice Affairs to the Court of Common Pleas. Because of time constraint the projected 2011 cost for space maintenance charges was not available and was not included in the final budget resolution that was passed by the Board of County Commissioners. This appropriation increase is to add to the projected FY 2011 Health and Human Service Levy subsidy for the Court of Common Pleas TASC HHS index code. The funding source for this index code is the Health and Human Service Levy Fund and sufficient cash exists for this increase.

D.	63A200 – Communications/Telecom Mgmt. Services IS694166 – Telecom Management Services Other Expenses	\$ (53,275.04)	<b>BA1100933</b>
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A request to decrease appropriation for two expired contracts that were recently decertified. The contracts provided services that Information Services Center no longer uses. Funding for this line comes from charges to agencies for data processing services.

E.	63A100 – Information Services Center IS821009 – Information Services Center Other Expenses	\$ 53,275.04	<b>BA1100944</b>
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An appropriation increase is requested to provide additional funding for other operating expenses. The appropriation would pay for licenses to add storage capacity to the County central data center and ongoing contractual obligations for communications services including wide area network. Funding for this expenditure comes from chargebacks to agencies for data processing services.

F.	40A526 – Ohio Department of Transportation (ODOT) Local Projects Administration (LPA) CE785006 – ODOT - LPA Personal Services	\$ 99,169.05	<b>BA1100913</b>
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Additional appropriation is requested for the Ridgebury Road project to transfer overhead expenses from the Road and Bridge Fund to the project. Funding for the Ridgebury Road project is 80% Federal Highway Transportation dollars passed through the Ohio Department of Transportation, 10% County (\$5.00 fund), and 10% the municipalities of Lyndhurst, Mayfield Heights and Highland Heights.

G.	22A105 – Department of Housing and Urban Develop. (HUD) Section 108 DV711606 – HUD Section 108 Other Expenses	\$ 7,109.36	<b>BA1100914</b>
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An increase in appropriation is requested in the HUD Section 108 account to allow for the payment of fees, interest and principal. Funding for HUD Section 108 comes from the Department of Housing and Urban Development (HUD).

H.	22A063 – SHP'10 SA PASS Transitional HS753368 – SHP'10 SA PASS Transitional Other Expenses	\$ 537,741.00	<b>BA1100945</b>
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The Office of Homeless Services requests additional appropriation of \$537,741.00 for the 2011 Operating Budget to cover recent award from the United States Department of Housing & Urban Development in connection with the Continuum of Care for Homeless Assistance

program for the Supportive Housing program covering the period November 1, 2011 through October 31, 2012. The donation was approved and accepted by the County Executive on June 7, 2011.

I.	21A072 – Invest In Children - SPARK Program EC720870 – Martha Holden Jennings Foundation Other Expenses	\$ 30,000.00	<b>BA1100827</b>
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The Department of Early Childhood requests additional appropriation of \$30,000.00 for the 2011 Operating Budget to support partners in the Assure Ready Kids Program for the Invest in Children Program for the period of September 1, 2011 through August 31, 2012. Funding is supported by a donation from the Martha Holden Jennings Foundation. The donation has been approved by the County Executive on September 20, 2011.

J.	21A453 – Felony Coordinator Project JA753384 – Felony Coordinator 2012 Personnel Services	\$ 200,424.00	<b>BA1100911</b>
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To establish appropriations for the Felony Coordinator 2012 grant awarded by the Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section for various projects in connection with the Victims of Crime Act and State Victims Assistance Act Grant Programs covering the period October 1, 2011 through September 30, 2012. The grant awarded \$150,318.00 with the County providing a cash match of \$50,106.00 (see related cash transfer document JT1100126 fiscal item B). The award was accepted through Executive Approval through the Board of Control on July 5, 2011, document EA2011-0895.

K.	21A494 – VOCA Children Who Witness Violence JA765206 – VOCA Children Who Witness Violence 2012 Other Expenses	\$ 79,833.00	<b>BA1100929</b>
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To establish appropriations for the Victims of Crimes Act (VOCA) Children Who Witness Violence 2012 grant awarded by the Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section for various projects in connection with the Victims of Crime Act and State Victims Assistance Act Grant Programs covering the period October 1, 2011 through September 30, 2012. The grant awarded \$59,875 with the County providing a cash match of \$19,958.00 (see related cash transfer document JT1100127 fiscal item C). The award was accepted through Executive Approval through the Board of Control on July 5, 2011, document EA2011-0895.

L.	21A518 – Juvenile Court Victim Advocate JA753376 – Juvenile Court Advocacy Program FY2012 Personnel Services	\$ 15,030.00	<b>BA1100930</b>
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To establish appropriations for the Juvenile Court Victim Advocate Program FY2012 grant awarded by the Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section for various projects in connection with the Victims of Crime Act and State Victims Assistance Act Grant Programs covering the period October 1, 2011 through September 30, 2012. No cash match is required. The award was accepted through Executive Approval through the Board of Control on July 5, 2011, document EA2011-0895.

M.	21A885 – State Victims Assistance Act JA765214 – State Victims Assistance Act (SVAA) FY12 Other Expenses	\$ 5,925.00	<b>BA1100931</b>
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To establish appropriations for the State Victims Assistance Act FY2012 grant awarded by the Ohio Attorney General Office for the General/Crime Victims Assistance and Prevention Section for various projects in connection with the Victims of Crime Act and State Victims Assistance Act Grant Programs covering the period October 1, 2011 through September 30, 2012. No cash match is required. The award was accepted through Executive Approval through the Board of Control on July 5, 2011, document EA2011-0895.

N1.	01A001 – General Fund		<b>BA1100939</b>
	JA100990 – Division of Information Technology		
	Other Expenses	\$	105,186.00
N2.	01A001 – General Fund		
	JA302224 – Public Safety Grants Administration		
	Other Expenses	\$	128,899.00

To provide appropriations within the Department of Public Safety and Justice Services specifically the Division of Information Technology and Public Safety Grants to move encumbrances in the Justice Systems Management account to the proper accounts. The amount for Division of Information Technology is for the In-Jail project and the Public Safety Grants for the contract with the City of Westlake for the cash match in 2011 for the firefighters grant. After the encumbrances have been moved the appropriations in Justice Systems Management will be reduced, expected for the December 13, 2011 Council agenda. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

O.	21A660 – Pathways II Cooperative		<b>BA1100715</b>
	MR741025 – Pathways II Cooperative		
	Other Expenses	\$	1,361,335.00

The Cuyahoga County Board of Developmental Disabilities (CCBDD) requests additional appropriation of \$1,361,335.00 for the 2011 Operating Budget to cover recent award from the Ohio Rehabilitation Services Commission to administer the Pathways II Cooperative Project Grant, supporting vocational rehabilitation case management services. CCBDD has partnered with other agencies to access federal funds to be used for providing vocational rehabilitation services to individuals with disabilities. CCBDD contracts with the Ohio Rehabilitation Services Commission and provides fiscal oversight and support to the subcontracting agencies. This is an extension of the grant previously awarded in 2008. There is a cash match in conjunction with this grant. No additional appropriation is necessary, as sufficient funds exist in this fund to cover the cash match. The source of funding is the Ohio Rehabilitation Services Commission.

P.	21S653 ARRA Special Educ Part B IDEA		<b>BA1100946</b>
	MR741264-FY10 William P Day Early Child Ctr ARRA		
	Personal Services	\$	(1,189.21)

To request an decrease in appropriation, due to overstatement in appropriation as a result of entire grant award not used. The purpose of the appropriation was to cover staff salaries professional development and at William P Day Early Childhood center awarded through the IDEA grant with Federal Stimulus dollars. The grant period ended September 30, 2011.

**Resolutions: Appropriation Transfers**

A. FROM: 01A001 – General Fund **BA1100912**  
CT577601 - Archives  
Other Expenses \$ 125,000.00

TO: 01A001 – General Fund  
CT577106 – Risk and Property Management  
Other Expenses \$ 125,000.00

An appropriation transfer is requested between the Archives and Risk and Property Management, both general fund accounts. The transfer is necessary to cover remaining year expenses. Funding for the Archives and Risk and Property Management comes from the General Fund.

B. FROM: 24A301 – Children & Family Services **BA1100826**  
CF135467- Administrative Services  
Other Expenses \$ 10,000.00

TO: 24A301 – Children & Family Services  
CF135491 – Information Services  
Other Expenses \$ 10,000.00

This request is to transfer appropriation to cover CSR#HC110700 for the purchase of Oracle TOAD software and licenses and anticipated spending through year end. The funding source is primarily Federal and State revenues, as well as the Health and Human Services Levy Fund.

C. FROM: 21A359 – Internet Crimes Against Children **BA1100925**  
PR764860 – Internet Crimes Against Children FY09  
Personnel Services \$ 150,000.00

TO: 21A359 – Internet Crimes Against Children  
PR764860 – Internet Crimes Against Children FY09  
Capital Outlays \$ 150,000.00

To transfer appropriations within the Internet Crimes Against Children FY09 grant for the purchase of a van and technical equipment for monitoring internet crimes against children. Funding is from the United State Department of Justice covering the period October 1, 2009 through June 30, 2012.

D. FROM: 21A900 – Regional Collaboration Project **BA1100910**  
JA752196 – Regional Collaboration Project 2010/2011  
Capital Outlays \$ 1,028.02

TO: 21A900 – Regional Collaboration Project  
JA752196 – Regional Collaboration Project 2010/2011  
Other Expenses \$ 1,028.02

To transfer appropriations within the Regional Collaboration Project 2010/2011 for final expenses and to prepare the grant for close out. Funding is from Ohio Emergency Management Agency covering the period September 1, 2008 through June 30, 2011.

E.	FROM:	21A854 – DNA Backlog Reduction Program	<b>BA1100926</b>
		CR752931 – 10/12 DNA Backlog Reduction Program	
		Other Expenses	\$ 89,516.14
	TO:	21A854 – DNA Backlog Reduction Program	
		CR752931 – 10/12 DNA Backlog Reduction Program	
		Personnel Services	\$ 61,516.14
		Capital Outlays	\$ 28,000.00

To transfer appropriations within the DNA Backlog Reduction Program to be able to properly capture expenses in the correct accounts. Funding is from the National Institute of Justice covering the period January 1, 2010 to March 31, 2012.

F.	FROM:	21A838 – JAG Assistance Justice	<b>BA1100934</b>
		JA755405 – JAG Assistance Justice 07	
		Capital Outlays	\$ 5,000.00
	TO:	21A838 – JAG Assistance Justice	
		JA755405 – JAG Assistance Justice 07	
		Other Expenses	\$ 5,000.00

To transfer appropriations within the JAG Assistance Justice for anticipated software purchase. Funding is from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance covering the period October 1, 2006 through September 30, 2011.

G.	FROM:	01A001 – General Fund	<b>BA1100935</b>
		CR180026 – Coroner-Operations	
		Personnel Services	\$ 50,000.00
	TO:	01A001 – General Fund	
		CR180026 – Coroner-Operations	
		Other Expenses	\$ 50,000.00

To transfer appropriations within the Medical Examiners Office for expenses projected to be expended by year-end. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.



**Resolutions: Cash Transfers**

A1.	FROM:	29A390 – Health and Human Services Levy 2.9 SU513986 – Employment and Family Subsidy 2.9 Transfer Out	\$	171,970.96	<b>JT1100096</b>
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	171,970.96	
A2.	FROM:	29A390 – Health and Human Services Levy 2.9 SU513986 – Employment and Family Subsidy 2.9 Transfer Out	\$	66,510.74	
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	66,510.74	
A3.	FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Employment and Family Subsidy 4.8 Transfer Out	\$	280,584.20	
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	280,584.20	
A4.	FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Employment and Family Subsidy 4.8 Transfer Out	\$	108,517.52	
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	108,517.52	

In accordance with the Ohio Revised Code (ORC) Section 5101.16 the county is required to pay a share of TANF related administration (\$5,430,662) and Non-TANF (\$2,387,224) related administration for Medicaid, Food related expenditures during a calendar year. This represents 1/12 of the total required mandated share that generally is transferred to the corresponding fund on a monthly basis. This transfer is for November 2011. The amount is based on the current State fiscal year's requirement. The funding source is the Health and Human Services Levy Fund.

B.	FROM:	20A824 – Family Justice Center JA107441 – Family Justice Center Transfer Out	\$	50,106.00	<b>JT1100126</b>
	TO:	21A453 – Felony Coordinator Project JA753384 – Felony Coordinator 2012 Revenue Transfer	\$	50,106.00	

The transfer is providing sufficient cash in the newly created grant Felony Coordinator 2012 program. This is the county's contribution to the cash match portion of the agreement (see related additional appropriation item J). Funding is from the Health and Human Services Levy Fund covering the period January 1, 2011 through December 31, 2011.

C.	FROM:	20A824 – Family Justice Center		
		JA107441 – Family Justice Center		<b>JT1100127</b>
		Transfer Out	\$	19,958.00
	TO:	21A494 – VOCA Children Who Witness Violence		
		JA765206 – VOA Children Who Witness Violence 2012		
		Revenue Transfer	\$	19,958.00

The transfer is providing sufficient cash in the newly created grant VOCA Children Who Witness Violence 2012 program. This is the county's contribution to the cash match portion of the agreement (see related additional appropriation, item K). Funding is from the Health and Human Services Levy Fund covering the period January 1, 2011 through December 31, 2011

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# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0315

<b>Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer</b>	<b>A Resolution</b> authorizing a contract with HNTB Ohio, Inc. in the amount not-to-exceed \$467,910.00 for design engineering services for reconstruction, with additional turning lanes, of Royalton Road from West 130th Street to York Road in the City of North Royalton; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, County Executive FitzGerald/Department of Public Works/County Engineer has submitted a request to contract with HNTB Ohio, Inc. in the amount not-to-exceed \$467,910.00 for design engineering services for reconstruction, with additional turning lanes, of Royalton Road from West 130<sup>th</sup> Street to York Road in the City of North Royalton; and

WHEREAS, HNTB Ohio, Inc. is a domestic for profit corporation, incorporated in the State of Ohio that provides, without limitations, architecture, engineering, planning and construction services; and

WHEREAS, the organization is located at 1100 Superior Avenue, Suite 1330, Cleveland, Ohio 44114 within Council District 7; and

WHEREAS, the Board of Directors for the Contractor includes: Terry K. Miller, John Friel, John E. Kupke, Roger C. Ward, William C. Clawson and Craig Denson; and

WHEREAS, the primary goal of this project is to reconstruct, with additional turning lanes, of Royalton Road from West 130<sup>th</sup> Street to York Road in the City of North Royalton. This will increase the capacity, reduce the congestion and increase safety along these routes; and

WHEREAS, the procurement method for this project was an RFQ with an SBE goal of 0%. The total value of the RFQ is estimated at \$1,967,910.00 and there were fourteen (14) pre-proposals submitted for review; and

WHEREAS, the RFQ closed on September 22, 2010; and

WHEREAS, pursuant to BOCC Resolution No. 104903, dated November 10, 2010, the County Engineer was authorized to negotiate a contract with HNTB Ohio, Inc. for design engineering services for said project; and

WHEREAS, this is a new contract to the County and the project consists of two (2) phases. This contract is for HNTB to perform the first phase of the project which includes the planning, environmental and preliminary engineering activities necessary to identify a preferred horizontal and vertical alignment; and

WHEREAS, the second phase of the project will be contracted as an amendment upon environmental approval of the project by the Ohio Department of Transportation (“ODOT”) per federal regulation when using Federal funds; and

WHEREAS, the funding for this project is as follows: (1) 80% by Federal earmarks, (2) 10% by the City of North Royalton, and (3) 10% by the County Road and Bridge \$7.50 fund. The schedule of payments is monthly; and

WHEREAS, it is necessary that this Resolution become immediately effective because this project is on a critical action path, utilizing Federal funds for the design, therefore it is important to keep the project schedule on track; and

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

**SECTION 1.** That the County Council hereby authorizes a contract with HNTB Ohio, Inc., in the amount not-to-exceed \$467,910.00 for design engineering services for reconstruction, with additional turning lanes, of Royalton Road from West 130<sup>th</sup> Street to York Road in the City of North Royalton.

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

**SECTION 3.** It is necessary that this Resolution become immediately effective because this project is on a critical action path, utilizing Federal funds for the design, therefore it is important to keep the project schedule on track. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 4.** 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

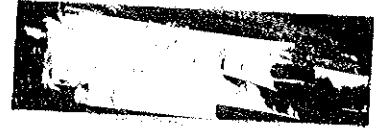
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Submission of Awarded Contract		
<b>Request Prepared by:</b>	Nichole English	<b>Telephone No.</b>	216-348-3861

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work Summary**

1. Department of Public Works requesting approval of an agreement with HNTB Ohio, Inc. for the anticipated cost of \$467,910.00. The anticipated start-completion dates are 11/21/11 - 10/31/15.
2. The primary goals of the project are to reconstruct with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton. This will increase capacity, reduce congestion and increase safety along the route.
3. N/A

**B. Procurement**

1. The procurement method for this project was RFQ. The total value of the RFQ is estimated at \$1,967,910.00.
2. The RFQ was closed on 09/22/10. There is an SBE goal of 0%.
3. There were 14 pre-proposals submitted for review.

**C. Contractor and Project Information**

1. The address of the vendor is:  
HNTB Ohio, Inc.  
1100 Superior Avenue, Suite 1330  
Cleveland, Ohio 44114  
Council District 7
2. The board of directors for the contractor includes: Terry K. Miller, John Friel, John E. Kupke, Roger C. Ward, William C. Clawson, Craig W. Denson
- 3a. The address or location of the project is Royalton Road from West 130th Street to York Road in North Royalton.

3b. The project is located in Council District 5

**D. Project Status and Planning**

1. The project is a new contract to the County.
2. The project has 2 phases. The next steps, dates and anticipated cost of these are: Part 2, start date 01/2013 for \$1,500,000.00.
3. The project is on a critical action path because the project is utilizing federal funds for the design and to keep the project schedule on track.
4. N/A
5. The agreement needs a signature in ink asap.

**E. Funding**

1. The project is funded 80% by federal earmarks, 10% by the City of North Royalton and 10% by the County road and bridge \$7.50 fund.
2. The schedule of payments is monthly.

**ADDITIONAL INFORMATION:**

Submitting an agreement with HNTB Ohio, Inc. in the amount not-to-exceed \$467,910.00 for Engineering Services for the reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton. This contract is for HNTB to perform Part 1 of the project which includes the planning, environmental and preliminary engineering activities necessary to identify a preferred horizontal and vertical alignment.

Part 2 of the project will be contracted as an amendment upon environmental approval of the project by ODOT per federal regulations when using federal funds. Part 2 contract with HNTB is estimated to be \$1,500,000.00 for a total contract value of \$1,967,910. We are asking for authority for the County Executive to enter into agreement with HNTB for both parts of the agreement for a total not-to-exceed amount of \$1,967,910. Part 1 would be signed at this time and Part 2, the amendment, would be drafted and signed after environmental approval.

Public Works is sending over under separate cover 4 hard copies (two originals) of the contract for wet signature. Please execute and return for further processing.

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

The Department of Public Works will be able to complete the engineering for Royalton Road.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

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**Funding source:** Other      **Explanation:** Road and Bridge - \$7.50 fund

**Total Amount Requested:**  
\$

**ATTACHMENTS:**

Click to download

- [Agreement- WET SIGNATURE](#)
- [Board of Directors](#)
- [Certificate of Compliance](#)
- [DMA](#)
- [Insurance Certificates](#)
- [Secretary of State Search](#)
- [W9](#)
- [Workers Compensation Certificate](#)
- [Auditor Findings](#)
- [Proposal](#)
- [REQ form](#)

**History**

Time	Who	Approval
10/17/2011 10:04 AM	Office of Procurement & Diversity Clerk of the Board	Yes



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0316

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b>	<b>A Resolution</b> approving Right-of-Way plans as set forth in preliminary Right-of Way Plat M-5011 for the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park; authorizing the County Executive through the Department of Public Works to acquire the necessary Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Department of Public Works/County Engineer has prepared and submitted preliminary Right-of Way Plat M-5011 for the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park and has recommended its approval; and

WHEREAS, since October 17, 2011 and continuing until the present, the Department of Public Works has posted and provided continuous notice of the following on its website:

(1) The Department of Public Works has submitted preliminary Right-of-Way Plat No. M-5011 for County Council approval and the same is available for viewing on said website;

(2) The Department of Public Works intends to acquire Right-of-Way for said improvement;

(3) As part of Right-of-Way Plat No. M-5011, the Department of Public Works will be seeking a finding that no special assessments will be levied nor collected to pay for any part of the County's costs of said improvement;

(4) The Department of Public Works will be seeking that the Resolution approving the Right-of-Way Plat No. M-5011 be passed with the declaration that the Resolution become immediately effective;

(5) That a first reading of the Resolution approving the Right-of-Way Plat No. M-5011 will be made by the Cuyahoga County Council on November 9, 2011 at 6:00 p.m.;

(6) That General Public access and ability to review the preliminary Right-of-Way Plat No. M-5011 is provided via an electronic link as indicated; and

WHEREAS, the construction surveys, plans, profiles, cross sections, estimates of costs and/or specifications of said improvement will be submitted to Council for approval prior to the construction going out to bid; and

WHEREAS, the current estimated total cost for construction of the Right-of-Way \$672,000.00, and the estimated engineering cost is \$67,200.00, for a total estimated cost of \$739,200.00; and

WHEREAS, the construction and engineering of the Right-of-Way will be as follows: (1) 40% by the Ohio Public Works Commission State issue I funds, and (2) 60% will be funded from the County Road and Bridge fund.

WHEREAS, it is necessary that this Resolution become immediately effective because State Issue I funds are being utilized for the construction this project and the need to keep the schedule of the project in order to maintain project funding deadlines, and the Right-of-way construction cannot begin until authority is granted.

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

**SECTION 1.** That the preliminary Right-of-Way Plat No. M-5011 for said improvement is hereby approved.

**SECTION 2.** That the County Executive through the Department of Public Works is hereby authorized to acquire the Right-of-Way necessary for said improvement.

**SECTION 3.** That special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement.

**SECTION 4.** That all proceedings relative to Right-of-Way Plat No. M-5011 are hereby ordered copied into the Road Record of the County by the Department of Public Works and copied into all other proper records of the County by the Fiscal Officer as required by law.

**SECTION 5.** It is necessary that this Resolution become immediately effective because State Issue I funds are being utilized for the construction and the need to keep the schedule of the project in order to maintain project funding deadlines, and the Right-of-way acquisition cannot begin until authority is granted. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 6.** 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:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal Husani, P.E.
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Fred Whatley	<b>Telephone No.</b>	348-3840

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work**

1. This Legislative Action Request does not involve a contract. Instead, it is the Department of Public Works submitting preliminary Right-of-Way Plat No. M-5011 for approval, seeking authorization for the acquisition of required right-of-way, requesting a finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of this improvement, which is the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park, and asking for the resolution to be made effective immediately upon approval because State funds are being utilized for right the construction and we need to keep the schedule of the project in order to maintain project funding deadlines. Right-of-way acquisition cannot begin until authority is granted. Since Monday, October 17, 2011, and continuing until the Resolution granting the requested authority is either adopted or rejected, the Department of Public Works has posted and provided continuous notice of the following on its website:

- a. The Department of Public Works has submitted preliminary Right-of-Way Plat No. M-5011 for County Council approval and that the same is available of viewing on said website;
- b. The Department of Public Works intends to acquire right-of-way for said improvement;
- c. As part of the Right-of-Way Plat No. M-5011, the Department of Public Works will be seeking a finding that special assessments will not be levied nor collected to pay for any part of the County's costs of said improvement;
- d. That the Department of Public Works will be seeking that the Resolution approving the Right-of-Way Plat No. M-5011 be passed with the declaration that the Resolution become immediately effective;
- e. That a First Reading of the Resolution approving the Right-of-Way Plat No. M-5011 will be made by the Cuyahoga County Council at its meeting scheduled to begin at 6:00 p.m. on November 9, 2011; and,

f. That general public access and ability to review preliminary Right-of-Way Plat No. M-5011 is provided via an electronic link as indicated.

2. The primary goal of this request is to obtain authority to acquire the necessary right-of-way for the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park.

3. N/A

**B. Procurement**

1. N/A

2. N/A

3. N/A

**C. Contractor and Project Information**

1. N/A

2. N/A

3. a. The location of the project is in the City of Brook Park.

b. The project is located in Council District 2.

**D. Project Status and Planning**

1. N/A

2. N/A

3. N/A

4. N/A

5. N/A

**E. Funding**

1. As noted above, this Legislative Action Request does not involve a contract. There will be a subsequent, separate Legislative Action Request to award a contract to a consultant for acquisition services. The estimated cost for construction of the entire project is \$672,000.00, and an estimated engineering cost of \$67,200.00, for a total estimated cost of \$739,200.00. Funding will be as follows: 40% Ohio Public works Commission Funds (Issue I)/60% County (Road and Bridge Fund).

2. N/A

3. N/A

Resolution 093003, adopted on 07/16/2009, declared the Convenience and Welfare of this project. The agreement of cooperation between the County and the City of Brook Park was approved by Resolutions 093405 (adopted on 08/17/2009).

The County will manage the acquisition of required right-of-way. For all of the foregoing reasons, the Department of Public Works is submitting preliminary Right-of-Way Plat No. M-5011 for approval, seeking authorization for the acquisition of required property, requesting a finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of this improvement, which is the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park, and asking for the resolution to be made effective immediately upon approval because State Issue I funds are being utilized for this project and we need to keep the schedule of the project in order to maintain project funding deadlines. Right-of-way acquisition cannot begin until authority is granted.

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

Purpose/Outcome - To obtain authority to begin acquisition of needed property for the relining of Snow Road Bridge No. 220 over the west branch of Big Creek in the City of Brook Park.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**  
**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      Road and Bridge

**Total Amount Requested:**  
\$

**ATTACHMENTS:**

Click to download

- [Right-of-Way Plat No. M-6011 Legend Sheet](#)
- [Right-of-Way Plat No. M-6011 R/W Plan](#)

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
	Clerk of the Board	



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0317

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b></p>	<p><b>A Resolution</b> approving Right-of-Way plans as set forth in preliminary Right-of Way Plat M-4985 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma; authorizing the County Executive through the Department of Public Works to acquire the necessary Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.</p>
--	---

WHEREAS, the Department of Public Works/County Engineer has prepared and submitted preliminary Right-of Way Plat M-4985 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma and has recommended its approval; and,

WHEREAS, since October 17, 2011 and continuing until the present, the Department of Public Works has posted and provided continuous notice of the following on its website:

(1) The Department of Public Works has submitted preliminary Right-of-Way Plat No. M-4985 for County Council approval and the same is available for viewing on said website;

(2) The Department of Public Works intends to acquire Right-of-Way for said improvement;

(3) As part of Right-of-Way Plat No. M-4985, the Department of Public Works will be seeking a finding that no special assessments will be levied nor collected to pay for any part of the County's costs of said improvement;

(4) The Department of Public Works will be seeking that the Resolution approving the Right-of-Way Plat No. 4985 be passed with the declaration that the Resolution become immediately effective;

(5) That a first reading of the Resolution approving the Right-of-Way Plat No. M-4985 will be made by the Cuyahoga County Council on November 9, 2011 at 6:00 p.m.;

(6) That General Public access and ability to review the preliminary Right-of-Way Plat No. M-4985 is provided via an electronic link as indicated; and,

WHEREAS, the construction surveys, plans, profiles, cross sections, estimates of costs and/or specifications of said improvement will be submitted to Council for approval prior to the construction going out to bid; and,

WHEREAS, the current estimated total cost for construction of the Right-of-Way acquisition is \$2,400,000.00; and,

WHEREAS, the acquisition will be funded as follows: the first \$50,000.00 will be funded by the County (Road and Bridge Fund); \$50,000.00 to \$2,400,000.00 which will be funded as 50% through Federal and 50% to be funded through the County (Road and Bridge Fund); and,

WHEREAS, it is necessary that this Resolution become immediately effective because Federal funds are being utilized for the Right-of-Way acquisition, the County is required to keep on schedule for the project in order to maintain project funding deadlines, and Right-of-Way acquisition cannot begin until authority is granted.

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

**SECTION 1.** That the preliminary Right-of-Way Plat No. M-4985 for said improvement is hereby approved.

**SECTION 2.** That the County Executive through the Department of Public Works is hereby authorized to acquire the Right-of-Way necessary for said improvement.

**SECTION 3.** That special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement.

**SECTION 4.** That all proceedings relative to Right-of-Way Plat No. M-4985 are hereby ordered copied into the Road Record of the County by the Department of Public Works and copied into all other proper records of the County by the Fiscal Officer as required by law.

**SECTION 5.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to assure that work on the improvement can commence during the prime construction season. Otherwise, any delay in commencement of the work may cause delay to the work and result in significant cost increases to the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 6.** 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:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal Husani, P.E.
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Fred Whatley	<b>Telephone No.</b>	348-3840

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work**

1. This Legislative Action Request does not involve a contract. Instead, it is the Department of Public Works submitting preliminary Right-of-Way Plat No. M-4985 for approval, seeking authorization for the acquisition of required right-of-way, requesting a finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of this improvement, which is the improvement of 2.34 miles of Bagley Road and Pleasant Valley Road (including 0.24 miles of W. 130th Street) from Pearl Road to York Road, by widening to five lanes, regrading of profile and providing new pavement, new storm and sanitary sewers, water main, new signage and striping and new traffic signal system in the Cities of Middleburg Heights and Parma, and asking for the resolution to be made effective immediately upon approval because federal funds are being utilized for right-of-way acquisition and construction and we need to keep the schedule of the project in order to maintain project funding deadlines. Right-of-way acquisition cannot begin until authority is granted.

Since Monday, October 17, 2011, and continuing until the Resolution granting the requested authority is either adopted or rejected, the Department of Public Works has posted and provided continuous notice of the following on its website:

- a. The Department of Public Works has submitted preliminary Right-of-Way Plat No. M-4985 for County Council approval and that the same is available for viewing on said website;
- b. The Department of Public Works intends to acquire right-of-way for said improvement;
- c. As part of the Right-of-Way Plat No. M-4985, the Department of Public Works will be seeking a finding that special assessments will not be levied nor collected to pay for any part of the County's costs of said improvement;
- d. That the Department of Public Works will be seeking that the Resolution approving the Right-of-Way Plat No. M-4985 be passed with the declaration that the Resolution become

Immediately effective;

e. That a First Reading of the Resolution approving the Right-of-Way Plat No. M-4985 will be made by the Cuyahoga County Council at its meeting scheduled to begin at 6:00 p.m. on November 9, 2011; and,

f. That general public access and ability to review preliminary Right-of-Way Plat No. M-4985 is provided via an electronic link as indicated.

2. The primary goal of this request is to obtain authority to acquire the necessary right-of-way for the improvement of 2.34 miles of Bagley Road and Pleasant Valley Road (including 0.24 miles of W. 130th Street) from Pearl Road to York Road, in the cities of Middleburg Heights and Parma.

3. N/A

**B. Procurement**

1. N/A

2. N/A

3. N/A

**C. Contractor and Project Information**

1. N/A

2. N/A

3. a. The location of the project is Bagley Road and Pleasant Valley Road (including 0.24 miles of W. 130th Street) from Pearl Road to York Road, in the cities of Middleburg Heights and Parma.

b. The project is located in Council Districts 4 and 5.

**D. Project Status and Planning**

1. N/A

2. N/A

3. N/A

4. N/A

5. N/A

**E. Funding**

1. As noted above, this Legislative Action Request does not involve a contract. There will be a subsequent, separate Legislative Action Request to award a contract to a consultant for acquisition services. There is an estimated cost of \$2,400,000.00 for acquiring the necessary right-of-way, which sum will be used to pay the property owners and the consultant providing the acquisition services. Funding will be as follows: First \$50,000.00 - County [Road and Bridge Fund]; \$50,000.00 to \$2,400,000.00 - 50% Federal/50% County [Road and Bridge Fund].

2. N/A

3. N/A

Resolution 003119, adopted on 03/15/79, declared the Convenience and Welfare of this project. The agreements of cooperation between the County and the City of Middleburg Heights and the County and the City of Parma were approved by Resolutions 026209 [adopted on 05/19/1980] and 003201 [adopted on 01/14/1980], respectively.

The County will manage the acquisition of required right-of-way. For all of the foregoing reasons, the Department of Public Works is submitting preliminary Right-of-Way Plat No. M-4985 for approval, seeking authorization for the acquisition of required property, requesting a finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of this improvement, which is the improvement of 2.34 miles of Bagley

Road and Pleasant Valley Road (including 0.24 miles of W. 130th Street) from Pearl Road to York Road, by widening to five lanes, regrading of profile and providing new pavement, new storm and sanitary sewers, water main, new signage and striping and new traffic signal system in the Cities of Middleburg Heights and Parma, and asking for the resolution to be made effective immediately upon approval because federal funds are being utilized for right-of-way acquisition and construction and we need to keep the schedule of the project in order to maintain project funding deadlines. Right-of-way acquisition cannot begin until authority is granted.

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

Purpose/Outcome - To obtain authority to begin acquisition of needed property for the improvement of 2.34 miles of Bagley Road and Pleasant Valley Road in the Cities of Middleburg Heights and Parma.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
Other	Road and Bridge

**Total Amount Requested:**

\$

**ATTACHMENTS:**

[Click to download](#)

[Bagley/Pleasant Valley ROW Plat M-4985](#)

**History**

**Time**

**Who**

Clerk of the Board

**Approval**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0318

<b>Sponsored by: County Executive FitzGerald/Department of Public Works/Central Services</b>	<b>A Resolution</b> authorizing a contract with Reserve Apartments, LTD in the amount of \$2,400,205.56 for lease of office space located at 1701 E. 17 <sup>th</sup> Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014; and authorizing the County Executive to execute the contract and all other documents consistent with this Resolution.
--	---

WHEREAS, the County Executive/Department of Public Works/Central Services has submitted a request for a Contract with Reserve Apartments, Ltd in the amount of \$2,400,205.56 for lease of office space located at 1701 E. 17<sup>th</sup> Street, Cleveland, Ohio, for use by various County departments for the period 10/1/2011 – 9/30/2014; and

WHEREAS, the Department of Public Works/Central Services seeks approval of the Lease Agreement with Reserve Apartments, Ltd for the lease of office space on behalf of the Division of Senior & Adult Services (“DSAS”), Division of Employment & Family Services/Child Support Enforcement Agency (“DEFS/CSEA”) and the Department of Development (“DOD”); and

WHEREAS, the term of the Lease is three (3) years starting October 01, 2011 and running through September 30, 2014, with a six (6) months termination option for each agency. For DEFS/CSEA, the termination option is after the first eighteen (18) months, after nine (9) months for the DOD and after six (6) months for the DSAS; and

WHEREAS, the primary purpose of the lease is to provide continuing operating space for the three aforementioned divisions and department; and

WHEREAS, the lease is for 76,197 square feet of office space at \$10.50 per square foot. The total cost of the lease is \$781,019.28 for the first year and \$2,400,205.56 for the entire three year term; and

WHEREAS, the County has leased space at this location for many years and the proposed lease is a reduction of approximately 10,000 square feet from the current lease; and

WHEREAS, this lease is a result of a County RFP process with three (3) responsive bids. This location was chosen as it was the least expensive alternative with no moving or build-out costs; and

WHEREAS, the funding for the lease will come from each of the three (3) agencies, proportioned to their use of space at the leased location as follows: (1) DOD is funded





**Item Details:**

<b>Agency/Dept. Name:</b>	Department Central Services	<b>Agency/Dept. Head Name:</b>	Bonnie Teeuwen
<b>Type of Request:</b>	Submission of Awarded Contract		
<b>Request Prepared by:</b>	Wanda Graves / John Myers	<b>Telephone No.</b>	(216) 443-7095

**SUMMARY OF REQUESTED ACTION:**

**Scope of Work:**

Department of Public Works seeking approval of Lease Agreement with Reserve Apartments, LTD for the lease of office space on behalf of Department of Senior & Adult Services, Child Support Enforcement Agency and Department of Development.

**Term:**

Lease Term of Three (3) years starting October 01, 2011 and running through September 30, 2014. Six (6) months termination option for each agency after the first eighteen (18) months for CSEA, after nine (9) months for DOD and after six (6) months DSAS.

The lease is for 76,197 square feet of space at \$10.50 per square foot. This totals \$781,019.28 for the first year of the lease and \$2,400,205.56 for the entire three year term.

The primary purpose is to provide continuing operating space for these three departments. The County has leased space at this location for many years. This is a reduction of approximately 10,000 square foot from current lease.

**Procurement:**

This lease was a result of a County RFP process with three (3) responsive bids. This particular location was chosen as it was the least expensive alternative with no moving or build-out costs.

**Contractor & Project Information:**

The Landlord/Vendor is Reserve Apartments, LTD., with a mailing address of 4420 Sherwin

Road, Willoughby, Ohio 44094. Property to be leased is located at 1701 E. 17th, Street, Cleveland, Ohio in County Council District 3.

**Project Status and Planning:**

This lease of space will be in place for a three year term, unless terminated sooner under provisions of the lease. No further action steps are needed or required at this time.

**Funding:**

The funding is from each of the three (3) agencies proportioned to their use of space at this leased location. DOD - is funded through the General Fund, CSEA - is 75% State Funds w/ 25% fees and Levy Dollars and DSAS - is funded from Health & Human Services Levy Dollars. The payments will be made monthly to the Landlord.

**Total Amount Requested:**

\$2,400,205.56

**Principal Owner (s):**

Doug and Karen Price

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

The three departments of CSEA, DOD & DSAS currently are located at the Reserve Square Office Building and their lease expires on 09/30/2011. The County has maintained office space for various agencies in this building for approximately fifteen years. This limited three year term provides for CSEA to exit early with 6 months notice after the first 18 months of the lease, DOD to exit early with 6 months notice after the first 9 months of the lease, and DSAS to exit with 6 months notice after the first 6 months of the lease. This will provide a plausible time frame to respond to ongoing consolidation/relocation opportunities, while maintaining a competitive rental rate with no additional cost for moving or build-out at this time.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

RFP (Request for Proposal)

**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

**Funding source: Explanation:**

**Total Amount Requested:**

\$2,400,205.56

**ATTACHMENTS:**



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0319

<b>Sponsored by: County Executive FitzGerald/ Department of Public Works/County Engineer</b>	<b>A Resolution</b> authorizing the donation of approximately 20 acres of land (known as "Preservation Parcels") to the Board of Park Commissioners of the Cleveland Metropolitan Park District for wetlands mitigation in connection with improvement and construction of Crocker-Stearns Extension from Lorain Road to the North Olmsted North Corporation Line and the grading, draining, paving and widening of Stearns Road from Interstate 480 to Lorain Road in the Cities of North Olmsted and Westlake, and authorizing the County Executive to execute all documents required in connection with said donation of land.
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WHEREAS, the County Executive/Department of Public Works is requesting the approval of the donation of the approximately 20 acres of land to the Board of Park Commissioners of the Cleveland Metropolitan Park District, referred to as the Cleveland Metroparks, for wetlands mitigation purposes; and,

WHEREAS, on November 28, 1998, Resolution No. 884802 was adopted which declared public convenience and welfare of the improvement and construction of Crocker-Stearns Extension from Lorain Road to the North Olmsted North Corporation Line and the grading, draining, paving and widening of Stearns Road from Interstate 480 to Lorain Road in the Cities of North Olmsted and Westlake; and,

WHEREAS, on April 24, 1989, Resolution No. 891706 was adopted which approved the agreements of cooperation between the County and the Cities of North Olmsted and Westlake; and,

WHEREAS, the construction of the Crocker-Stearns Extension and the widening of Stearns Road impacted wetlands located with the project; and,

WHEREAS, a condition for being issued a certification for the project from the Ohio Environmental Protection Agency and for being issued a permit by the Army Corps of Engineers to construct the project was that the County had to mitigate the impact of the project on the wetlands; and,

WHEREAS, on December 12, 2000, Resolution No. 004973 was adopted which authorized the acquisition of 20 acres of land for wetlands mitigation purposes; and,

WHEREAS, to comply with the wetlands mitigation requirements the County purchased approximately 20 acres of land to construct a wetlands and buffer for the wetlands; and,

WHEREAS, the approximately 20 acres of land purchased for wetlands mitigation purposes consist of 75 vacant parcels located within the City of North Olmsted, which parcels abut the Cleveland Metroparks' Bradley Woods Reservation and which parcels are referred to as the "Preservation Parcels;" and,

WHEREAS, to comply with the mitigation requirements the County must preserve and protect the Preservation Parcels in perpetuity; and,

WHEREAS, the Cleveland Metroparks is a political subdivision of the State of Ohio; and,

WHEREAS, the Department of Public Works has acted pursuant to the requirements and direction of the Ohio Environmental Protection Agency and the Army Corps of Engineers in order to complete the mitigation requirements; and,

WHEREAS, to preserve and protect the Preservation Parcels in perpetuity the County has agreed to donate and transfer the Preservation Parcels to the Cleveland Metroparks pursuant to a General Warranty Deed with Use Restrictions, which document has been approved by the Ohio Environmental Protection Agency.

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

**SECTION 1.** The County Council approves the donation of approximately 20 acres of land to the Board of Park Commissioners of the Cleveland Metropolitan Park District for wetlands mitigation in connection with the improvement and construction of Crocker-Stearns Extension from Lorain Road to the North Olmsted North Corporation Line and the grading, draining, paving and widening of Stearns Road from Interstate 480 to Lorain Road in the Cities of North Olmsted and Westlake, and authorizes the County Executive to execute all documents consistent with said donation of land.

**SECTION 2.** 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:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal Husani, P.E.
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Fred Whatley	<b>Telephone No.</b>	348-3840

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work Summary**

1. Department of Public works requesting approval of the donation of ± 20 acres of land to the Board of Park Commissioners of the Cleveland Metropolitan Park District ("Cleveland Metroparks") for wetlands mitigation and authority for the County Executive to execute the attached General Warranty Deed With Use Restrictions. This is the Bradley Woods Wetlands Mitigation resulting from the improvement and construction of Crocker-Stearns Extension (CR-118) from Lorain Road to the North Olmsted North Coporation Line and the grading, draining, paving and widening of Stearns Road (CR-76) from Interstate 480 to Lorain Road in the Cities of North Olmsted and Westlake (the "Road Project") Once this transfer takes place, the entire project will be complete.

2. The primary goal of this request is to comply with conditions set by the Ohio Environmental Protection Agency and the Army Corps of Engineers, more fully explained as follows. When the County constructed the road Project, the construction impacted wetlands located within the Project. As a condition for being issued a certification for the Project under Section 401 of the Clean Water Act, 33 U.S.C. §1344 from the Ohio Environmental Protection Agency ("Ohio EPA") and a Nationwide Permit from the Army Corps of Engineers (hereinafter "Army Corps"), the County was required to undertake mitigation activities (the "Mitigation Requirements").

As part of the Mitigation Requirements, the County acquired land located in the City of North Olmsted, Cuyahoga County, Ohio. Said land comprises approximately ± 20 acres and consists of 75 vacant parcels (the "Preservation Parcels"), which abut the Cleveland Metroparks' Bradley Woods Reservation. To complete the Mitigation Requirements, the County must preserve and protect in perpetuity the Preservation Parcels. To that end, approval is requested to convey fee title interest in and to the Preservation Parcels to the Cleveland Metroparks, subject to the use restrictions contained in the Warranty Deed (see,

attached Warranty Deed).

3. See, above.

**B. Procurement**

1. N/A

2. N/A

3. N/A

**C. Contractor and Project Information**

1. The mailing address of the Cleveland Metroparks is:

4101 Fulton Parkway

Cleveland, Ohio 44144

2. The Cleveland Metroparks is a political subdivision of the State of Ohio.

3.a. The Bradley Woods Wetlands Mitigation project is located within the City of North Olmsted.

b. The Bradley Woods Wetlands Mitigation project is located in Council District 1.

**D. Project Status and Planning**

1. The project was rare for the County.

2. The project is complete once the transfer of the Preservation Parcels to the Cleveland Metroparks is complete.

3. The pertinent history of the project is as follows. On November 28, 1988, Resolution No. 884802 was adopted which declared the convenience and welfare of the Crocker-Stearns Extension and Improvements to Stearns Road Project. On April 24, 1989, Resolution No. 891706 was adopted, which approved the agreements of cooperation between the County and the Cities of North Olmsted and Westlake. On December 12, 2000, Resolution No. 004973 was adopted, which authorized the acquisition of the 75 Preservation Parcels.

In a March 9, 2009, letter, the Ohio EPA stated that the transfer of the parcels to the Cleveland Metroparks via an adequate conveyance document containing sufficient use restrictions would meet the requirement that the parcels be protected in perpetuity. A letter from the Army Corps dated September 23, 2010, provided that reporting requirements had been met and that the mitigation area was in compliance with all terms and conditions of the permit and no further monitoring of the areas is required. On July 28, 2011, the Ohio EPA approved the Warranty Deed with Use Restrictions attached hereto.

**E. Funding**

1. Funding for this project is complete. No further funds are needed.

2. N/A

3. N/A

For all of the foregoing reasons, the Department of Public recommends that Council approve the donation of the Preservation Parcels to the Cleveland Metroparks and authorize the County Executive to execute Warranty Deed with Use Restrictions.

**AN EXECUTED AND NOTARIZED COPY IS REQUIRED TO FORWARD TO THE CLEVELAND METROPARKS. THE CLEVELAND METROPARKS WILL EXECUTE AND RETURN A COPY TO OUR OFFICE. THIS OFFICE WILL MAKE 1 COPY TO E-MAIL TO CLERK'S OFFICE AND KEEP A COPY FOR OUR FILES.**

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

Purpose/Outcome - To finalize the Bradley Woods Wetlands Mitigation project.

**Explanation for late submittal:**

**Contract/Agreement Information:**



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0320

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on October 28, 2010, the former governing body of Cuyahoga County adopted the 2011 Annual Appropriation Measure establishing the 2011 annual budgets for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the 2011 Annual Appropriation Measure to reflect budgetary funding increases, funding reductions, to transfer budget appropriations, and to transfer cash between budgetary funds, in order to accommodate the operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is necessary for reconciliation of the 2011 appropriations in the County's financial system; and,

WHEREAS, it is further 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 County departments, offices, and agencies;

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

**SECTION 1.** That the 2011 Annual Appropriation Measure be amended to provide for the following additional appropriation increases and decreases:

**Fund Nos./Budget Accounts**

**Journal Nos.**

A. To be determined by OBM

**SECTION 2.** That the 2011 Annual Appropriation Measure be amended to provide for the following appropriation transfers:

**Fund Nos. /Budget Accounts**

**Journal Nos.**

A. To be determined by OBM

**SECTION 3.** That the 2011 Annual Appropriation Measure be amended to provide for the following cash transfers between County funds.

**Fund Nos. /Budget Accounts**

**Journal Nos.**

A. To be determined by OBM

**SECTION 4.** This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**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.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

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

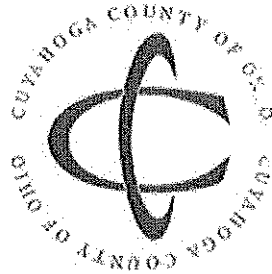


\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

<b>Agency/Dept. Name:</b>	Office of Budget and Management	<b>Agency/Dept. Head Name:</b>	Matthew Rubino
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Millie Jones	<b>Telephone No.</b>	443-7220
<b>SUMMARY OF REQUESTED ACTION:</b>			
The Office of Budget & Management is requesting authorization to process additional appropriations, appropriation transfers, and cash transfers that are related to the 2011 year-end close-out activities.			
This action will allow the Office of Budget & Management and the General Accounting Division to handle budgetary issues on a timely basis for all county agencies. These items include insufficient funds items but not items such as grant awards, capital project appropriations, and subsidy cash transfers, etc.			
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>			
<b>Explanation for late submittal:</b>			

**Contract/Agreement Information:**

<b>Procurement Method:</b>
<b>Explanation for Increase/Decrease in \$ Amount for current request:</b>

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
<b>Total Amount Requested:</b>	
\$	

**ATTACHMENTS:**

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# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0321

Sponsored by: <b>County Executive FitzGerald/County Sheriff</b>	<b>A Resolution</b> authorizing awards on RQ20783 to various providers in the total amount of \$900,000.00 for real estate appraisal services for the Sheriff's sale for the period 1/1/2012 - 12/31/2014, and authorizing the County Executive to execute agreements consistent with said awards.
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WHEREAS, the County Executive FitzGerald/County Sheriff has recommended an award on RQ20783 to various providers for real estate appraisal services for the Sheriff's sale in the total amount of \$900,000.00, for the period 1/1/2012 – 12/31/2014; and

WHEREAS, the authority to seek RFQs was approved under Executive Approval No. EA2011-0836 and closed on 7/25/2011; and

WHEREAS, the primary goal of this project is to award a contract to the fourteen (14) initial appraisers who possessed the qualifications and experience outlined in the RFQ; and

WHEREAS, there were 58 Appraisers pulled from OPD and submitted for review and fourteen (14) were approved as follows:

- |                      |                            |
|----------------------|----------------------------|
| 1. Andrews, John W.  | 8. Levering, Wayne F.      |
| 2. Butler, Mark      | 9. Loftus, Christopher J.  |
| 3. Conte, Gregory W. | 10. McLaughlin, Paul G.    |
| 4. Hogan, Thomas P.  | 11. Patriski, Stan         |
| 5. Kinzel, Paul      | 12. Rocco, Daniel          |
| 6. Koz, John H.      | 13. Schneider, Rosemary A. |
| 7. Lassiter, Ruth A. | 14. Williams, Crystal A.   |

WHEREAS, James Bitterman, Chief Deputy of the Civil Division will serve as the Supervisor of the Appraisers; and

WHEREAS, the cost for this project is zero dollars because the appraisers will be paid from the proceeds of the Sheriff's sale. The estimated dollar amount from the sale is \$900,000.00; and

WHEREAS, the project is mandated by the ORC Sections 2329.17 through 2329.21 (the Statute) and Cuyahoga County Court of Common Pleas Rule 27 of the Rules of the General Division (The Rule) (Collectively, the "Project").

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

**SECTION 1.** County Council hereby approves the County Executive's recommended awards on RQ20783 to various providers for real estate appraisal services for the Sheriff's sale in the total amount of \$900,000.00 for the period 1/1/2012 – 12/31/2014; and authorizes the County Executive to execute contracts consistent with said awards.

**SECTION 2.** 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 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:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

<b>Agency/Dept. Name:</b>	County Sheriff	<b>Agency/Dept. Head Name:</b>	Bob Reid
<b>Type of Request:</b>	Award Recommendation		
<b>Request Prepared by:</b>	Donna Kaleal	<b>Telephone No.</b>	443-6317

**SUMMARY OF REQUESTED ACTION:**

Title :Cuyahoga County Sheriff's Office:

Year: 2011

14 Appraisers to appraise real estate for the Sheriff's sale:

Project Title: Award Agreement Recommendation

A)Scope of Work Summary:

The Cuyahoga County Sheriff's Office is requesting approval to award an agreement to 14 appraisers: The cost will be zero dollars because these appraisers will be paid from the proceeds of the Sheriff's sale. The estimated dollar is **\$900,000.00**. The anticipated start and completion dates are **1-1-2012 through 12-31-2014**. The primary goal of the project is to award an agreement to the 14 Initial appraisers who possessed the qualifications and experience outlined in the RFQ. The project is mandated by the ORC sections 2329.17 through 2329.21 (The Statute) and Cuyahoga County Court of Common Pleas Rule 27 of the Rules of the General Division (The Rule) (Collectively, the "Project")

B)Procurement:

- 1.The procurement method for this project was an RFQ. The total value of the RFQ is zero dollars as the appraisers will be paid from the proceeds of the Sheriff's sale.
- 2.The RFQ was closed on 7/25/11. (EA 2011-0836)
- 3.There were 58 pulled from OPD, 58 submitted for review, and 14 approved.

C)Contractor and Project Information:

- 1.The names/addresses of the 14 appraisers is provided in the attachments tab:
- 2.The Supervisor of the Appraisers will be James Bitterman, Chief Deputy Civil Division, however, these appraisers will be contractors for Cuyahoga County. The location of the project is all real estate subject to the Sheriff's Sale within Cuyahoga County.

D)Project Status and Planning:

1.The employment of Real Estate Appraisers is not new to the Sheriff's Office, however, forming an agreement with the Appraisers is new to Cuyahoga County. The project has 2 phases. After the recommendation for award is approved, the agreements will be executed with each Appraiser. The anticipated completion date for both phases is 10/31/2011.

E)Funding:

1. The project is funded 100% through the proceeds of the Sheriff's sale.
2. The payments made to the Appraisers will be determined by the settlement date of each property in the Sheriff's sale.

Recommending an award to various providers on RQ 20783 for real estate appraisers for Sheriff's sales. The following is the list of the first 14 appraisers selected from the list of 58 applicants.

1. Andrews, John
2. Butler, Mark
3. Conte, Gregory W
4. Hogan, Thomas P
5. Kinczel, Paul
6. Koz, John H
7. Lassiter, Ruth A
8. Levering, Wayne F
9. Loftus, Christopher J
10. McLaughlin, Paul G
11. Patriski, Stan
12. Rocco, Daniel
13. Shenieder, Rosemarry A
14. Williams, Crystal A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

The Sheriff's Office Appraises parcels of land for the Cuyahoga County Common Pleas Court. After a case is heard before the Court and a judgment is reached, the C.C.S.O. Civil Division will then receive an order to appraise, advertise, and auction such properties. Upon confirmation of sale and receiving full payment, the money is then dispersed to satisfy any liens. A deed is then recorded and released to the purchaser. Sheriff's Appraiser duties consist of reporting to the Civil Division once a week to receive a list of parcels that the team of three appraisers' must visually inspect to establish a fair market value. The team must then record specific facts and characteristics of the parcel viewed, sign and return to the Civil Division a completed report of such parcel. The team of three will then continue to repeat this process until all of appointed parcels have been valued. When the sale of a parcel has completed the above process, the appraisers will then be paid from the County Clerk's Office from proceeds of that case.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**  
**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      County Clerk will Issue a check to the appraiser from case proceeds  
**Total Amount Requested:**  
\$

**ATTACHMENTS:**

- Click to download
- [RFQ - EA 2011-0836](#)
  - [Score Sheet for Sheriff's Appraisers](#)
  - [Mark Butler CC-FR-DMA](#)
  - [Gregory W. Conte CC-FR-DMA](#)
  - [Thomas P. Hogan CC-FR-DMA](#)
  - [Paul D. Kinczel CC-FR-DMA](#)
  - [John H. Koz CC-FR-DMA](#)
  - [Ruth A. Lassiter CC-FR-DMA](#)
  - [Wayne F. Levering CC-FR-DMA](#)
  - [Christopher J. Loftur CC-FR-DMA](#)
  - [Stan R. Patriski CC-FR-DMA](#)
  - [Daniel J. Rocco CC-FR-DMA](#)
  - [Rosemary A. Schnieder CC-FR-DMA](#)
  - [Crystal A. Williams CC-FR-DMA](#)
  - [Paul G. McLaughlin CC-FR-DMA](#)
  - [John W. Andrews CC-FR-DMA](#)

**History**

Time	Who	Approval
10/7/2011 8:54 AM	Office of Procurement & Diversity Clerk of the Board	Yes

RP 20783

Cuyahoga County Sheriff Appraisal

1	Andrews John W.	Cert. Res.	Yes	Yes	75	passed	Yes	Yes
2	Butler, Mark	Cert. Res.	Yes	Yes	75	passed	Yes	Yes
3	Conte, Gregory W.	Cert. Res.	Yes	Yes	74	passed	Yes	Yes
4	Hogan, Thomas P.	Cert. General	Yes	Yes	75	passed	Yes	Yes
5	Kinczel, Paul	Licensed Res.	Yes	Yes	75	passed	Yes	Yes
6	Koz, John H.	Cert. Res.	Yes	Yes	75	passed	Yes	Yes
7	Lassiter, Ruth A.	Cert. Res.	Yes	Yes	75	passed	Yes	Yes
8	Levering, Wayne F.	Cert. General	Yes	Yes	75	passed	Yes	Yes
9	Lofius, Christopher J.	Cert. Res.	Yes	Yes	75	passed	Yes	Yes
10	McLaughlin, Paul G.	Licensed Res.	Yes	Yes	75	passed	Yes	Yes
11	Patriski, Stan	Cert. General	Yes	Yes	75	passed	Yes	Yes
12	Rocco, Daniel	Cert. Res.	Yes	Yes	75	passed	Yes	Yes
13	Schneider, Rosemary A.	Cert. General	Yes	Yes	75	passed	Yes	Yes
14	Williams, Crystal A.	Licensed Res.	Yes	Yes	75	passed	Yes	Yes
15	Abrams, Robert	Cert. General	Yes	Yes	75	pending		
16	Bailey, Brent T.	Cert. General	Yes	Yes	75	pending		
17	Blaze, Lana	Licensed Res.	Yes	Yes	75	pending		
18	Blaze, Vernon	Licensed Res.	Yes	Yes	75	pending		
19	Caldwell, James T.	Cert. General	Yes	Yes	75	pending		
20	Chamas, Bradford E.	Cert. Res.	Yes	Yes	75	pending		
21	Costello, Thomas P.	Cert. General	Yes	Yes	75	pending		
22	Day, Mary Kathryn	Licensed Res.	Yes	Yes	75	pending		
23	Durrah, Donald H.	Cert. General	Yes	Yes	75	pending		
24	Fandrich, Marilyn J.	Cert. Res.	Yes	Yes	75	pending		
25	Gaydos, William J.	Cert. General	Yes	Yes	75	pending		
26	Harmon, David	Cert. Res.	Yes	Yes	75	pending		
27	Higgins, Cathleen A.	Cert. Res.	Yes	Yes	75	pending		
28	Lynch, Brian E.	Cert. Res.	Yes	Yes	75	pending		
29	McNamara, Timothy J.	Cert. Res.	Yes	Yes	75	pending		
30	Paponetti, James C.	Cert. Res.	Yes	Yes	75	pending		
31	Rushov, John J.	Cert. General	Yes	Yes	75	pending		
32	Sporano, Gary	Cert. General	Yes	Yes	74	pending		
33	Wagner, Michael D.	Cert. Res.	Yes	Yes	75	pending		
34	Patriski, Walt	Cert. General	Yes	Yes				
35	Mathews, Curtis Jr.	Cert. Res.	Yes	Yes				
36	Jackson, Donna M.	Cert. Res.	Yes	Yes				
37	Winter, John	Cert. Res.	Yes	Yes				
38	Marshall, Anise C.	Cert. Res.	Yes	Yes				
39	Ward, David	Cert. Res.	Yes	Yes				
40	Kirk, Donald J.	Licensed Res.	Yes	Yes				
41	Kelly, Kevin T.	Cert. Res.	Yes	Yes				
42	Blazy, David J.	None	Yes	Yes				

Not be recommended to advance at this time



43	Cimberman, John D.	Real Estate Sales	Yes					
44	Daillos, Joseph	None	Yes					
45	Geroge, Thomas J.	None	Yes					
46	Hogan, John A.	None	Yes					
47	Lynch, John J.	Cert. General	Yes					
48	MacAdams, Pamela J.	Attorney	Yes					
49	McBride, Thomas O.	None	Yes					
50	Moff, Ronald M.	Attorney	Yes					
51	Mull, Donald P.	Attorney	Yes					
52	Riley, John Robert	None	Yes					
53	Salvatore, Richard A.	None	Yes					
54	Scholle, William A.	None	No					
55	Swiecicki, Dolores J.	None	Yes					
56	Thomas, Darrell	None	Yes					
57	Walsh, Patrick R.	None	Yes					
58	Chormanski, Leonard F. Jr.	Licensed Res.	Yes					

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0322

Sponsored by: <b>County Executive FitzGerald on behalf of Common Pleas Court/ Corrections Planning Board</b>	<b>A Resolution</b> authorizing an award on RQ21041 to Court Community Service in the amount of \$555,000.00 for court community placement and supervision services for probationers for the period 1/1/2012 - 12/31/2014; authorizing the County Executive to execute a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive, Common Pleas Court and Corrections Planning Board have recommended an award on RQ21041 to Court Community Service in the amount of \$555,000.00 for court community placement and supervision services for probationers for the period 1/1/2012-12/31/2014; and,

WHEREAS, on September 20, 2011, the County Executive approved EA2011-1140 authorizing the Common Pleas Court and Corrections Planning Board to seek proposals on RQ21041 for court community placement and supervision services for probationers for the period of 1/1/2012-12/31/2014; and,

WHEREAS, the goals of the Court Community Service are to place offenders ordered by Common Pleas Court into appropriate work service locations as an alternative to monetary restitution for their offenses; ensure appropriate supervision of these same offenders at assigned work sites; and to measure the success of completion of assigned work service for these offenders so as to meet their court ordered obligations and reduce subsequent recidivism; and,

WHEREAS, funding for the Court Community Service is provided by the County's Health and Human Services Fund; 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.** County Council hereby approves such recommendation, award on RQ21041 to Court Community Service in the amount of \$555,000.00 for court community placement and supervision services for probationers for the period 1/1/2012-12/31/2014, and authorizes the County Executive to execute a contract in accordance with said award.

**SECTION 2.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**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:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011



**Item Details:**

**Agency/Dept. Name:** Common Pleas Court/Corrections Planning Board  
**Agency/Dept. Head Name:** Vincent D. Holland

**Type of Request:** Award Recommendation

**Request Prepared by:** Patricia MIngee  
**Telephone No.:** 216-443-4908

**SUMMARY OF REQUESTED ACTION:**

*Recommending an award on RQ21041 to Court Community Service in the amount of \$555,000.00 for community work placement and supervision services for the period January 1, 2012 through December 31, 2014. (Resolution No. EA2011-1140 - authority to seek proposals.)*

**Title:**

**Court Name:** Common Pleas Court / Adult Probation Department

**Year:** 2012-2014

**Vendor:** Court Community Service

**Type:** Contract for services

**Project Title:** Community Work Service

**Primary Location:** All of Cuyahoga County

**A. Scope of Work Summary:**

1. The Common Pleas Court/Adult Probation Department is requesting approval of a contract award, after the RFP process on RQ21041, with Court Community Service for the anticipated annual cost of \$185,000.00 and the not-to-exceed three-year contract of \$555,000.00. The contract start-completion dates are 01/01/2012 through 12/31/2014.
2. The primary goals of the project are to:
  - a. Place offenders ordered by Common Pleas Court into appropriate work service locations as an alternative to monetary restitution for their offenses;
  - b. Ensure appropriate supervision of these same offenders at assigned work sites;
  - c. To measure the success of completion of assigned work service for these offenders so as to meet their court ordered obligations and reduce subsequent recidivism.

3. N/A

**B. Procurement:**

1. The procurement method for this project was processed on RFP 21041 Issued on September 6, 2011. The total value of the RFP is \$555,000.00.
2. The above procurement method was closed on September 28, 2011. There is an SBE participation goal of 0%.
3. There was only one (1) proposal pulled from OPD, one (1) proposal submitted for review, one (1) proposal approved.

**C. Contractor & Project Information:**

1. The address for the project vendor:

Court Community Service  
614 West Superior Avenue  
Suite 900  
Cleveland, Ohio 44113  
Council District: Downtown

2. The Executive Director of Court Community Service is Mr. Paul Klodor.

3a & 3b: Not applicable. (Although the placement offices are located at the above address, all council districts will benefit from the placement services provided by this contract.)

**D. Project Status and Planning**

1. The project re-occurs annually to the County through Common Pleas Court.
2. N/A
3. N/A - we started the RFP process well ahead of our critical start date of 01/01/2012
4. N/A
5. The contract needs a signature in ink (electronic terms apply) by 12/16/2011.

**E. Funding**

1. The project is funded 100% by the County's Health and Human Services Fund.
2. The schedule of payments is monthly after verification of submitted invoices.
3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

Numerous offenders are court ordered to perform community works service as a condition of community control. The Court must provide a cost-effective, centralized means to administer and develop community service sentencing programs, provide placement and supervision services for approximately 3,500 defendants who are required to perform community service work. Community service exposes offenders to positive work habits, positive role models, and provides a means for constructive use of "free-time". Community control (probation) is enhanced by requiring offenders to demonstrate to the Court their ability to complete a specific number of community service hours and function within the rules and expectations of an agency work site, while discouraging anti-social attitudes and behavior and providing an opportunity for offenders to develop empathy for others through service to the community




**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Common Pleas Court PROPOSAL DUE DATE: September 28, 2011

RFP TITLE: Court Community Service RFP #: CO - 11 - 21041 SBE: N/A

*KQ21041*

TO BE COMPLETED BY OPD	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER				USER DEPT.	
VENDOR NAME & ADDRESS	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	AWARD Y/N
<p>Court Community Services, Inc. 614 West Superior Avenue Suite 900 Cleveland, Ohio 44113</p>				<p><i>Y</i></p>	<p><i>Sole bid received.</i></p>	<p><i>Y</i></p>

  
 Department Signature of Approval 10-4-11 Date

OPD Buyer \_\_\_\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0297

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services</b>	<b>A Resolution</b> declaring the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code.
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WHEREAS, the County Executive FitzGerald/Department of Health and Human Services requests the declaration of the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code; and,

WHEREAS, the amount of taxes that may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirement of the County; and,

WHEREAS, such renewal levy constitutes a tax levy of four and eight-tenths (4.8) mills for each one dollar of valuation, which amounts to forty-eight cents (\$0.48) for each one hundred dollars of valuation, to be in effect for a period of four (4) years, to begin with the tax list and duplicate for the year 2012, the proceeds of which levy first would be available to the County in the calendar year 2013 and to be submitted to the electors of the County at the primary election to be held in the County on March 6, 2012.

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

**SECTION 1.** The County Council hereby declares the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of the existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code.

**SECTION 2.** The Clerk of Council is authorized and directed to certify a copy of this Resolution to the Fiscal Officer for the certification of the total current tax



valuation of the County and the dollar amount of revenue that would be generated by the 4.8 mill renewal levy.

**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: October 25, 2011  
Committee(s) Assigned: Health, Human Services & Aging

Journal CC004  
November 9, 2011

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0298

<b>Sponsored by: County Executive FitzGerald/Department of Health and Human Services</b>	<b>A Resolution</b> determining to proceed with submitting to the electors of Cuyahoga County to renew an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code.
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WHEREAS, the County Council shall adopt on the third reading a Resolution declaring the necessity of submitting to the electors of the County the question of a renewal of an existing 4.8 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and,

WHEREAS, the Fiscal Officer has advised and certified to the County Council that the total current tax valuation of the County is \$29,826,341,040.00 and that the 4.8 mill renewal levy will generate \$143,150,152.00 of revenue in its first year of collection; and,

WHEREAS, County Council having declared the necessity of submitting the question of a renewal levy to the electors of Cuyahoga County, and, the County Fiscal Officer having certified the necessary fiscal valuations, Council must now act to submit such renewal levy to the Board of Elections for placement on the March 6, 2012 primary election ballot.

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

**SECTION 1.** That the County Council hereby determines to proceed with submitting to the electors the question of a renewal of the existing four and eight-tenths (4.8) mills Health and Human Services levy for the purpose to supplement general fund appropriations for health and human or social services, for a period of four years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; such renewal levy to constitute a tax levy of four and eight-tenths (4.8) mills for each one dollar of valuation, which amounts to forty-eight cents (\$0.48) for each one hundred dollars of valuation, to be in effect for a period of four years, beginning with the tax list and duplicate for the year 2012, the proceeds of which levy first would be available to the County in the calendar year 2013 and to be submitted to the electors of the County at the primary election to be held in the County on March 6, 2012.

**SECTION 2.** The Clerk of Council is authorized and directed to certify to the Board of Elections not later than December 7, 2011: (i) a copy of the Resolution adopted by the County Council declaring the necessity of the four and eight-tenths (4.8) mill renewal levy; (ii) the certification by the Fiscal Officer as to the total current tax valuation of the County and the dollar amount of revenue to generated by such levy; and (iii) a copy of this Resolution. This County Council requests that the Board of Elections give notice of the election and prepare the necessary ballots and supplies for the election in accordance with the law.

**SECTION 3.** The Director of the Board of Elections is hereby directed to cause notice of the election to be published once a week for four (4) consecutive weeks prior to the election in a newspaper of general circulation in the County, stating the purpose, the rate of the proposed tax levy, expressed in dollars and cents for each one hundred dollars of valuation as well as in mills for each one dollar of valuation, the number of years during which the levy shall be in effect, the first month and year in which the tax will be levied, and the time and place of the election. The Director of the Board of Elections is hereby directed to certify the result of the election, immediately after the canvas by the Board of Elections, to the taxing authority of the County, in order to permit the enactment of such levy, if approved by the electorate, for a period of four years, beginning with the tax list and duplicate for the year 2012, the proceeds of which levy first would be available to the County in the calendar year 2013.

**SECTION 4.** The form of the Ballot to be used at such election shall be as follows:

PROPOSED RENEWAL (HEALTH AND HUMAN SERVICES LEVY)

CUYAHOGA COUNTY

A Majority Affirmation Vote is necessary for passage.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

A **RENEWAL** of a tax for the benefit of Cuyahoga County, for the purpose of SUPPLEMENTING GENERAL FUND APPROPRIATIONS FOR HEALTH AND HUMAN OR SOCIAL SERVICES, at a rate not exceeding 4.8 mills for each one dollar of valuation, which amounts to \$0.48 for each one hundred dollars for valuation, for four years, commencing in January 2012, first due in calendar year 2013.

**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.

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: October 25, 2011  
Committee(s) Assigned: Health, Human Services & Aging

Journal CC004  
November 9, 2011

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0299

<b>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</b>	<b>A Resolution</b> authorizing the County Executive to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,254,718.00 for fiscal and administrative services for the Help Me Grow Home Visiting Program for the period 7/1/2011 - 6/30/2012.
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WHEREAS, the County Executive/ Office of Early Childhood has submitted a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,254,718.00 for fiscal and administrative services for the Help Me Grow Home Visiting Program for the period of 7/1/2011-6/30/2012; and,

WHEREAS, Educational Service Center of Cuyahoga County is a political subdivision of the state governed by Ohio School Law; and,

WHEREAS, Educational Service Center serves as the fiscal and administrative agent for Help Me Grow Program; and,

WHEREAS, the Help Me Grow Home Visiting Program's goal is to implement and maintain a coordinated, community-based infrastructure that promotes family-centered services for expectant parents, newborns, infants, toddlers and their families in collaboration and cooperation with other state and local agencies; and,

WHEREAS, the Ohio Department of Health provides funding to Cuyahoga County for the Help Me Grow Program, and funding from the State General Fund is provided to the Help Me Grow Home Visiting Program; and,

WHEREAS, these funds are used to implement the State Home Visiting Program which provides for at-risk children and their families.

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

**SECTION 1.** The County Executive is hereby authorized to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,254,718.00 for fiscal and administrative services for the Help Me Grow Home Visiting Program for the period of 7/1/2011-6/30/2012.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0300

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</b>	<b>A Resolution</b> authorizing the County Executive to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,375,034.00 for fiscal and administrative services for the Federal Part C Early Intervention Program for the Invest in Children Program for the period 7/1/2011 - 6/30/2012.
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WHEREAS, the County Executive/Office of Early Childhood has submitted a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,375,034.00 for fiscal and administrative services for the Federal Part C Early Intervention Program for the Invest in Children Program for the period 7/1/2011-6/30/2012; and,

WHEREAS, Educational Service Center of Cuyahoga County is a political subdivision of the state governed by Ohio School Law; and,

WHEREAS, Educational Service Center serves as the fiscal and administrative agent for Help Me Grow Program which provides Part C early intervention services to eligible families; and,

WHEREAS, the purpose of the Part C federal early intervention program is to provide direct client related services and procurement of goods and services for eligible children ages three and under with a suspected or diagnosed developmental delay or disability; and,

WHEREAS, the Ohio Department of Health provides funding to Cuyahoga County for the Part C Early Intervention program, and funding passes through from the Federal Government for the program; and,

WHEREAS, these funds are used to support the programs and services that Help Me Grow provides to children, and their families.

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

**SECTION 1.** The County Executive is hereby authorized to enter into a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,375,034.00 for fiscal and administrative services for the Federal Part C Early





# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0303

<p>Sponsored by: <b>County Executive FitzGerald/ Department of Development</b></p>	<p><b>A Resolution</b> authorizing the issuance and sale of County of Cuyahoga, Ohio Economic Development Refunding Revenue Bonds, Series 2011 (Gilmour Academy Project) in the amount not-to-exceed \$10,000,000.00 for the purpose of currently refunding Series 2009 Bonds issued by the County of Cuyahoga which assisted in financing the costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code; providing for the pledge of revenues for the payment of such bonds; authorizing the execution of various documents required in connection with said bond issuance and authorizing and approving related matters, and declaring the necessity that this Resolution become immediately effective.</p>
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**WHEREAS**, the County of Cuyahoga, Ohio (the "Issuer"), a county and political subdivision duly organized and validly existing under the laws of the State of Ohio, by virtue of the laws of the State of Ohio, including Article VIII, Section 13 of the Constitution of Ohio and Chapter 165 of the Ohio Revised Code, as amended (the "Act"), is authorized and empowered among other things (a) to issue its Economic Development Refunding Revenue Bonds, Series 2011 (Gilmour Academy Project) in the aggregate principal amount of up to \$10,000,000.00 (the "Bonds"), for the purpose of currently refunding a portion of the Issuer's Economic Development Revenue Bonds, Series 2009 (Gilmour Academy Project) (the "Series 2009 Bonds"), the proceeds of which were loaned to Gilmour Academy, an Ohio non-profit corporation ("Borrower"), to finance the costs of acquiring, constructing, equipping, furnishing and improving a "project", as defined in Section 165.01, as amended, Ohio Revised Code (the "Series 2009 Project") and (b) to enact this Resolution (the "Bond Resolution") and execute and deliver the agreements and instruments hereinafter identified;

**WHEREAS**, this Council of the County of Cuyahoga, Ohio (the "Council"), pursuant to the foregoing authority and at the request of, and based upon the representations of the Borrower, has determined that it is willing to authorize the issuance and sale of the Issuer's Economic Development Refunding Revenue Bonds, Series 2011 (Gilmour Academy Project) in the aggregate maximum principal amount of \$10,000,000.00 to currently refund a portion of the Series 2009 Bonds, and in connection with that issuance and sale, to adopt this Resolution, to enter into the Issuer Documents and to execute and deliver certain

other statements, documents and instruments upon the terms set forth in this Resolution and those documents and instruments; and

**WHEREAS**, the Bonds will be issued pursuant to the provisions of the Act and a Trust Agreement (the "*Trust Agreement*"), by and between the Issuer and The Huntington National Bank, as trustee (the "*Trustee*"); and

**WHEREAS**, the Bonds shall not represent or constitute a general obligation, debt or bonded indebtedness, or a pledge of moneys raised by taxation or the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders of the Bonds shall not be given and shall not have any right to have excises or taxes levied by this Council or the Issuer, or the State or the taxing authority of any political subdivision thereof, for the payment of bond service charges, and the Bonds will be payable solely from Revenues (as defined in the Trust Agreement) and other monies available to the Borrower; and

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

**SECTION 1. Definitions.** All defined terms used herein and those not otherwise defined herein shall have the respective meanings given to them in the Trust Agreement with respect to the Bonds between the Issuer and The Huntington National Bank, as trustee (the "Trustee").

Any reference herein to the Issuer, or to any officers or members thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Resolution.

**SECTION 2. Determination of Issuer.** This Council hereby finds and determines that the issuance of the Bonds for the purpose of refunding a portion of the Series 2009 Bonds is consistent with the purposes of the Constitution of the State and the Act and will benefit the people of the Issuer by creating or preserving jobs and employment opportunities and promoting the industrial, commercial and economic development of the Issuer and the State of Ohio. Provision of the loan to currently refund a portion of the Series 2009 Bonds will require the issuance, sale and delivery of the Bonds.

**SECTION 3. Authorization of Bonds.** It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided herein and pursuant to the authority of the Act, the Bonds for the purpose of currently refunding a portion of the Series 2009 Bonds, all in accordance with the provisions of the Loan Agreement between the Issuer and the Borrower (the "Agreement"). The Bonds shall be designated "Economic Development Refunding Revenue Bonds, Series 2011 (Gilmour Academy Project)".

**SECTION 4. Terms and Execution of the Bonds.** The Bonds shall be issued in the form and denominations, shall be numbered, dated and payable as provided in the Trust Agreement. The Bonds shall mature no later than June 1, 2019, and have such terms, and be subject to mandatory and optional redemption as provided in the Trust Agreement. This Board hereby determines that the interest rate on the Bonds shall be a variable rate that shall be determined in the manner and pursuant to the provisions of the Trust Agreement. The Bonds shall be executed on behalf of the Issuer by the manual or facsimile signature of the County Executive. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until after that time.

The form of the Bonds substantially in the form set forth in Exhibit A to the Trust Agreement, subject to appropriate insertions and revisions in order to comply with the provisions of the Trust Agreement, is hereby approved, and when the same shall be executed on behalf of the Issuer by the appropriate officer thereof in the manner contemplated hereby and by the Indenture, in an aggregate principal amount of up to \$10,000,000.00, shall represent the approved form of the Bonds.

The Bonds initially shall be issued only in fully registered form as described in the Trust Agreement.

**SECTION 5. Authorization of Trust Agreement, Agreement, Bond Purchase Agreement, Tax Regulatory Agreement and All Other Documents to be Executed by the Issuer.** To provide for the issuance and sale of the Bonds, and to better secure the payment of the principal of, and premium, if any, and interest on, the Bonds as the same shall become due and payable, and to provide for the current refunding of a portion of the Series 2009 Bonds, the County Executive and the County Executive's Chief of Staff as the County Executive's designee pursuant to Executive Order No. 02011-0002, and each of them, is hereby authorized and directed to execute, acknowledge and deliver in the name and on behalf of the Issuer, the Trust Agreement, the Agreement, the Bond Purchase Agreement and the Tax Regulatory Agreement (collectively, the "Issuer Documents") in substantially the forms on file with the Issuer, which are hereby approved, with such changes requested and approved by the County Prosecutor's office and any changes not materially inconsistent with this Bond Resolution and not adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer. The approval of such changes by said officer, and that such are not adverse to the Issuer, shall be conclusively evidenced by the execution and delivery of such Issuer Documents by such officer.

The Executive, the Chief of Staff as authorized designee of the Executive, the Fiscal Officer and the Clerk of the Council are each hereby separately authorized to take any and all actions and to execute such financing statements, assignments, certificates and other documents and instruments that may be

necessary or appropriate in the opinion of Bond Counsel, in order to effect the issuance of the Bonds and the intent of this Bond Resolution, including taking all actions necessary to complete the sale of the Bonds under the "blue sky" laws of any jurisdiction; provided that the Issuer shall not be required to submit to service of process in connection with any such "blue sky" action in any state except Ohio. The Clerk of the Council, or other appropriate officer of the Issuer, shall certify a true transcript of all proceedings had with respect to the issuance of the Bonds, along with such information from the records of the Issuer as is necessary to determine the regularity and validity of the issuance of the Bonds.

**SECTION 6. Sale of Bonds.** The Bonds are to be sold and awarded to the original purchaser thereof (the "Original Purchaser") identified in accordance with the Trust Agreement, the Agreement and the Bond Purchase Agreement, at a purchase price of not less than 100% of the aggregate par amount of the Bonds.

The Executive, the Chief of Staff as authorized designee of the Executive, the Clerk of the Council and the Fiscal Officer are each hereby authorized and directed to make the necessary arrangements with the Original Purchaser to establish the date, location, procedure and conditions for delivery of the Bonds to the Original Purchaser and to take all steps necessary to effect due execution, authentication and delivery to the Original Purchaser of the Bonds under the conditions of this Bond Resolution and the Trust Agreement.

It is determined by this Council that the price for and the terms of the Bonds, and the sale thereof, all as provided in this Bond Resolution, the Bond Purchase Agreement, the Agreement and the Trust Agreement, are in compliance with all legal requirements.

**SECTION 7. Covenants of Issuer.** In addition to other covenants of the Issuer in this Bond Resolution, the Agreement and the Indenture, the Issuer further covenants and agrees as follows:

(a) Arbitrage Provisions and Information Return. The Issuer covenants that in the Agreement it will require the Borrower to restrict the use of the proceeds of the Bonds in such manner and to such extent as may be necessary so that the Bonds will not constitute arbitrage bonds under Sections 103(b)(2) and 148 of the Code. The Executive is authorized and directed to give:

(i) an appropriate certificate or agreement of the Issuer prepared by bond counsel and approved by the County Prosecuting Attorney and the Issuer's appointed legal counsel, based upon representations of the Borrower, as provided in such certificate, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the Issuer regarding the amount and use of all of the proceeds of the Bonds, the facts, circumstances and estimates on which those expectations are based and other facts and circumstances relevant to the tax treatment of interest on the Bonds, as provided by the Borrower, all as of the date of delivery of and payment for the Bonds; and

(ii) a statement setting forth the information required by Section 149(e) of the Code.

The Issuer covenants that it (i) will take or require to be taken, upon the advice of nationally recognized bond counsel and to the extent of its power or control all actions that may be reasonably required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, and (ii) will not take or authorize to be taken any actions that would adversely affect that exclusion under the provision of the Code. The Board is hereby authorized and directed to take any and all actions and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

In its performance of these covenants and other covenants of the Issuer pertaining to federal income tax laws, the Issuer may rely in good faith upon the advice of nationally recognized bond counsel which is in writing and is provided to the Trustee, the cost of which shall be paid from the Revenues or other funds available under the Indenture. The Issuer shall not be required to pay any amount as part of any investigation by or closing agreement with the Internal Revenue Service, or otherwise, for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, except from the Revenues.

(b) Payment of Principal, Premium and Interest. The Issuer will, solely from the Revenues received under the Loan Agreement or sources in the Trust Agreement provided, pay or cause to be paid the principal of, premium, if any, and interest on the Bonds on the dates, at the places and in the manner provided herein, in the Trust Agreement and in the Bonds.

(c) Performance of Covenants, Authority and Actions. The Issuer will at all times observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Issuer Documents, and in all proceedings of the Issuer pertaining to the Bonds. The Issuer warrants and covenants based upon opinion of Bond counsel and representations of the Borrower that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State of Ohio, including particularly and without limitation the Act, to issue the Bonds and to execute the Issuer Documents, and all other documents to be executed by it, to provide for the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein and in the Trust Agreement set forth; that all actions on its part for the issuance of the Bonds and execution and delivery of the Issuer Documents, and all other documents to be executed by the Issuer in connection with the issuance of the Bonds, are binding upon each officer of the Issuer in his or her official capacity as may from time to time have the authority under the law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty, specifically enjoined by law and resulting from an office, trust or station

within the meaning of Section 2731.01 of the Ohio Revised Code, providing for enforcement by writ of mandamus.

**SECTION 8. No Personal Liability.** No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Resolution, or in any Bond, or in the Issuer Documents, or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer or employee as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of any Bond, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer or employee, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of any Bond, or otherwise of any sum that may remain due and unpaid upon any Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Issuer Documents and the issuance of the Bonds.

**SECTION 9. No Debt or Tax Pledge.** Anything in this Bond Resolution, the Trust Agreement, the Bonds or any other agreement or instrument to the contrary notwithstanding, neither this Bond Resolution, the Bonds, the Trust Agreement, the Agreement, the Tax Regulatory Agreement nor the Bond Purchase Agreement shall represent or constitute a debt or pledge of the faith and credit of or the taxing power of the Issuer, and each Bond shall contain on the face thereof a statement to that effect and to the effect that the Bonds shall be paid solely from the Revenues received pursuant to the Loan Agreement and in accordance with the Indenture.

**SECTION 10. Severability.** If any section, paragraph or provision of this Bond Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Resolution.

**SECTION 11. Tax Designation.** This Council acknowledges that the Bonds will be "qualified tax-exempt obligations" under Section 265(b)(3)(D) of the Code.

**SECTION 12. Open Meeting.** This Council hereby finds and determines that all formal actions relative to the adoption of this Bond Resolution were taken in an open meeting of this Issuer, and that all deliberations of this Council and of its committees, if any, which resulted in formal action were in meetings open to the public, in full compliance with the law, including Section 121.22, Ohio Revised Code.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0304

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services</b>	<b>A Resolution</b> authorizing the County Executive to enter into contracts with various providers for placement services for the period 10/1/2011 - 6/30/2012, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Division of Children and Family Services (“DCFS”) has requested authorization to enter into contracts with various community-based providers for placement services for the period October 1, 2011 through June 30, 2012; and,

WHEREAS, these community-based residential services providers serve DCFS as a primary resource for the placement of children who have been abused and/or neglected and these contracts will help to expand the range of services available to children.

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

**SECTION 1.** That County Executive is authorized to enter into contracts with community-based providers of placement services for the period October 1, 2011 through June 30, 2012 as follows:

- 1) Alliance Human Services, Inc. in the amount not-to-exceed \$2,588,175.00.
- 2) Applewood Centers, Inc. in the amount not-to-exceed \$1,588,950.00.
- 3) Beech Brook in the amount not-to-exceed \$3,602,430.00.
- 4) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$2,925,000.00.
- 5) Berea Children's Home in the amount not-to-exceed \$4,542,903.00.
- 6) BHC Belmont Pines Hospital, Inc. in the amount not-to-exceed \$419,697.00.
- 7) Caring For Kids, Inc. in the amount not-to-exceed \$36,000.00.
- 8) Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$4,827,285.00.
- 9) Christian Children's Home of Ohio, Inc. in the amount not-to-exceed \$300,240.00.
- 10) Continue Life, Inc. in the amount not-to-exceed \$225,000.00.
- 11) Cornell Abraxas Group, Inc. in the amount not-to-exceed \$38,700.00.
- 12) Diversion-Adolescent Foster Care of Ohio, Inc. in the amount not-to-exceed \$153,450.00.



- 13) Glen Mills Schools in the amount not-to-exceed \$68,742.00.
- 14) House of New Hope in the amount not-to-exceed \$1,134,000.00.
- 15) In Focus of Cleveland, Inc. in the amount not-to-exceed \$526,500.00.
- 16) National Youth Advocate Program, Inc. in the amount not-to-exceed \$1,485,000.00.
- 17) New Directions Inc. in the amount not-to-exceed \$108,000.00.
- 18) Options for Families and Youth in the amount not-to-exceed \$1,341,000.00.
- 19) Parenthesis Family Advocates Incorporated in the amount not-to-exceed \$351,000.00.
- 20) Pathway Caring for Children in the amount not-to-exceed \$199,800.00.
- 21) Pressley Ridge in the amount not-to-exceed \$1,530,000.00.
- 22) START - Support To At-Risk Teens in the amount not-to-exceed \$1,305,000.00.
- 23) Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount not-to-exceed \$2,493,000.00.
- 24) The Bair Foundation in the amount not-to-exceed \$1,800,000.00.
- 25) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$1,800,000.00.
- 26) The Twelve of Ohio, Inc. in the amount not-to-exceed \$1,071,000.00.
- 27) The Village Network in the amount not-to-exceed \$1,170,000.00.
- 28) ViaQuest Behavioral Health of Ohio, LLC in the amount not-to-exceed \$182,700.00.

**SECTION 2.** It is necessary that this Resolution become immediately effective in order to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members elected to Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**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 \_\_\_\_\_, 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: October 25, 2011  
Committee(s) Assigned: Health, Human Services & Aging

Journal CC004  
November 9, 2011

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0305

<b>Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer</b>	<b>A Resolution</b> authorizing an award on RQ20792 to American Bridge Company in the amount of \$30,323,618.65 for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; authorizing the County Executive to enter into a contract consistent with said award; and authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$6,064,723.73 to fund said contract.
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WHEREAS, the County Executive/Department of Public Works/County Engineer has recommended an award on RQ20792 to the American Bridge Company in the amount of \$30,323,618.65 for the rehabilitation of the Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; and

WHEREAS, the bids were received on September 21, 2011 and the engineer's estimate was \$34,568,432.75; and

WHEREAS, the County Engineer tabulated the extension of the unit bid prices submitted by each bidder and verified the accuracy of the total amounts and determined the American Bridge Company to be the lowest qualified bidder; and

WHEREAS, the funding for this project is as follows: ODOT will provide 80% in federal funds to the Local Federal Project Administrator (LPA) of the eligible costs; the County will allocate 10% from the County Motor Vehicle \$5.00 License Tax Fund; and the City of Cleveland will fund the remaining 10% of the cost.

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

**SECTION 1.** That the County Council hereby approves the County Executive's recommendation and authorizes an award on RQ20792 to the American Bridge Company in the amount of \$30,323,618.65 for the rehabilitation of the Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland and authorizes the County Executive to execute the contract accordingly.

**SECTION 2.** That the County Council hereby authorizes the County Executive to make an application for allocation from County Motor Vehicle \$5.00 License Tax

Funds in the amount of \$6,064,723.73 for rehabilitation of the Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland.

**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 any of its committees that resulted 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: October 25, 2011

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC004

November 9, 2011

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0307

Sponsored by: <b>County Executive FitzGerald/Department of Development/Airport Division</b>	<b>A Resolution</b> authorizing the County Executive to enter into an amendment to Contract No. CE1100533-01, 02 with Tri Mor Corporation for the Year Two Pavement Maintenance Program: Aprons A1, B reconstruction and Aprons A2, C, D1 rehabilitation for the period 8/9/2011 - 6/6/2012 for additional funds in the amount not-to-exceed \$675,500.00.
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WHEREAS, the County Executive/Department of Development/Airport Division has submitted a request to amend Contract No. CE1100533-01, 02 with Tri Mor Corporation for the Year Two Pavement Maintenance Program: Aprons A1, B reconstruction and Apron A2, C, D1 rehabilitation for the period 8/09/2011 – 6/6/2012 and for additional funds in the amount not-to-exceed \$675,500.00; and

WHEREAS, this amendment increases the total amount of the contract to \$1,495, 860.00; and

WHEREAS, the Airport received additional funding from the Federal Aviation Administration (“FAA”) and approving the amendment to the contract will permit the Airport to maximize the Ohio Department of Transportation (“ODOT”) and FAA grant funding; and

WHEREAS, Apron A1 and Apron A2, C, and D1, which are located adjacent to Flight Options/Nextant, have been identified to be in poor/failing condition and in need of reconstruction and/ or rehabilitation; and

WHEREAS, the expected outcome is to reconstruct Apron A1 and rehabilitate Aprons A2, C, and D1.

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

**SECTION 1.** That the County Council hereby authorizes the County Executive to amend Contract No. CE1100533-01, 02 with Tri Mor Corporation for the Year Two Pavement Maintenance Program: Aprons A1, B reconstruction and Apron A2, C, D1 rehabilitation for the period 8/09/2011 – 6/6/2012 and for additional funds in the amount not-to-exceed \$675,500.00.

**SECTION 2.** That the County Executive is authorized to execute all documents required in connection with said amendment.

**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 any of its committees that resulted 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: October 25, 2011  
Committee(s) Assigned: Economic Development & Planning

Journal CC004  
November 9, 2011

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0054

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Procurement &amp; Diversity</b>	<b>An Ordinance</b> approving the revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, effective 1/1/2012, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the County Executive/ Office of Procurement & Diversity has submitted a revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, effective 1/1/2012; and,

WHEREAS, the primary goal of the revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures is to incorporate current best practices and the new county government structure; and,

WHEREAS, the objective of the Cuyahoga County Small Business Enterprise (SBE) Program is to promote and encourage full and open competition in the procurement of goods and services by Cuyahoga County; encourage all personnel involved with procurement and contracting activities to maintain good faith efforts and appropriate purchasing procedures; to protect Cuyahoga County from becoming a passive participant in any unlawful discrimination; and to otherwise spur economic development in the public and private sectors of the Cuyahoga County economy; and,

WHEREAS, the revised policy is submitted in accordance with the requirements of Section 4.6 of the Contracting and Purchasing Procedures Ordinance (Ordinance No. 2011-0044) in which the County Executive shall submit the proposed revisions to County Council on or before 12/31/2011; and,

WHEREAS, the revisions to the Cuyahoga County Small Business Enterprise (SEB) Program Policies and Procedures Manual replace the Small Business Enterprise Program Policies and Procedures, adopted 12/20/2005; 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 usual, daily operation of a county development.

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

**SECTION 1.** The revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual is hereby adopted effective January 1, 2012.

**SECTION 2.** It is hereby found and determined necessary for this Ordinance to become immediately effective, for the reason that this Ordinance provides for the usual daily and necessary operations of Cuyahoga County government in accordance with the requirements of the Cuyahoga County Charter; therefore, this Ordinance, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately upon the signature of the County Executive.

**SECTION 3.** It is found and determined that all formal actions of this County Council meeting relating to the adoption of this Ordinance were adopted in an open meeting of the County Council and that all deliberations of this County Council and any of its committees that resulted in such formal actions took place 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 Ordinance was duly enacted.

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011





**Item Details:**

<b>Agency/Dept. Name:</b>	Office of Procurement and Diversity	<b>Agency/Dept. Head Name:</b>	Lenora M. Lockett
<b>Type of Request:</b>	Award Recommendation		
<b>Request Prepared by:</b>	Lenora M. Lockett	<b>Telephone No.</b>	443-7874
<b>SUMMARY OF REQUESTED ACTION:</b>			
<b>A. Scope of Work Summary</b> 1. Office of Procurement & Diversity submitting a revised Small Business Enterprise (SBE) Program Policies and Procedures Manual, requesting approval, and <b>declaring necessity that it becomes immediately effective</b> . The anticipated effective date is January 1, 2012. 2. The primary goal of this item is to obtain approval of revisions to the SBE Program Policies and Procedures Manual in order to incorporate current best practices and the new county government structure. 3. Section 4.6 of the Contracting and Purchasing Procedures Ordinance (Ordinance No. O20110044) requires that on or before December 31, 2011, the County Executive submits legislation to County Council proposing revisions to the SBE Program Policies and Procedures Manual. <b>B. Procurement</b> 1. Not applicable – Submission of a revised SBE Program Policies and Procedures Manual 2. Not applicable 3. Not applicable <b>C. Contractor and Project Information</b> 1. Not applicable – Submission of a revised SBE Program Policies and Procedures Manual Council District (ALL) 2. Not applicable <b>D. Project Status and Planning</b> 1. This item is on the critical action path because Section 4.6 of the Contracting and Purchasing Procedures Ordinance (Ordinance No. O20110044) requires that on or before December 31, 2011, the County Executive submits legislation to County Council proposing revisions to the SBE Program Policies and Procedures Manual. <b>E. Funding</b> 1. Not applicable – Submission of a revised SBE Program Policies and Procedures Manual 2. Not applicable			
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>			
<b>Explanation for late submittal:</b>			

**Contract/Agreement Information:**

--

**Procurement Method:**

Other

**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

**Funding source:**    **Explanation:**

**Total Amount Requested:**

\$

**ATTACHMENTS:**

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[revised policy](#)

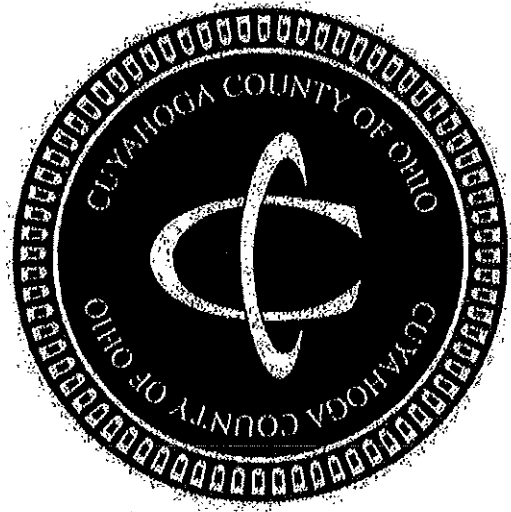
**History**

**Time**

**Who**

Clerk of the Board

**Approval**



COUNTY OF CUYAHOGA, OHIO

SMALL BUSINESS ENTERPRISE PROGRAM  
POLICIES AND PROCEDURES

Revised January 1, 2012

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APPENDIX A CUYAHOGA COUNTY SBE BIDDER'S MANUAL

## I. INTRODUCTION

Policy Statement: It is the policy of the Cuyahoga County to develop a strategic plan and establish administrative rules and procedures to insure that all businesses participate fully and fairly in Cuyahoga County's procurement and contract awards. In an effort to ameliorate the effects of past and present arbitrary barriers that Small Business Enterprises (SBEs) have in contracting with Cuyahoga County, Cuyahoga County hereby adopts this Small Business Enterprise (SBE) Program.

Promotion of Equal Opportunity: No person shall be denied the benefit of, or otherwise discriminated against, on the basis of race, creed, color, national origin, handicap, sex, age, marital status, or sexual orientation in connection with the award performance, and/or modification of a contract between a vendor or contractor and Cuyahoga County where said contract is paid for, in whole or in part, with monetary appropriations by Cuyahoga County.

Program Objectives: Accordingly, the objective of this SBE Program is to promote and encourage full and open competition in the procurement of goods and services by Cuyahoga County; encourage all Cuyahoga County personnel involved with procurement and contracting activities to maintain good faith efforts and appropriate purchasing procedures; to protect Cuyahoga County from becoming a passive participant in any unlawful discrimination; and to otherwise spur economic development in the public and private sectors of the Cuyahoga County economy.

## II. PROGRAM SCOPE AND APPLICABILITY

The following categories provide an overview and summary of the nature and types of Cuyahoga County purchasing and contracting:

Category A -- Construction, Architectural and Engineering: Includes any and all contracting relating to buildings, facilities and other erected structures on real estate of Cuyahoga County such as architectural engineering, new construction, rehabilitation, remodeling and repairs.

Category B - Commodities: Includes the purchase of all goods, equipment, food, office and other supplies, art, furniture, textbooks and other materials for education, and other tangible personal property not associated with the services identified in Categories A, B or C.

Category C - Professional Services: Includes the purchase of any or all services for which applicable selection criteria may require a Participant to possess a license or other certificate of competency such as accounting, auditing, landscape architecture, engineering, insurance, laboratory, legal, lifeguard, medical, dental, nursing, and student transportation.

Category D – Business Services: Includes the procurement of advertising, printing, non-construction repairs, janitorial services, training seminars and workshops, computer and information systems, security, shipping and mailing, microfiche and microfilm, courier, storage, travel, consulting, retail and other non-professional services.

### **III. THE OFFICE OF PROCUREMENT & DIVERSITY**

The Office of Procurement and Diversity (OPD) develops, administers and enforces the SBE Program. OPD shall encourage equal business opportunities and achieve the policies and objectives of the SBE Program by:

- (1) Administering and enforcing Cuyahoga County policies;
- (2) Establishing written rules, regulations and procedures consistent with this SBE Program;
- (3) Publishing and making public said rules, regulations and procedures;
- (4) Maintaining outreach and assistance programs to promote equal contracting opportunities for SBEs that wish to contract with the Cuyahoga County;
- (5) Establishing, enhancing and maintaining relationships with agencies and stakeholders in the area;
- (6) Maintaining a current database of available SBEs and making this database accessible to interested parties;
- (7) Monitoring and collecting data and informational on the utilization of SBEs in Cuyahoga County's procurement activities;
- (8) Establishing and assessing the reasonableness of SBE participation goals for Cuyahoga County procurements;
- (9) Attending pre-bid/proposal conferences for all contract solicitations by Cuyahoga County;
- (10) Attending kick-off meetings for major projects;
- (11) Participating on evaluation panels for request for proposals and requests for qualifications;
- (12) Investigating written complaints related to the SBE Program;
- (13) Mediating payment disputes between prime contractors and SBE sub-contractors
- (14) Notifying affected parties in writing as to the right to review and appeal an adverse decision by OPD;
- (15) Monitoring Cuyahoga County's purchasing activities and determining compliance with SBE Program policies and procedures;
- (16) Preparing annual reports on the SBE Program;

- (17) Reviewing and determining whether a contractor or vendor has failed to implement its contractual agreements and commitments regarding this policy;
- (18) Developing and revising SBE Program policies and procedures to implement current best practices and maintaining records of SBE Program activities; and
- (19) Performing other tasks as may be required to fulfill the above-stated duties of OPD.

Authority to Investigate Discriminatory Practices: Should a Participant submit a written complaint of discrimination, OPD shall be authorized to submit the complaint for investigation to the pertinent county authority including but not limited to the County Executive, County Council, and the Inspector General or his/her designee. Further, such investigations may be initiated when OPD receives information, which provides a reasonable basis to believe that an individual contractor seeking to contract or contracting with Cuyahoga County may be engaging in public or private discriminatory conduct.

## IV. CERTIFICATION

Certification: Certification is the process that ensures that a particular business may become a part of a pool of vendors identified for the purpose of increasing opportunities with respect to contracts awarded by Cuyahoga County.

All firms submitting applications for SBE consideration must be certified prior to submission of bid.

Applications for certification will be on standard forms provided by the SBE Program and will include, but will not be limited to, primary business location, evidence of ownership, control, operation, and experience. The application shall be in the form of an affidavit and shall be signed by the applicant; such signature to be notarized by an officer duly authorized to notarize signatures. All certified SBE firms will be required to update their listing continually including changes of addresses, telephone numbers and changes of ownership, control and operation.

The Director of Procurement & Diversity shall grant certification of an approved SBE for a period of one (1) year. The Director may grant a provisional SBE certification prior to specific bids or proposals. All companies must recertify their business on an annual basis on the anniversary of their certification. Should provisional certification be granted to a business and be awarded a prime contract and the provisional certification is later rescinded, that business is obligated to meet the SBE participation percentage goal of the original proposal or specifications.

If an SBE is denied certification on the basis of information submitted, the company cannot reapply for certification for a period of one (1) year from the date of the notice or denial, provided that such company shall have the right to appeal such denial and to be certified if such appeal is decided in its favor as provided herein. Certification records will be maintained by OPD for a period of five (5) years.

## V. ELIGIBILITY STANDARDS FOR SBE CERTIFICATION

The following standards will be used to determine whether a firm is eligible to be certified as a Small Business Enterprise:

1. To become eligible for the SBE Program a Small Business Enterprise firm must demonstrate that it has been in continuous operation in the category or the related category for which it is requesting certification for one year, that majority ownership has at least one (1) year of work experience relevant to the business' certification category, that its annual gross revenues or its' total workforce are at or less than the amounts established by the Small Business Administration.
2. A business applying for certification as a SBE must establish that it has a physical presence located within the geographical limits of Cuyahoga County. Mailbox facilities or other similar arrangements alone do not constitute a physical presence.
3. SBE ownership and control shall be real, substantial and continuing and shall go beyond the "pro forma" ownership as reflected in the ownership document. The SBE owners shall share in the risks and profits commensurate with their ownership interest as demonstrated by an examination of the substance rather than form of arrangements.
4. SBE owners shall possess the power to direct or cause the direction of the management and policies of the firm and to make the day-to-day as well as major decisions on matters of management, policy, and operation. The firm shall not be subject to any formal or informal restrictions that limit the customary discretion of the SBE owners. There shall be no restrictions through, for example, by-law provisions, partnerships, arrangements or charter requirements for cumulative voting rights or otherwise that prevent the SBE owners, without the cooperating or vote of any owner who is not listed, from making a business decision of the firm.
5. Where the actual management of the firm is contracted out to individuals other than the owner, those persons who have the ultimate power to hire and fire managers can, for the purpose of this part, be deemed to be controlling the business.
6. All securities that constitute ownership and/or control of a corporation shall be held directly by the owners. No securities held in trust, or by any guardian for a minor, shall be considered as held by an owner in determining the ownership or control of a corporation.
7. The contribution of capital or expertise by the owners to acquire their interest in the firm shall be real and substantial. Examples of insufficient contributions include a promise to contribute capital, a note payable to firm, or the mere participation as an employee, rather than as a manager.
8. In addition to the above standards, the SBE Program shall give special consideration to the following circumstances in determining eligibility for certification:
  - a. Newly formed firms and firms whose ownership and/or control has changed since the date of the advertisement of the contract are closely



- scrutinized to determine the reasons for the timing of the formation of or change in the firm.
- b. A previous and/or continuing employer-employee relationship between or among present owners is carefully reviewed to ensure that the employee-owner has management responsibilities and capabilities discussed in this section.
  - c. Any relationship between a Small Business Enterprise and a business which is not a Small Business Enterprise, which has an interest in the Small Business Enterprise is carefully reviewed to determine if the interest of the non-Small Business Enterprise conflicts with the ownership and control requirements of this section.

## VI. OPERATIONAL CONTROL

OPD shall review the extent of "operational" control. The primary consideration in determining operational control and the extent to which the applicant actually operates the business will rest upon the peculiarities in the industry of which the business is a part. For example, for small contractors, it is reasonable to expect the applicant to be knowledgeable of all aspects of the business. This may not apply to large contractors who have the assets and personnel to specialize. Accordingly, in order to clarify the level of operational involvement, which an applicant must have in a business for it to be considered eligible, the following criteria are put forth, but are not intended to be all inclusive.

1. The applicant should have some experience in the industry for which certification is being sought.
2. The applicant should show that basic decisions pertaining to the daily operations of business can be independently made. This means the applicant must possess the knowledge to weigh all advice given and to make an independent determination.
3. The applicant should have some technical competence in the industry in which certification is being sought. Technical competence in this sense does not mean expert knowledge. It does mean the applicant should have a working knowledge of the technical requirements of the business needed to operate in the industry.

## VII. MANAGERIAL CONTROL

OPD shall review the extent of "managerial" control. Managerial control means that the applicant has the demonstrable ability to make independent and unilateral business decisions needed to guide the future of the business. Managerial control may be demonstrated in many ways. For an applicant to demonstrate managerial control, the following criteria are put forth, but are not intended to be all-inclusive:

1. Articles of incorporation, corporate bylaws and partnership agreements or other agreements shall be free of restrictive language, which would dilute the

applicant's control, thereby preventing the applicant from making those decisions, which affect the future of the business.

2. The applicant shall be able to show clearly through production of documents the areas of applicant control, such as, but not limited to:
  - a) Authority and responsibility to initiate and sign checks, letters of credit, and loan agreements.
  - b) Authority to negotiate and signature authority for insurance and/or bonds;
  - c) Authority to negotiate for banking services.
3. Agreements for support services that do not lessen the applicant's control of the company are permitted as long as the applicant's power to manage the company is not restricted or impaired.

## VIII. THE PURPOSE AND USE OF GOALS

Definition and Purpose: Cuyahoga County maintains a compelling interest in providing equal business opportunities for all persons wishing to do business with it. Therefore, OPD will continue to encourage, monitor, and track SBE participation in the procurement process through SBE Participation Goals. Goals are not quotas, but rather a method enabling Cuyahoga County to encourage and promote inclusion of SBEs in the procurement process.

Procedure for Establishing Overall Goals: Cuyahoga County has established an overall thirty percent (30%) subcontracting goal for SBE Participation in county procurements. If desired, Cuyahoga County may establish a revised overall SBE Participation Goal for Cuyahoga County. To establish a revised SBE overall goal, Cuyahoga County shall conduct an analysis of SBE participation in county purchasing activities. First, Cuyahoga County shall evaluate the levels of SBE participation for the Cuyahoga County overall procurement program for the previous year. As part of the review, Cuyahoga County may also consider data regarding SBE participation for the past three (3) fiscal years for a more accurate portrayal of SBE participation. Secondly, OPD shall review available SBE totals and percentages for the Cuyahoga County area. Based on the data, OPD shall make a recommendation for a revised overall SBE Participation Goal for review and approval by the County Executive and County Council.

Procedure for Establishing Individual Goals: To achieve the overall goal for SBE participation, the Director of OPD will establish SBE goals on a contract by contract basis based on an analysis of market availability and a commercially useful function within the contract. The Director of OPD may also waive the SBE goals for particular procurements.

Cuyahoga County will use the following criteria to determine the types of participation toward Cuyahoga County's overall annual SBE goal:

- 1) The total dollar value of the subcontract may be counted toward determining the specified goal. This includes the fees and commissions charged for professional services, legal counsel, manufacturers, financial consultants, and insurance agents.

- 2) Contract goals will be used to meet any portion of the annual goal. Contract goals are established so that, over the period to which the goal applies, they will cumulatively result in meeting any portion of the goal projected to be met through the use of race-neutral means.

Contract goals will only be established on those contracts that have subcontracting opportunities for SBE participation. The size of contract goals will be adapted to the circumstances of each contract (e.g., type and location of work, availability of SBEs to perform the particular type of work) and functionality within the contract.

SBE Participation in Meeting Goals: All Participants, including SBE Participants, shall make good faith efforts to attain goals through all subcontractor work.

- (1) Prime Contractors: A Prime Contractor should subcontract portions of its contract consistent with industry standards. However, all SBE subcontractors must perform a commercially useful function as defined herein. Only such participation by an SBE will be counted towards any goal.
- (2) Subcontractor Participation: Where a Prime utilizes one or more subcontractors or 2<sup>nd</sup> tier subcontractors to attain an SBE goal, the Participant may only count said SBE subcontractor or sub-subcontractor work toward goals. In no way shall subcontractors' or sub-subcontractors' work or dollar amount be construed to count toward said goal more than once. Only expenditures to SBE subcontractors that perform a commercially useful function in the work of that project or contract will be counted.
- (3) Supplier Participation: Where a Participant utilizes suppliers or distributors to satisfy the goal(s) in whole or in part, the SBE suppliers must perform a commercially useful function. Supplier participation may be approved upon review of the following factors:
  - i) The nature and amount of supplies to be furnished;
  - ii) Whether the SBE is a manufacturer, wholesaler or distributor of the supplies and has the capabilities to deliver same in accordance with its certification;
  - iii) Whether the SBE actually performs, manages and supervises the work to furnish the supplies; and
  - iv) Whether the SBE intends to purchase supplies from a non-SBE and simply resell same to the general or prime contractor for allowing those supplies to be counted towards fulfillment of the goal(s). Participants will receive no credit for the dollar amount of the supply contracted from brokers.

## IX. EXCLUSIONS AND WAIVER OF NON-COMPLIANCE WITH SBE GOAL

1. Exclusions: This Small Business Enterprise policy shall not apply to the following:
  - a) "Sole Source" procurements under the Cuyahoga County ordinances which by their very nature limit the source of supply to one vendor.
  - b) County purchases from political subdivisions/government entities;
  - c) County purchases off state contracts, off federal contracts, and from joint purchasing programs.
  - d) The acquisition of any interest in real property including lease holdings.
  - e) Direct and indirect employee payments including payroll expenditures, pensions and unemployment compensation and other employee-related expenditures;
  - f) Any other categories and subcategories of goods and services Cuyahoga County may from time to time establish as excluded contracts upon recommendation of the Director of the Ohio of Procurement & Diversity and approval by the Cuyahoga County Executive and Cuyahoga County Council.
  
2. Application for Waiver. If the Contractor, consultant, supplier or vendor does not meet the project goal, the bidder or offer or may seek a partial or total waiver of the project goal. The application for waiver of all or part of the project goal shall include full documentary evidence of the Participant's good faith efforts to meet the project goal and why the request for waiver should be granted. The application shall be notarized and submitted as a part of the bid or offer. Additional explanation, affidavits, exhibits or other materials may be required by the SBE Program to substantiate good faith efforts. (See the Good Faith Effort Certification, SBE-3, 2 pages, in the attached Bidder's Manual). Waivers may also be granted for an acceptable explanation as to why the goals should be waived.
  
3. Waiver for Detriment to Public Health, Safety or Financial Welfare. The SBE Program goal may be waived if the same causes a detriment to public health, safety or the financial welfare of the County. The SBE Program goal may also be waived in the event available SBEs provide price quotes which are unreasonably high in that they exceed competitive levels beyond amounts which can be attributed to cost, overhead and profit.

## X. REQUIREMENTS OF PRIME CONTRACTORS

In consideration of the right and privilege to submit a bid or proposal on construction projects and other contracts with Cuyahoga County, at the time of submitting a proposal or bid, each participant shall be required to present appropriate documentation. The documents described below must be completed and signed by each Participant before a proposal or bid can be considered responsive:

- 1) Covenant of Non-Discrimination: Each Participant must submit a duly executed and attested Covenant of Non-Discrimination (SBE-1, found in the attached Bidder's Manual). This written instrument shall contain promises, declarations and/or affirmations made by the Participant. The completed document must contain an original signature and date of signature.
- 2) SBE Subcontractor Participation Plan: Each Participant must submit a duly executed Subcontractor Participation Plan (SBE-2, found in the attached Bidder's Manual) for each SBE subcontractor proposed. Copies and/or facsimiles of SBE-2 submitted with bids/proposals are acceptable BUT all required signatures must be dated as indicated. Also, please note the following:
  - a) Certified SBEs who are bidding as prime contractors **MUST** complete and submit the top portion of Form SBE-2 to guarantee the 20% SBE credit.
  - b) SBEs with multiple geographical locations shall enter the Cuyahoga County address and contact information on Form SBE-2.
  - c) Prime vendors are **PROHIBITED** from using SBE(s) with whom the prime vendor has a familial relationship, joint or co-ownership, common partners, officers, or a shareholder relationship to meet the SBE Participation Goal. Hence, on Cuyahoga County projects/contracts, any portion of work subcontracted to a SBE vendor by a prime vendor that meets the above-mentioned criteria will **NOT** count towards the achievement of the established SBE Participation Goal.

Use of 2<sup>nd</sup> Tier Subcontractors: In the event that a subcontractor portions out work and utilizes the services of a sub-subcontractor or vendor, the prime contractor shall be required to report this use to OPD. For reporting purposes, the prime contractor shall report statistical data for the sub-subcontractor or sub-vendor, including race, gender, business size, area of specialization, dollar value, description of services or products purchased, and contact information. No SBE subcontractor will be permitted to subcontract more than 25% of their subcontract work (based on dollar value) without prior approval by OPD.

Other Information and Data: OPD may request additional information and data prior to a contract award. This information may include, but is not limited to, information regarding business ownership of all subcontractors to be utilized on the project, all of which shall reflect the race, gender, location, size, and area of specialization and structure of the identified businesses.

---

**A PARTICIPANT'S FAILURE OR REFUSAL TO PROVIDE INFORMATION AND DATA REQUIRED BY THIS PROGRAM AND REQUESTED BY OPD SHALL SUBJECT THE PARTICIPANT TO HAVING A PROPOSAL OR BID DEEMED NON-RESPONSIVE.**

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## XI. GOOD FAITH EFFORTS

Aggressive “Good Faith Efforts” to include SBEs in the procurement process are required of all Participants. These Good Faith Efforts should be in addition to the Participant’s regular and customary solicitation process of contact with potential subcontractors and/or vendors.

Written Notice to SBEs: To demonstrate good faith efforts, a Participant shall deliver written or electronic notice to potential, SBEs. SBEs should be contacted not less than one (1) week before the bid or proposal due date. Names, addresses, and telephone numbers for available SBEs may be obtained by contacting OPD or reviewing the database on the website at <http://opd.cuyahogacounty.us/>.

The written or electronic notice sent to potential subcontractors or vendors shall contain the following:

- (1) Sufficient information about the plans, specifications, and relevant terms and conditions of the solicitation. This should include information about the work which will be subcontracted or the goods which will be obtained from subcontractors and suppliers;
- (2) A contact person knowledgeable of the project scope documents, within the Participant’s office, to answer questions about the conditions of the contract;
- (3) Information as to the Participant’s bonding requirements; and
- (4) The deadline for price quotations.

Evaluation of Good Faith Efforts: In evaluating good faith efforts, OPD will determine whether the Participant has made reasonable good faith efforts to obtain SBE participation as part of its bid or proposal. OPD may evaluate not only the different kinds of efforts made by a Participant, but also the quantity and intensity of those efforts.

OPD will consider a completed Good Faith Effort Certification (SBE-3, 2 pages, found in the attached Bidder’s Manual), as evidence of a Participant’s good faith in trying to obtain SBE participation in a bid or proposal.

Required Documentation: To demonstrate good faith efforts, Participants shall keep detailed records of all correspondence and responses thereto, logs of all telephone calls made and received regarding the project or contract, confirmation receipts for fax transmissions, receipts from registered or certified mail, copies of advertisements in publications and other media, and other relevant papers required by this Program.

Good Faith Effort Certification: Participant must submit a completed Good Faith Certification (SBE-3, found in the attached Bidder's Manual) ONLY if the SBE Participation Goal is not met. Additional documentation demonstrating a good faith effort must accompany the checklist. The completed document must contain an original signature, notarizations, and date of signature.

## XII. AWARD OF CONTRACTS

Award of Contract: Proposals/ bids may be rejected and projects re-submitted for the sole purpose of attaining goals where no "good faith effort" has been demonstrated. Cuyahoga County reserves the right to determine the action to be taken on the contract if a goal is not met, including rejecting any or all bids or proposals. If an awarded contract is later amended for additional dollars, SBE subcontractor participation should still reflect the percentage of dollars originally contracted for.

When evaluating a bid to determine the lowest and best bid, the County may consider, in addition to all of the other factors set forth in the instructions to bidders, whether a bid is SBE compliant; provided, however, that such SBE compliance shall not be considered if the difference between the SBE-compliant bid and the lowest responsive bid is more than the price preference specified below.

Proposal Bid Price Range (Ropes (\$))	Price Preference (%) & Limit	Price Preference (\$)
0 – 500,000	10%	0 – 50,000
500,001 – 1,000,000	10% up to max \$80,000 (10-8)	50,000 – 80,000
1,000,001 – 3,000,000	8% up to max \$210,000 (8-7)	80,000 – 210,000
3,000,001 – 5,000,000	7% up to max \$250,000 (7-5)	210,000 – 250,000
>5,000,000	\$250,000 maximum (≤5)	250,000 maximum

## XIII. MONITORING AND POST-AWARD REPORTING

Office of Procurement and Diversity Authorization to Monitor: OPD shall be authorized to collect from all Participants such data and information as is necessary to monitor this Program. This information may include information as to business ownership, supplier information, subcontractor information, all of which shall reflect the contract information, race, gender, business location, and size of the identified businesses.

OPD shall continuously monitor the participation of SBEs in the procurement of goods and services for Cuyahoga County. Such monitoring shall include, but is not necessarily limited to, a statistical analysis of each construction trade, business service, professional service and commodity to determine whether there is utilization of SBEs in a manner that is proportionate to the established goal.

OPD will provide written reports on an annual basis. OPD's report shall contain a summary of the purchases and contracts placed with SBEs for the period and the relative percentage to the

total of purchases and contracts for that period and the size, quantity and quality of SBE involvement by dollar volume.

Participant's Post-Award Reporting: Participants who are awarded contracts must submit reports, during the course of, and at the end of the contract as requested by OPD. These reports shall summarize the number and dollar amounts of payments made during the term of the contract to subcontractors. The final report shall summarize the number and dollar amounts of payments made during the term of the contract to all subcontractors and shall reflect the SBE designation of the subcontractor if any. OPD reserves the right to audit a contract for SBE participation at his/her discretion during any phase of the project. An audit would include but not be limited to: on site reviews, desk reviews, requests for cancelled checks, requests for invoices, certified payroll reports, etc.

SBE Subcontractor Substitutions or Replacements: The prime contractor shall report any replacements or substitutions of the use of SBE subcontractors to OPD immediately. Prior approval by the Director of OPD is required for SBE substitutions/replacements. For reporting purposes, the prime contractor shall report to OPD statistical data pertaining to the new subcontractor, including race, gender, business size, area of specialization, and contact information on the SBE Subcontractor Participation Plan form (SBE-2).

OPD will require a Participant to make good faith efforts to replace a SBE that is terminated or has otherwise failed to complete its work on a contract with another SBE to the extent needed to meet the contract SBE Participation Goal. The Participant must notify OPD immediately, and in writing, of the SBE's inability or unwillingness to perform and provide reasonable documentation. The request should include at a minimum: the name of the SBE firm, the contact, the phone number, the scope of work initially assigned to the SBE firm, dollars paid to date, percent of scope completed, and the reason for the substitution request including documentation of the SBE's withdrawal.

The Participant will be given five (5) business days to find a SBE substitution if the request is granted. In this situation, the Participant will be required to obtain prior approval of the substitute SBE and to provide copies of SBE Subcontractor Participation Plan (SBE-2) or documentation of good faith efforts.

If the Participant fails or refuses to comply in the time specified, OPD may issue a recommendation to stop all or part of payment and/or work until satisfactory action has been taken. If the Participant still fails to comply, OPD may issue a recommendation of termination of the contract.

Contractors' Closeout Activity Reports: To further monitor SBE participation, closeout activity reports will be required from project prime contractors and prime consultants identifying activities of all subcontractors and sub-consultants. This report shall include all modifications/amendments/change orders and shall reflect the contact information, race, gender, business size, scope of work, and amount paid to each firm.



## XIV. GRIEVANCE PROCESS

Any Participant or other party allegedly aggrieved by the provisions of this program may submit a written complaint to OPD who will notify the SBE Grievance Hearing Board. The SBE Grievance Hearing Board is empowered to hear all grievances concerning certification, de-certification, goal complaints, good faith efforts and any other grievances called by the provisions of this program.

SBE Grievance Hearing Board: The SBE Grievance Hearing Board consist of the following five (5) members:

- Deputy Chief of Staff, Development or his/her designee
- Director of Public Works or his/her designee
- Deputy Chief of Staff, Justice or his/.her designee
- Two (2) County Council Members appointed by the President of County Council

The SBE Grievance Hearing Board meets as required to hear grievances pertaining to the SBE Program. A meeting quorum of this board consists of four (4) members. An affirmative vote by at least three (3) members is required for action items.

Request for Review: An allegedly aggrieved party may seek review of an OPD determination or decision by filing a written Request for Review with OPD within five (5) days of receipt of the Determination of Non-Compliance, certification denial, recertification denial, or other SBE decision.

Scheduling the Hearing/Notice of Hearing: Upon receipt of the request for review from the allegedly aggrieved party, OPD shall forward the request for review to the SBE Grievance Hearing Board within three (3) business days of receipt and proceed with scheduling the hearing. Every effort shall be made to hold the hearing no more than twenty (20) days from the date of receipt of the request for review. All external parties shall be sent a written notice by registered mail which shall state the date, time, and place of the hearing.

Hearing: The hearings shall be informal. Participants shall include OPD and the allegedly aggrieved person(s), or a representative of the allegedly aggrieved person. Said hearing shall comply with State of Ohio law relative to the Open Meetings Act.

Decision: The SBE Grievance Hearing Board shall issue a decision at the conclusion of the hearing which may approve or disapprove of OPD's decision or determination.

Exhaustion of Legal Remedies: An aggrieved person or entity must comply with the review process as outlined herein. Once a person or entity has exhausted the administrative remedies outlined in the Program, that person or entity may seek any other statutory, legal or equitable remedies that may be available. Failure to exhaust all administrative remedies listed above is an affirmative defense to any statutory, legal or equitable proceeding that may arise.

## XV. SANCTIONS AND PENALTIES FOR NON-COMPLIANCE

Cuyahoga County shall have the authority and power to enforce the provisions of this Program. Failure of a participant to comply with the requirements shall subject it to administrative sanctions. In addition, a violation of this Program shall constitute a material breach of contract enforceable at law or in equity, as will all other contract provisions, including the imposition of penalties. The following sanctions and penalties are established for the enforcement of this Program:

- (1) Determination of Non-Responsiveness: In addition to standard factors in its evaluation, Cuyahoga County may declare a bid or proposal non-responsive where it is determined that a Participant has not filed with Cuyahoga County a duly executed Covenant of Non-Discrimination or any other document as required by this Program.
- (2) Limited Suspension: For falsifications, misrepresentations, deception to obtain a contract, Cuyahoga County may remove a Participant from its list of eligible firms entitled to do business with Cuyahoga County.
- (3) Rejection of Future Proposals: Cuyahoga County may reject any or all future Proposals of a Participant until such time as the Participant demonstrates that it is or shall come into compliance.
- (4) Withholding Payment: Cuyahoga County may withhold payment, until such time as the Participant demonstrates that it is or shall come into compliance.
- (5) Cancellation of Contract: Cuyahoga County may declare a contract null and void where, after such contract has been awarded, an investigation determines that the Participant's documents contain false, fictitious, or fraudulent information.
- (6) Permanent Debarment: For repeated violations, Cuyahoga County may remove a Participant from its list of firms entitled to do business with Cuyahoga County indefinitely.

Guidelines for Imposition of Sanctions: The authority and power for imposition of sanctions and penalties shall lie with county authorities and elected/appointed officials as outlined in the County Charter, County Ordinances, state laws, and federal laws. The recommendation however, may come from the SBE Grievance Hearing Board or OPD.

- (1) General: Sanctions may be recommended if there is evidence of specific conduct on the part of the Participant that is inconsistent with or in direct opposition to the applicable provisions of this Program. Furthermore, the imposition and enforcement of sanctions shall be consistent with applicable county ordinances, state laws, and federal laws.
- (2) Severity of Sanctions: In determining the length of any suspension, Cuyahoga County shall consider the following factors:

- (i) Whether the failure to comply with applicable requirements involved intentional conduct or, alternatively, may be reasonably concluded to have resulted from a misunderstanding on the part of the Participant of the duties imposed on them by this Program;
  - (ii) The number of specific incidences of failure by the Participant to comply;
  - (iii) Whether the Participant has been previously suspended;
  - (iv) Whether the Participant has failed or refused to provide Cuyahoga County or OPD with any information required or requested by this Program;
  - (v) Whether the Participant has materially misrepresented any applicable facts in any filing or communication to Cuyahoga County or OPD; and
  - (vi) Whether any subsequent restructuring of the Participant's business or other action has been undertaken to cure the deficiencies in meeting applicable requirements.
- (1) Length of Suspension: Suspensions may be for any length of time. Cuyahoga County may impose suspensions in excess of one year in cases involving intentional or fraudulent misrepresentation or concealment of material facts, multiple acts in breach of the Program, cases where the Participant has been previously suspended, or other similarly situated misconduct.

Prohibition Against False Statements: It shall be unlawful for any person, knowingly and willfully and with intent to mislead or to make any false or fraudulent representations to Cuyahoga County. Cuyahoga County may impose sanctions against any person making such false representation in connection with the SBE Program.

## XVI. TRAINING AND OUTREACH STRATEGIES

Training: Cuyahoga County remains committed to implementing a program that increases the participation of SBEs in Cuyahoga County's procurement opportunities. To ensure that all Cuyahoga County employees involved in purchasing decisions are appropriately informed, certain personnel would undergo training to increase sensitivity regarding the utilization of SBEs. Internal training shall ensure that all staff with purchasing authority have the capacity and capability to engage in a consistent, fair and open procurement process. Training sessions shall occur periodically. The objective of the training is to effectively communicate the importance of the Program and the mechanics of how the Program operates. The training shall address the following topics, among others:

- (i) Understanding the purpose of the Program.
- (ii) Understanding the benefits of doing business with SBEs.
- (iii) Understanding how the Program is administered.

- (iv) Developing innovative techniques to increase SBE participation.

Outreach Program: To ensure that opportunities to participate in Cuyahoga County's contracts are available to the widest feasible universe of willing, available and qualified businesses, OPD shall develop and engage in outreach designed to increase public awareness of the Program. This outreach may consist of any of the following:

- (1) Public Awareness of the Program. To increase the visibility of OPD and to increase the awareness of the Program, OPD shall disseminate at community events, trade shows, and other appropriate business functions, and publish at regular intervals information describing the Program. This information shall also identify ongoing contracting opportunities. OPD will actively participate in the various advocacy groups to provide constant feedback and to keep SBEs abreast of the Program and contracting opportunities.
- (2) Outreach to SBEs. OPD shall assist SBEs by providing workshops and seminars on Cuyahoga County's procurement policies and procedures.

## **XVII. GRADUATION BY SBE PROGRAM PARTICIPANTS**

If a certified and otherwise eligible SBE achieves annual gross revenues or similar indicators of business size for three (3) consecutive years in its respective industry in excess of the pertinent SBA Size Standards for its certification category, then it shall be deemed to have overcome the effects of size and to have reached a competitive status in the marketplace. Upon achievement of such status, said firm(s) shall be graduated from the program and shall thereafter be ineligible for utilization to fulfill enforceable SBE Program participation goals. A graduated SBE may not subsequently re-enter the program unless, after the expiration of two calendar years, the SBE demonstrates:

1. that its annual gross receipts have declined to levels below those as set forth above and;
2. that during said two calendar years it was unable to achieve meaningful participation in Cuyahoga County contracts and/or in the public and private sectors of the larger local economy despite its good faith efforts to do so.

## **XVIII. MENTOR-PROTÉGÉ PROGRAM**

OPD may develop a Mentor-Protégé program and encourage all contractors and subcontractors to participate. If the program has been established, OPD shall make available a database of potential Mentor and Protégé firms. Participation in this program is strictly voluntary. No contractor or vendor shall be penalized or preferred based upon participation or non-participation in the program. Any Participants volunteering for this program shall be given recognition by OPD.

## XIX. BOND ASSISTANCE PROGRAM

As an initiative to enhance SBE participation, Cuyahoga County may investigate, develop, and implement a bond assistance program.

## XX. SEVERABILITY

If any of the provisions set forth in this Program or any section, subsection, paragraph, sentence, clause, phrase, or word thereof shall be found to be invalid, illegal or unenforceable for any reason, the application of the remainder of this Program shall not be affected by such invalidity.

## XXI. DEFINITIONS

For the purpose of this Program, the following words, terms, phrases and abbreviations shall have the following meanings:

“Certification”: shall mean the qualifying process that ensures buyers and local, state, and federal agencies that a particular business is eligible to become a part of the database which performs a commercially useful function.

“Commercially Useful Function”: shall mean the performance of real and actual services by a Participant who contracts with Cuyahoga County, or subcontracts with another business enterprise which contracts with Cuyahoga County. A business enterprise serving as a “conduit”, “front” or “pass-through” for another business shall not be deemed to perform a commercially useful function. In determining whether a business is performing a commercially useful function, factors, including but not limited to the following, will be considered:

- i) The nature and amount of work contracted;
- ii) Whether the SBE has the skill and expertise to perform work for which it has been certified;
- iii) Whether the SBE actually performs, manages and supervises the work;
- iv) Whether the SBE intends to purchase commodities and/or services from a non-SBE and simply resell same to the general or prime contractor for the purpose of allowing those commodities and/or services to be counted towards the fulfillment of a goal;
- v) Standard industry practices relating to the use of the subcontractors. Consistent with standard industry practices, an SBE subcontractor may enter into second tier

subcontracts. If an SBE subcontractor subcontracts a significantly greater portion of the work of its subcontract to a non-SBE inconsistent with standard industry practices, the SBE subcontractor shall be presumed not to be performing a commercially useful function.

“Compliance”: shall mean the condition existing when a Participant has met the requirements of this Program.

“Conduit”: shall mean a business which purchases goods or services that are not normally purchased or sold as part of its daily business from another business(es) for the sole purpose of resale to Cuyahoga County or a contractor doing business with Cuyahoga County.

“Contract”: shall mean any mutually binding legal obligation of Cuyahoga County created to acquire some good and/or service from one or more Participants, which is paid or which is to be paid for, in whole or in part, with monetary appropriations of Cuyahoga County. In this context, the terms “contracting”, “purchasing”, and “procurement” are synonymous and refer to the process or processes under which Cuyahoga County undertakes such acquisitions.

“Cuyahoga County”: shall mean the government agency which provides public contracting to increase quality of life in the County.

“Covenant of Non-Discrimination”: shall mean, collectively, one or more contractual affirmative promises (1) to adopt the policies of Cuyahoga County relating to the participation of SBEs in the procurement process; (2) to undertake certain good faith efforts to solicit SBEs participation; and (3) not to otherwise engage in discriminatory conduct against SBEs.

“Department”: Shall mean a department, division or elected officials office which solicits proposals through OPD.

“Goal”: shall mean an aspirational effort to attain a certain level of SBEs participation on contracts awarded by the Cuyahoga County based on subcontracting opportunities and available SBEs to perform.

“Good Faith Efforts”: shall mean the aggressive actions of a Participant undertaken in earnest to achieve an SBE goal and ensure that it does not discriminate in its contracting practices.

“Independent”: shall mean that with respect to the ownership, control and activity of a SBE, the business shall operate separate and apart from the ownership, control or undue influence of another business owned and controlled by one or more non-SBEs.

“Joint Venture”: shall mean an association of two or more independent persons, partnerships, corporations (or any combination of them) formed, consistent with the laws of the State of Ohio. This joint venture would carry out a single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills and knowledge, and in which the SBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

“Manufacturer”: shall mean an individual (or individuals) who owns, operates, or maintains a factory or establishment that produces on the premises the components, materials, or supplies obtained by the Participant or Cuyahoga County.

“OPD”: shall mean the Office of Procurement & Diversity, which is responsible for administration of the SBE Program.

“Non-Compliance”: shall mean the condition that exists when a Participant has failed to meet the requirements of the SBE.

“Office”: shall mean that a business enterprise with an established place of business in the Cuyahoga County area at which one or more of its employees is regularly based and that such place of business has a substantial role in the business’ performance of a commercially useful function as herein defined. A location utilized solely as a post office box, mail drop or telephone message center or any combination thereof, with no other substantial work function, shall not constitute a significant business presence.

“Participant”: shall mean any contractor, vendor, supplier, or other person, partnership, joint venture, corporation or other business entity that submits a bid or proposal to Cuyahoga County or expressed interest in submitting a bid or proposal in response to competitive solicitation issued by Cuyahoga County or who has been awarded a contract by Cuyahoga County.

“Project Owner”: shall mean the representative of Cuyahoga County that enters into agreement or contracts with a firm for services or supplies or any other item which shall cause a disbursement of funds from Cuyahoga County.

“Proposal”: shall mean a quotation, proposal, bid or offer by a Participant to perform or provide labor, materials, supplies, or services to Cuyahoga County in response to competitive solicitation issued by Cuyahoga County.

“Race/Gender-Conscious”: shall mean any governmental or legislative policy or programmatic action that uses race or gender as criteria for participation. The use of an MBE or WBE goal is a primary example of a race-conscious measure.

“Race/Gender-Neutral”: shall mean any governmental or legislative policy or a programmatic action in which race or gender is not among, or the specific criteria for participation. While benefiting MBEs and WBEs, it is not solely focused on MBE or WBE firms and can be used to assist all small businesses. For example, small business outreach programs, technical assistance programs, mobilization fees, bonding assistance and prompt payment provisions can assist a wide variety of small businesses, not just MBEs and WBEs.

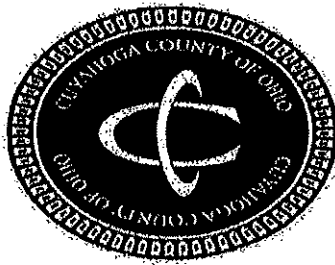
“Responsible”: shall reference a Participant’s integrity, compliance with public policy, and record of past performance and financial and technical resources. A Participant must meet certain requirements to be considered a responsible bidder.

“Responsive”: shall mean that a bid must comply in all material respects, both to the method and timeliness of submission and to the substance of any resulting contract, so that all Participants may stand on an equal footing and the integrity of the competitive bidding system may be maintained.

“Small Business Enterprise” (“SBE”): shall refer to a firm that is certified by OPD, submitted an application and has been accepted as a firm eligible to take advantage of affirmative action efforts established in this Program.

“Underutilization”: shall mean the percentage of dollars spent by Cuyahoga County with SBEs which is less than would be expected based on SBE availability in the County.





**RQ {ENTER RQ#}**

**BIDDERS' MANUAL**

**Small Business Enterprise Program**

**For Construction, Services, Supplies and Professional Service Contracts**

The goal of the Small Business Enterprise (SBE) Program is to support small businesses by creating positive partnerships in County contracting and other procurement opportunities. The Small Business Enterprise Program will achieve this goal by providing and supporting opportunities for small firms to grow and thereby compete effectively in the general environment for contracting opportunities.

THE SBE SUBCONTRACTOR PARTICIPATION GOAL  
FOR THIS BID/PROPOSAL IS

***{ENTER SBE %} %***

**OF THE CONTRACT AWARD**

Cuyahoga County  
Is an Equal Opportunity Employer

# SBE BIDDERS' MANUAL

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### REQUIRED FORMS:

- Covenant of Non-Discrimination (SBE-1)
- SBE Subcontractor Participation Plan (SBE-2)
- Good Faith Effort Certification (SBE-3, 2 pages)
- Sample of Completed SBE forms (4 pages)

# **INSTRUCTIONS TO BIDDERS**

## **I. Small Business Enterprise (SBE) Certification**

Only those Small Business Enterprises certified by the Cuyahoga County 's Office of Procurement & Diversity (OPD) shall be eligible for the fulfillment of the SBE participation goal. SBE listings may be obtained from the Office of Procurement & Diversity. If a Small Business Enterprise elects to compete for county business without being certified as such, they may do so, but any bid submitted will not be counted towards fulfillment of the SBE participation goal.

An SBE desiring certification with OPD must complete the certification application. SBE applications may be obtained from the:

Office of Procurement & Diversity  
County Administration Building, Room 110  
1219 Ontario Street  
Cleveland, Ohio 44113  
(216) 443-7230  
or downloaded at [www.opd.cuyahogacounty.us](http://www.opd.cuyahogacounty.us)

## **II. SBE Participation Goal**

The SBE Participation goal can be achieved in the following manner(s):

1. A prime vendor subcontracts with one or more certified SBEs to meet or exceed the SBE goal;
2. A prime vendor subcontracts with one or more certified SBEs in an amount short of the SBE goal, but submits a complete Good Faith Effort (further described below);
3. A certified SBE who bids as a prime contractor subcontracts a portion of the work to another certified SBE. Certified SBEs bidding as prime contractors will receive a 20% credit towards the SBE participation goal. However, the certified SBE must secure additional certified SBE subcontractor participation and/or seek a waiver based on Good Faith Effort (further described below) for any remaining balance of the SBE goal.

## **III. Mandatory Bidding Requirements for Prime Contractors**

In consideration of the right and privilege to submit a bid or proposal on construction projects and other contracts with Cuyahoga County, at the time of submitting a proposal or bid, each participant shall be required to present appropriate documentation. The documents described below must be completed and signed by each Participant before a proposal or bid can be considered responsive:

- 3) Covenant of Non-Discrimination: Each Participant must submit a duly executed and attested Covenant of Non-Discrimination (SBE-1, found in the attached Bidder's Manual). This written instrument shall contain promises, declarations and/or affirmations made by the Participant. The completed document must contain an original signature and date of signature.
- 4) SBE Subcontractor Participation Plan: Each Participant must submit a duly executed Subcontractor Participation Plan (SBE-2, found in the attached B ) for each SBE subcontractor proposed.

Copies and/or facsimiles of SBE-2 submitted with bids/proposals are acceptable BUT all required signatures must be dated as indicated. Also, please note the following:

- a) Certified SBEs who are bidding as prime contractors **MUST** complete and submit the top portion of Form SBE-2 to guarantee the 20% SBE credit.
- b) SBEs with multiple geographical locations shall enter the Cuyahoga County address and contact information on Form SBE-2.
- c) Prime vendors are **PROHIBITED** from using SBE(s) with whom the prime vendor has a familial relationship, joint or co-ownership, common partners, officers, or a shareholder relationship to meet the SBE Participation Goal. Hence, on Cuyahoga County projects/contracts, any portion of work subcontracted to a SBE vendor by a prime vendor that meets the above-mentioned criteria will **NOT** count towards the achievement of the established SBE Participation Goal.

Use of 2<sup>nd</sup> Tier Subcontractors: In the event that a subcontractor portions out work and utilizes the services of a sub-subcontractor or vendor, the prime contractor shall be required to report this use to OPD. For reporting purposes, the prime contractor shall report statistical data for the sub-subcontractor or sub-vendor, including race, gender, business size, area of specialization, dollar value, description of services or products purchased, and contact information. No SBE subcontractor will be permitted to subcontract more than 25% of their subcontract work (based on dollar value) without prior approval by OPD.

Other Information and Data: OPD may request additional information and data prior to a contract award. This information may include, but is not limited to, information regarding business ownership of all subcontractors to be utilized on the project, all of which shall reflect the race, gender, location, size, and area of specialization and structure of the identified businesses.

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**A PARTICIPANT'S FAILURE OR REFUSAL TO PROVIDE INFORMATION AND DATA REQUIRED BY THIS PROGRAM AND REQUESTED BY OPD SHALL SUBJECT THE PARTICIPANT TO HAVING A PROPOSAL OR BID DEEMED NON-RESPONSIVE.**

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## **IV. Good Faith Efforts**

Aggressive "Good Faith Efforts" to include SBEs in the procurement process are required of all Participants. These Good Faith Efforts should be in addition to the Participant's regular and customary solicitation process of contact with potential subcontractors and/or vendors.

Written Notice to SBEs: To demonstrate good faith efforts, a Participant shall deliver written or electronic notice to potential, SBEs. SBEs should be contacted not less than one (1) week before the bid or proposal due date. Names, addresses, and telephone numbers for available SBEs may be obtained by contacting OPD or reviewing the database on the website at <http://opd.cuyahogacounty.us/>.

The written or electronic notice sent to potential subcontractors or vendors shall contain the following:

- (1) Sufficient information about the plans, specifications, and relevant terms and conditions of the solicitation. This should include information about the work which will be subcontracted or the goods which will be obtained from subcontractors and suppliers;

- (2) A contact person knowledgeable of the project scope documents, within the Participant's office, to answer questions about the conditions of the contract;
- (3) Information as to the Participant's bonding requirements; and
- (4) The deadline for price quotations.

**Evaluation of Good Faith Efforts:** In evaluating good faith efforts, OPD will determine whether the Participant has made reasonable good faith efforts to obtain SBE participation as part of its bid or proposal. OPD may evaluate not only the different kinds of efforts made by a Participant, but also the quantity and intensity of those efforts.

OPD will consider a completed Good Faith Effort Certification (SBE-3, 2 pages, found in the attached Bidder's Manual), as evidence of a Participant's good faith in trying to obtain SBE participation in a bid or proposal.

**Required Documentation:** To demonstrate good faith efforts, Participants shall keep detailed records of all correspondence and responses thereto, logs of all telephone calls made and received regarding the project or contract, confirmation receipts for fax transmissions, receipts from registered or certified mail, copies of advertisements in publications and other media, and other relevant papers required by this Program.

**Good Faith Effort Certification:** Participant must submit a completed Good Faith Certification (SBE-3, found in the attached Bidder's Manual) ONLY if the SBE Participation Goal is not met. Additional documentation demonstrating a good faith effort must accompany the checklist. The completed document must contain an original signature, notarizations, and date of signature.

## **V. Award of Contracts**

**Award of Contract:** Proposals/ bids may be rejected and projects re-submitted for the sole purpose of attaining goals where no "good faith effort" has been demonstrated. Cuyahoga County reserves the right to determine the action to be taken on the contract if a goal is not met, including rejecting any or all bids or proposals. If an awarded contract is later amended for additional dollars, SBE subcontractor participation should still reflect the percentage of dollars originally contracted for.

When evaluating a bid to determine the lowest and best bid, the County may consider, in addition to all of the other factors set forth in the instructions to bidders, whether a bid is SBE compliant; provided, however, that such SBE compliance shall not be considered if the difference between the SBE-compliant bid and the lowest responsive bid is more than the price preference specified below.

Contract Bid Range (\$)	Price Preference (%)	Price Difference (\$)
0 – 500,000	10%	0 – 50,000
500,001 – 1,000,000	10% up to max \$80,000 (10-8)	50,000 – 80,000
1,000,0001 – 3,000,000	8% up to max \$210,000 (8-7)	80,000 – 210,000
3,000,001 – 5,000,000	7% up to max \$250,000 (7-5)	210,000 – 250,000
>5,000,000	\$250,000 maximum (≤5)	250,000 maximum

## **VI. Monitoring and Post-Award Reporting**

**Office of Procurement and Diversity Authorization to Monitor:** OPD shall be authorized to collect from all Participants such data and information as is necessary to monitor this Program. This information may include information as to business ownership, supplier information, subcontractor information, all of which shall reflect the contract information, race, gender, business location, and size of the identified businesses.

OPD shall continuously monitor the participation of SBEs in the procurement of goods and services for Cuyahoga County. Such monitoring shall include, but is not necessarily limited to, a statistical analysis of each construction trade, business service, professional service and commodity to determine whether there is utilization of SBEs in a manner that is proportionate to the established goal.

OPD will provide written reports on an annual basis. OPD's report shall contain a summary of the purchases and contracts placed with SBEs for the period and the relative percentage to the total of purchases and contracts for that period and the size, quantity and quality of SBE involvement by dollar volume.

**Participant's Post-Award Reporting:** Participants who are awarded contracts must submit reports, during the course of, and at the end of the contract as requested by OPD. These reports shall summarize the number and dollar amounts of payments made during the term of the contract to subcontractors. The final report shall summarize the number and dollar amounts of payments made during the term of the contract to all subcontractors and shall reflect the SBE designation of the subcontractor if any. OPD reserves the right to audit a contract for SBE participation at his/her discretion during any phase of the project. An audit would include but not be limited to: on site reviews, desk reviews, requests for cancelled checks, requests for invoices, certified payroll reports, etc.

**SBE Subcontractor Substitutions or Replacements:** The prime contractor shall report any replacements or substitutions of the use of SBE subcontractors to OPD immediately. Prior approval by the Director of OPD is required for SBE substitutions/replacements. For reporting purposes, the prime contractor shall report to OPD statistical data pertaining to the new subcontractor, including race, gender, business size, area of specialization, and contact information on the SBE Subcontractor Participation Plan form (SBE-2).

OPD will require a Participant to make good faith efforts to replace a SBE that is terminated or has otherwise failed to complete its work on a contract with another SBE to the extent needed to meet the contract SBE Participation Goal. The Participant must notify OPD immediately, and in writing, of the SBE's inability or unwillingness to perform and provide reasonable documentation. The request should include at a minimum: the name of the SBE firm, the contact, the phone number, the scope of work initially assigned to the SBE firm, dollars paid to date, percent of scope completed, and the reason for the substitution request including documentation of the SBE's withdrawal.

The Participant will be given five (5) business days to find a SBE substitution if the request is granted. In this situation, the Participant will be required to obtain prior approval of the substitute SBE and to provide copies of SBE Subcontractor Participation Plan (SBE-2) or documentation of good faith efforts.

If the Participant fails or refuses to comply in the time specified, OPD may issue a recommendation to stop all or part of payment and/or work until satisfactory action has been taken. If the Participant still fails to comply, OPD may issue a recommendation of termination of the contract.

Contractors' Closeout Activity Reports: To further monitor SBE participation, closeout activity reports will be required from project prime contractors and prime consultants identifying activities of all subcontractors and sub-consultants. This report shall include all modifications/amendments/change orders and shall reflect the contact information, race, gender, business size, scope of work, and amount paid to each firm.

## **REQUIRED DOCUMENTS**

The following forms regarding the Small Business Enterprise Program must be completed and submitted with bids/proposals:

**COVENANT OF NON-DISCRIMINATION (SBE-1)**

**SBE SUBCONTRACTOR PARTICIPATION PLAN (SBE-2)**

**GOOD FAITH EFFORT CERTIFICATION (SBE-3, 2 PAGES)**



COVENANT OF NON-DISCRIMINATION

(MUST be completed and submitted with ALL bids or proposals)

Know All Men By These Presents, that I/we, ( \_\_\_\_\_ ),  
Name(s)  
( \_\_\_\_\_ ), ( \_\_\_\_\_ ),  
Title(s) Name of Company

(hereinafter "Company"), in consideration of the privilege to submit Bids/Proposals on contracts funded, in whole or in part, by Cuyahoga County, hereby consents, covenants and agrees as follows:

(1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin or gender in connection with any Bid/Proposal submitted to Cuyahoga County or the performance of any contract resulting from;

(2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contact or otherwise interested in contracting with this Company, including various eligible Small Business Enterprises (hereinafter "SBEs");

(3) In connection herewith, I/We acknowledge and warrant that this Company has been made aware of, understands and agrees to make a Good Faith Effort to solicit SBEs to do business with this Company;

(4) That the Covenant of Non-Discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;

(5) That the Covenant of Non-Discrimination as made and set forth herein shall be and are hereby deemed to be made a part of, and incorporated by reference into, any contract or portion thereof which this Company may hereafter obtain; and

(6) That the failure of this Company to satisfactorily discharge any of the Covenant of Non-Discrimination as made and set forth herein shall constitute a material breach of contract entitling Cuyahoga County to declare the contract in default and to exercise any and all applicable rights and remedies, including but not limited to, cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

\_\_\_\_\_  
(Original Signature of Company Representative Identified Above)

\_\_\_\_\_  
(Date)

**SBE SUBCONTRACTOR PARTICIPATION PLAN**  
**(MUST be submitted for EACH SBE Subcontractor Proposed)**

(A) TOTAL AMOUNT OF OVERALL CONTRACT BID/PROPOSAL \$ \_\_\_\_\_

CHECK ONE:

SERVICE CONTRACT  SUPPLY CONTRACT  CONSTRUCTION CONTRACT

BUSINESS NAME OF PRIME BIDDER \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

TELEPHONE ( ) \_\_\_\_\_ E-MAIL \_\_\_\_\_

FIRM OWNED BY:  MAJORITY  MINORITY (SPECIFY: \_\_\_\_\_)  FEMALE

(B) AMOUNT TO BE SUBCONTRACTED TO SBE: \$ \_\_\_\_\_ PERCENT OF TOTAL OVERALL CONTRACT BID [(B)/(A)]: \_\_\_\_\_ %

SCOPE OF WORK PROVIDED BY SBE: \_\_\_\_\_

PRIME BIDDER'S NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
(TYPE OR PRINT)

PRIME BIDDER'S SIGNATURE \_\_\_\_\_  
(DATE OF SIGNATURE)

**SBE SUBCONTRACTOR TO BE UTILIZED**  
**(MUST BE CERTIFIED BY THE CUYAHOGA COUNTY OFFICE OF PROCUREMENT & DIVERSITY)**

NAME OF SBE SUBCONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

AREA CODE ( ) TELEPHONE \_\_\_\_\_

**\*\*\*\*\*NOTE: SBE MUST BE A COUNTY CERTIFIED SBE\*\*\*\*\***

THE UNDERSIGNED HEREBY AGREES TO SUBCONTRACT WITH THE ABOVE NAMED BIDDER FOR THE ABOVE SAID SERVICE(S) OR SUPPLY(IES) TO BE FURNISHED TO THE COUNTY.

SBE SUBCONTRACTOR'S NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
(TYPE OR PRINT)

SBE SUBCONTRACTOR'S SIGNATURE \_\_\_\_\_  
(DATE OF SIGNATURE)

### GOOD FAITH EFFORT CERTIFICATION

(Must be submitted with bids NOT meeting SBE goal or requesting full or partial waiver)

Pursuant to the requirements for bidders under the SBE Program, and in consideration of the privilege to submit bids/proposals funded, in whole or in part, by Cuyahoga County,

I/We, ( \_\_\_\_\_ ), ( \_\_\_\_\_ ) of  
( \_\_\_\_\_ )  
Name(s) of Person(s) Signing Below Title(s) Company Name

attest that I/We have exercised the following good faith efforts in addition to my/our regular and customary solicitation process: (Check ALL that apply and complete as indicated)

- I/We are requesting a FULL/PARTIAL WAIVER of the SBE Participation Goal for the following reason(s): \_\_\_\_\_
- I/We are a non-profit agency and are requesting a FULL WAIVER of the SBE Participation Goal.
- I/We have contacted OPD or website to obtain a list of SBEs appropriate to the bid/proposal.
- I/We delivered written notice to available certified SBEs for each potential subcontracting or supply category in the contract AND all potential subcontractors or vendors which requested information on the contract.
- I/We have provided all potential subcontractors or vendors with adequate information as to plans, specifications, relevant terms and conditions of the contract, bonding requirements, and the last date and time for receipt of price quotations.
- I/We have attended the pre-bid/proposal conference.
- I/We have provided a written explanation for rejection of any potential SBE subcontractor or vendor to OPD, where price competitiveness is not the reason for rejection.
- I/We have actively solicited, through sending letters, emails or initiating personal contact, SBEs in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.
- I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance in the contacting and recruitment of SBEs for the Cuyahoga County contract under consideration.
- I/We have conducted discussions with interested SBEs in good faith, and provided the same willingness to assist SBEs as has been extended to any other similarly situated subcontractor.
- I/We have taken steps to ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the obligation to maintain a non-discriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.



\*\*\*\* SAMPLE FORMS \*\*\*\*

COVENANT OF NON-DISCRIMINATION

(MUST be completed and submitted with ALL bids or proposals)

Know All Men By These Presents, that I/we, ( John Doe ),  
Name(s)  
( President, Owner ), ( ABC Company, Inc. ),  
Title(s) Name of Company

(hereinafter "Company"), in consideration of the privilege to submit Bids/Proposals on contracts funded, in whole or in part, by Cuyahoga County, hereby consents, covenants and agrees as follows:

(1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin or gender in connection with any Bid/Proposal submitted to Cuyahoga County or the performance of any contract resulting from;

(2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contact or otherwise interested in contracting with this Company, including various eligible Small Business Enterprises (hereinafter "SBEs");

(3) In connection herewith, I/We acknowledge and warrant that this Company has been made aware of, understands and agrees to make a Good Faith Effort to solicit SBEs to do business with this Company;

(4) That the Covenant of Non-Discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;

(5) That the Covenant of Non-Discrimination as made and set forth herein shall be and are hereby deemed to be made a part of, and incorporated by reference into, any contract or portion thereof which this Company may hereafter obtain; and

(6) That the failure of this Company to satisfactorily discharge any of the Covenant of Non-Discrimination as made and set forth herein shall constitute a material breach of contract entitling Cuyahoga County to declare the contract in default and to exercise any and all applicable rights and remedies, including but not limited to, cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

John Doe  
(Original Signature of Company Representative Identified Above)

February 1, 2008  
(Date)

**SBE SUBCONTRACTOR PARTICIPATION PLAN**  
(MUST be submitted for EACH SBE Subcontractor Proposed)

**SBE-2**  
**RQ# XXXXX**

(A) Total Amount of Overall Contract Bid/Proposal \$ 500,000

Check One:

Service Contract                       Supply Contract                       Construction Contract

Business Name of Prime Bidder ABC Company, Inc.

Address 111 Main Street

City Anywhere                      State Ohio                      Zip Code 44000

Telephone (216) 555-5555                      E-Mail abccompany@yahoo.com

Firm Owned by:     Majority                       Minority (specify: \_\_\_\_\_)                       Female

(B) Amount to be                                      Percent of Total  
Subcontracted to SBE:                      Overall Contract Bid  
\$ 100,000 [(B)/(A)]:                      20 %

Scope of Work Provided By SBE: Electrical Contracting Services

Prime Bidder's Name: John Doe                      Title: President/Owner  
(Type or Print)

Prime Bidder's Signature: John Doe                      Date: February 1, 2008  
(Date of Signature)

**SBE SUBCONTRACTOR TO BE UTILIZED**  
(Must be certified by the Cuyahoga County Office of Procurement & Diversity)

Name of SBE: Electrifying Electric Company

Address: 456 Main Street, Anywhere, OH 44000

City Anywhere                      State Ohio                      Zip Code 44000

Area Code ( 216)    Telephone 555-5551

\*\*\*\*\*NOTE: SBE MUST BE A COUNTY CERTIFIED SBE\*\*\*\*\*

The undersigned herewith agrees to subcontract with the above named bidder for the above said services(s) or supply(ies) to be furnished to the County.

SBE Subcontractor's Name: Tom Edison                      Title: President/Owner  
(Type or Print)

Prime Bidder's Signature: Tom Edison                      Date: January 23, 2008  
(Date of Signature)

### GOOD FAITH EFFORT CERTIFICATION

(Must be submitted with bids NOT meeting SBE goal or requesting full or partial waiver)

Pursuant to the requirements for bidders under the SBE Program, and in consideration of the privilege to submit bids/proposals funded, in whole or in part, by Cuyahoga County,

I/We, (John Doe), (President, Owner) of (ABC Company, Inc.) Name(s) of Person(s)  
Signing Below Title(s) Company Name

attest that I/We have exercised the following good faith efforts in addition to my/our regular and customary solicitation process: (Check ALL that apply and complete as indicated)

- I/We are requesting a FULL/PARTIAL WAIVER of the SBE Participation Goal for the following reason(s): We are requesting a partial waiver of the SBE Goal as we were only able to meet 20% of the 25% goal. We were unable to find an SBE to meet the additional 5% required.
- I/We are a non-profit agency and are requesting a FULL WAIVER of the SBE Participation Goal.
- I/We have contacted OPD or website to obtain a list of SBEs appropriate to the bid/proposal.
- I/We delivered written notice to available certified SBEs for each potential subcontracting or supply category in the contract AND all potential subcontractors or vendors which requested information on the contract.
- I/We have provided all potential subcontractors or vendors with adequate information as to plans, specifications, relevant terms and conditions of the contract, bonding requirements, and the last date and time for receipt of price quotations.
- I/We have attended the pre-bid/proposal conference.
- I/We have provided a written explanation for rejection of any potential SBE subcontractor or vendor to OPD, where price competitiveness is not the reason for rejection.
- I/We have actively solicited, through sending letters, emails or initiating personal contact, SBEs in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.
- I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance in the contacting and recruitment of SBEs for the Cuyahoga County contract under consideration.
- I/We have conducted discussions with interested SBEs in good faith, and provided the same willingness to assist SBEs as has been extended to any other similarly situated subcontractor.
- I/We have taken steps to ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the obligation to maintain a non-discriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.

If applicable, identify all SBEs contacted to participate that declined or were not chosen:

RQ# XXXXX

1. Perfect Plumbing Company 222 Main Street, Anywhere, OH 44000 216-555-5553  
Name of Subcontractor/Vendor Address Phone  
Paul Perfect January 15, 2008 \$25,000 (5%) January 18, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining Has other commitments at this time and is unable to work with us.

2. Dan's DuctWork Company 333 Main Street, Anywhere, OH 44000 216-555-5554  
Name of Subcontractor/Vendor Address Phone  
Dan Handy January 18, 2008 \$25,000 (5%) January 19, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining They are no longer providing the required sub-contracting service as part of its business.

3. Dave's Landscapes Inc 444 Main Street, Anywhere, OH 44000 216-555-5556  
Name of Subcontractor/Vendor Address Phone  
Dave Curbappeal January 16, 2008 \$25,000 (5%) January 17, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining Has other commitments at this time and is unable to work with us.

(Make additional copies to extend list of SBE contacts if needed)

I/We affix my/our signature to this document to attest that I/We have exercised the above-indicated Good Faith Effort to promote SBE participation on the Bid/Proposal and Contract under consideration and to comply fully with the provisions of the Cuyahoga County Small Business Enterprise Program.

John Doe  
Printed/Typed Name of Company Official

February 1, 2008  
Date

John Doe  
Signature (Must be Original)

President, Owner  
Title of Company Official

ABC Company, Inc.  
Full Company Name

111 Main Street  
Mailing Address

216-555-5555  
Area Code/ Phone Number

Anywhere, OH 44000  
City, State, Zip

Nancy Notarious  
Notary Public

December 31, 2010  
My Commission Expires

PLEASE NOTE: Failure to properly complete and submit SBE-1, SBE-2 and SBE-3 (if applicable) will result in bids/proposals being ruled non-responsive.



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0051

Sponsored by: <b>County Executive FitzGerald</b>	<b>An Ordinance</b> establishing the Department of Communications, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Charter Section 3.09, subsection 2, gives Cuyahoga County Council the authority “[t]o establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in this Charter, as the Council determines to be necessary for the efficient administration of the County;” and,

WHEREAS, formally establishing a Department of Communications will enable the County to more efficiently and effectively communicate with the public, employees and the media; and,

WHEREAS, the Council has determined that the creation of a Department of Communications is necessary for the efficient administration of the County; and,

WHEREAS, this Council determines that 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 usual, daily operation of a County Department.

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

**SECTION 1.** The Department of Communications is hereby officially established, and it shall be its own appointing authority pursuant to Section 9.04 of the Cuyahoga County Charter.

**SECTION 2.** The specific goals, duties, and other communications-related activities of the Department of Communications shall be further determined by the County Executive who shall employ and supervise a Director and such number of deputies, assistants, and employees as shall be reasonably necessary in carrying out the duties of the Department of Communications. Nothing in this Ordinance is intended to limit the ability of the County Executive and the Director of the Department of Communications to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law.

**SECTION 3.** It is necessary that this Ordinance become immediately effective in order that critical services being provided by Cuyahoga County can continue without interruption, and to continue the usual daily operation of the County. Provided that



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0050

Sponsored by: <b>County Executive FitzGerald/Human Resource Commission</b>	<b>An Ordinance</b> providing for the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 9.01 of the Charter of Cuyahoga County states that the County's human resources policies and systems shall be established by ordinance and shall be administered in such a manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Human Resource Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and,

WHEREAS; Section 2.10 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinances No. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and,

WHEREAS, the Director of Human Resources submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan to the Human Resource Commission; and,

WHEREAS, the Human Resource Commission held several public meetings on this matter and has undergone significant review, evaluation and modification of such submitted changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, on November 2, 2011, the Human Resource Commission will meet for their final review of the classification changes (attached hereto as Exhibits A through X), and it is anticipated that the Commission may make further modification to the classification changes prior to submitting their final recommendation to County Council for formal adoption and implementation; 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 usual, daily operation of a County agency.

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

**SECTION 1.** Council hereby adopts the following changes to the Cuyahoga County Non-Bargaining Classification Plan:

New Classifications

- |            |              |  |
|------------|--------------|--|
| Exhibit A: | Class Title: | <i>Accountant 3</i>                              |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 10   |
| Exhibit B: | Class Title: | <i>Accounting Manager</i>                        |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 15   |
| Exhibit C: | Class Title: | <i>Administrative Clerk</i>                      |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 3  |
| Exhibit D: | Class Title: | <i>Appraisal Systems Analyst</i>                 |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 13   |
| Exhibit E: | Class Title: | <i>Budget Commission Manager</i>                 |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 11   |
| Exhibit F: | Class Title: | <i>Appraisal Manager - Commercial/Industrial</i> |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 15   |
| Exhibit G: | Class Title: | <i>Commercial/Industrial Appraiser</i>           |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 10   |
| Exhibit H: | Class Title: | <i>Data Collector</i>                            |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 4  |
| Exhibit I: | Class Title: | <i>Director of Appraisal</i>                     |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 17   |
| Exhibit J: | Class Title: | <i>Fiscal Office Senior Supervisor</i>           |
|            | Number:      | to be provided                                   |
|            | Pay Grade:   | 11   |

Exhibit K:	Class Title:	<i>Fiscal Office Supervisor</i>
	Number:	to be provided
	Pay Grade:	9
Exhibit L:	Class Title:	<i>GIS Analyst</i>
	Number:	to be provided
	Pay Grade:	10
Exhibit M:	Class Title:	<i>Hotel/Motel Tax Supervisor</i>
	Number:	to be provided
	Pay Grade:	10
Exhibit N:	Class Title:	<i>Inspector</i>
	Number:	to be provided
	Pay Grade:	5
Exhibit O:	Class Title:	<i>Manager, Accounts Payable</i>
	Number:	to be provided
	Pay Grade:	13
Exhibit P:	Class Title:	<i>Map Room Supervisor</i>
	Number:	to be provided
	Pay Grade:	9
Exhibit Q:	Class Title:	<i>Microfilm Technician</i>
	Number:	to be provided
	Pay Grade:	3
Exhibit R:	Class Title:	<i>Payroll Manager</i>
	Number:	to be provided
	Pay Grade:	14
Exhibit S:	Class Title:	<i>Residential/Agricultural Appraiser</i>
	Number:	to be provided
	Pay Grade:	8
Exhibit T:	Class Title:	<i>Senior Commercial/Industrial Appraiser</i>
	Number:	to be provided
	Pay Grade:	11
Exhibit U:	Class Title:	<i>Senior Payroll Officer</i>
	Number:	to be provided
	Pay Grade:	8
Exhibit V:	Class Title:	<i>Senior Residential/Agricultural Appraiser</i>
	Number:	to be provided
	Pay Grade:	9

Exhibit W: Class Title: *Tax Assessment Manager*  
Number: to be provided  
Pay Grade: 12

Exhibit X: Class Title: *Weights and Measures Supervisor*  
Number: to be provided  
Pay Grade: 9

**SECTION 2.** It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County agency. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

**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: October 25, 2011

Committee(s) Assigned: Human Resources, Appointments & Equity

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011