

AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 8, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
6:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SILENT MEDITATION
4. ROLL CALL
5. PUBLIC COMMENT RELATED TO AGENDA
6. APPROVAL OF MINUTES
 - a) January 25, 2011 Meeting
7. MESSAGES FROM THE COUNTY EXECUTIVE
8. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING ADOPTION
 - a) **M2011-0005: A Motion confirming the County Executive's appointment of Robert Reid upon his taking the oath of office as the Sheriff of Cuyahoga County.**

Sponsor: Council President Connally
 - b) **M2011-0006: A Motion designating nonprofit and educational organizations that are engaged in the promotion of economic development of the County who shall collectively select one member to the Economic Development Commission:**
 - 1) University Hospitals Case Medical Center
 - 2) Manufacturing Advocacy & Growth Network
 - 3) The George Gund Foundation
 - 4) Cleveland State University
 - 5) The Presidents' Council, LLC

Sponsor: Schron

9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) **M2011-0007**: A Motion adopting permanent Rules of Cuyahoga County Council.

Sponsors: Miller, Greenspan, Conwell, Jones and Rogers

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

- a) **O2011-0008**: An Ordinance adopting permanent Code of Ethics.

Sponsors: Greenspan, Miller and Conwell

11. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) **R2011-0002**: A Resolution opposing House Bill No. 3 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to repeal the estate tax for the estates of individuals dying on or after 1/1/2011.

Sponsor: Conwell, Miller and Germana

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

- a) **R2011-0042**: A Resolution authorizing the County Executive to enter into an agreement of cooperation with City of North Royalton for reconstruction of Royalton Road, with additional turning lanes, from West 130th Street to York Road, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- b) **R2011-0043**: A Resolution authorizing the Department of Purchasing to issue Addendum No. 1 to the specifications on RQ18868 for the County Courthouse Americans with Disabilities Act Improvements Project, to make technical changes and to change the bid due date from 1/11/2011 to 2/14/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- c) **R2011-0044**: A Resolution 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 \$229,442.31 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- d) **R2011-0045**: A Resolution 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 \$117,578.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- e) **R2011-0046**: A Resolution accepting the construction of County Improvement No. 1406, Cook Road/MacKenzie Road Sanitary Sewer in Olmsted Township, County Sewer District No. 14, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- f) **R2011-0047**: A Resolution accepting the construction of County Improvement No. 1319-02, Echo Hills Sanitary Sewer Force Main and Pump Station in the City of Brecksville, County Sewer District No. 13, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- g) **R2011-0048**: A Resolution accepting the construction of County Sewer Improvement No. 3-TA-1, Thornapple Pump Station Relocation, in the Village of Mayfield, County Sewer District No. 3, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- h) **R2011-0049:** A Resolution declaring the necessity to construct, maintain, operate and repair the Stumph Road Sewer Improvement, located in the City of Parma Heights, County Sewer District No. 1; authorizing the Director of the Department of Public Works and the County Engineer/Sanitary Engineer to negotiate with a property owner for the acquisition of a permanent sewer easement in connection with said improvement, in accordance with Ohio Revised Code Section 6117.39, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- i) **R2011-0050:** A Resolution making an award on RQ18532 and authorizing the County Executive to enter into a contract with C & K Industrial Services, Inc. in the amount of \$704,200.00 for inspecting, cleaning and repairing sanitary sewers located in various County Sewer Districts for the period 1/1/2011 - 12/31/2012, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- j) **R2011-0051:** A Resolution authorizing the County Executive to prepare an amendment (Change Order No. 2) to Contract No. CE1000410-01 with The R.J. Platten Contracting Co. for construction of the Quincy Parking Lot in connection with the Cuyahoga County Juvenile Justice Center Project to approve pending Construction Change Directives; to increase the Unforeseen Conditions Cash Allowance amount from \$223,617.78 to \$391,335.90 and for additional funds in the amount of \$167,718.12, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- k) **R2011-0052:** A Resolution approving an amendment to a collective bargaining agreement with Cleveland Building and Construction Trades Council, covering 88 employees in 16 classifications in the Department of Public Works/Department of Central Services for the period 7/1/2009 - 6/30/2012, by changing Article 31: Wages, effective 7/1/2010, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Resources/Labor Relations Division

- l) **R2011-0053**: A Resolution approving an amendment to a collective bargaining agreement with Ohio and Vicinity Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America, covering 9 employees in 2 classifications in the Department of Public Works/Department of Central Services for the period 7/1/2009 - 6/30/2012, to change Article 31: Wages, effective 7/1/2010, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Resources/Labor Relations Division

- m) **R2011-0054**: A Resolution amending the 2011 Annual Appropriation Measure by providing 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/Office of Budget & Management

- n) **R2011-0055**: A Resolution accepting the installation of emergency generators at the Brooklyn and Rocky River Adult Activities Centers as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Cuyahoga County Board of Developmental Disabilities

- o) **R2011-0056**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0400154-03 with dck North America, LLC, for construction management and construction support services to assign the interest to Hill International, Inc., effective 7/6/2010; no additional funds required, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- p) **R2011-0057**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0700741-03 with dck North America, LLC, for construction inspection services for various County projects for the period 7/1/2007 - 9/30/2010 to assign the interest to

Hill International, Inc., effective 7/6/2010; no additional funds required, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- q) **R2011-0058**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE08166-01 with Euthenics, Inc. for consultant services for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma to change the scope of services, effective 11/3/2010, and for additional funds in the amount not-to-exceed \$229,442.31, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- r) **R2011-0059**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900324-01 with CH2M Hill, Inc. for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn to change the scope of services, effective 2/8/2011, and for additional funds in the amount not-to-exceed \$117,578.00, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- s) **R2011-0060**: A Resolution authorizing the County Executive to enter into a contract with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$593,465.00 for residential substance abuse treatment services for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Common Pleas Court/Corrections Planning Board

- t) **R2011-0061**: A Resolution authorizing the County Executive to enter into a contract with Starting Point in the amount not-to-exceed \$1,832,782.00 for administration of the Special Needs Child Care Program for the Invest in Children Program for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Early Childhood

- u) **R2011-0062**: A Resolution authorizing the County Executive to enter into a contract with Adoption Network Cleveland in the amount not-to-exceed \$315,000.00 for child-centered recruitment services for the Adopt Cuyahoga's Kids Initiative for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Services/Department of Children & Family Services

- v) **R2011-0063**: A Resolution authorizing the County Executive to enter into contracts with various providers for placement services for the period 1/1/2011 - 9/30/2011, and declaring the necessity that this Resolution become immediately effective:
- 1) BHC Belmont Pines Hospital, Inc. in the amount not-to-exceed \$510,000.00.
 - 2) Alliance Human Services, Inc. in the amount not-to-exceed \$2,362,500.00.
 - 3) Christian Children's Home of Ohio, Inc. in the amount not-to-exceed \$510,000.00.
 - 4) Continue Life in the amount not-to-exceed \$215,625.00.
 - 5) Applewood Centers, Inc. in the amount not-to-exceed \$1,286,250.00.
 - 6) Beech Brook in the amount not-to-exceed \$3,825,000.00.
 - 7) Berea Children's Home in the amount not-to-exceed \$4,350,000.00.
 - 8) House of New Hope in the amount not-to-exceed \$845,250.00.
 - 9) In Focus of Cleveland, Inc. in the amount not-to-exceed \$517,500.00.
 - 10) Parenthesis Family Advocates, Incorporated in the amount not-to-exceed \$279,000.00.
 - 11) The Village Network in the amount not-to-exceed \$1,395,000.00.
 - 12) National Youth Advocate Program, Inc. in the amount not-to-exceed \$921,450.00.
 - 13) Pathway Caring for Children in the amount not-to-exceed \$219,750.00.
 - 14) START - Support To At-Risk Teens in the amount not-to-exceed \$851,250.00.
 - 15) Options for Families and Youth in the amount not-to-exceed \$1,164,000.00.
 - 16) Pressley Ridge in the amount not-to-exceed \$1,526,250,000.00.
 - 17) Specialized Alternatives for Families & Youth of Ohio, Inc. in the amount not-to-exceed \$2,687,250.00.
 - 18) The Bair Foundation in the amount not-to-exceed \$1,498,125.00.

- 19) The Twelve of Ohio, Inc. in the amount not-to-exceed \$945,000.00.
- 20) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$3,600,000.00.
- 21) Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$4,357,500.00.
- 22) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$2,437,500.00.

Sponsor: County Executive FitzGerald/Department of Human Services/Department of Children & Family Services

- w) R2011-0064: A Resolution authorizing the County Executive to enter into a contract (No. CE1100126-01) with DiGioia-Suburban Excavating, LLC, in the amount not-to-exceed \$2,308,050.00 for Dewey Road Pump Station, Force Main and Tributary Sewer, located in the City of Brecksville, County Sewer District No. 13, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- x) R2011-0065: A Resolution authorizing the County Executive to enter into a contract (No. CE1100128-01) with Fabrizi Trucking & Paving Company, Inc., in the amount of \$463,115.00 for replacement of sanitary sewers in North Granger Road, located in the City of Garfield Heights, County Sewer District No. 9, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

13. MISCELLANEOUS COMMITTEE REPORTS

14. MISCELLANEOUS BUSINESS

15. PUBLIC COMMENT UNRELATED TO AGENDA

16. ADJOURNMENT

R2011-0054

January 24, 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 February 8, 2011. The summary of these transactions is as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Additional Appropriations	\$ 0.00	\$ 7,153,739.25	\$ 7,153,739.25
Appropriation Transfers	\$ 464,782.72	\$ 145,005.11	\$ 609,787.83
Cash Transfers	\$ 0.00	\$ 8,403,414.00	\$ 8,403,414.00

The following represents the overall changes made to the 2011 Annual Appropriation Measure since its adoption on October 28, 2010. The changes reflect only the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation measure.

TOTAL CHANGE IN

ORIGINAL APPROPRIATION:

	<u>02/08 Agenda</u>	<u>Year to Date</u>	<u>Adjusted Annual Appropriation</u>
General Fund	\$ 0.00	\$ 733,301.12	\$ 305,665,453.12
Other Fund	\$ <u>7,153,739.25</u>	\$ <u>13,322,389.68</u>	\$ <u>1,422,712,118.68</u>
Total	\$ 7,153,739.25	\$ 14,055,690.80	\$ 1,738,377,571.80

The requested fiscal items including additional appropriations, appropriation transfers and cash transfers meet agency budgetary needs.

Additional Appropriation Summary

<u>ITEM</u>	<u>General Fund</u>	<u>Other Funds</u>
Workforce Investment – To appropriate additional stimulus award from the Federal Department of Labor through Ohio Department of Jobs and Family Services.	\$0.00	\$732,606.66
Treasurer – To appropriate funds for the Foreclosure Prevention program. Funding is from grants.	\$0.00	\$48,453.36
Development – To appropriate funds received to cover the repayment of loans and fees to the Department of Housing and Urban Development Section 108.	\$0.00	\$22,417.44
Development – To cover expenses for the Home Weatherization Assistance Program (HWAP). Funding is from the U.S. Department of Energy passed through the Cleveland Housing Network.	\$0.00	\$4,200.00
Development – To appropriate the Clean Ohio Program grant from the Ohio Department of Development for the clean-up and remediation of a brownfield located at the east campus of Cuyahoga Community College in Highland Hills, and the Ben Venue Laboratories Expansion property in Bedford.	\$0.00	\$5,494,800.00
Sheriff – To appropriate the Project RESTORE Program grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.	\$0.00	\$749,678.00
Common Pleas/Justice Affairs – A decrease in Treatment Alternatives to Street Crimes Health & Human Services and an increase to Criminal Justice Intervention Health & Human Services to cover Early Retirement Incentive Program costs for staff from the Youth Development Center. Funding is from the Health & Human Services Levy Fund. (\$160,000.00)	\$0.00	\$0.00
Justice Affairs/Common Pleas – A decrease from the Criminal Justice Intervention Health & Human Services program to Treatment Alternatives to Street Crimes Health & Human Services (TASC HHS) to properly reflect space maintenance for TASC. Funding is from the Health & Human Services Levy Fund. (\$82,507.00)	\$0.00	\$0.00
Justice Affairs – To cover a cash transfer to the Department of Children & Family Services. Funding is from costs reimbursed under the Social Security Act for eligible Medicaid expenses.	\$0.00	\$172,500.00

Justice Affairs – To close out the Treatment Alternative To Street Crimes Drug Court FY2010 Funding is from the Ohio Department of Alcohol and Drug Addiction Services.	\$0 00	-\$36,522 78
Justice Affairs – To close-out the Adult Drug Court Project FY2009 Funding is from the Ohio Department of Alcohol and Drug Addiction Services.	\$0 00	-\$1,705 43
Justice Affairs – To close-out the Treatment Alternatives To Street Crimes FY2006. Funding is from the Ohio Department of Alcohol and Drug Addiction Services.	\$0 00	-\$32,688 00
TOTAL	\$ 0.00	\$7,153,739.25

Appropriation Transfer Summary

ITEM	General Fund	Other Funds
Human Resources – To cover the purchase of computer equipment.	\$7,000.00	\$0.00
Development – To cover salary adjustments and facilitate grant closure of the 2007 Lead Hazard Reduction program. Funding is from the U.S. Department of Housing and Urban Development	\$0 00	\$28,776 48
Public Defender – To cover the purchase of computer equipment.	\$37,000.00	\$0.00
Justice Affairs – To cover the transfer of staff from Administration to the Public Safety Grants Administration.	\$63,139 72	\$0 00
Justice Affairs – To realign appropriation in accordance with grant and prepare to close-out the Cuyahoga Regional TEW grant. Funding is from the Office of Criminal Justice Services.	\$0 00	\$1,334 23
Justice Affairs – To cover a purchase order. Funding is from the Ohio Emergency Management Agency.	\$0 00	\$114,894 40
Domestic Relations – To align space maintenance costs between divisions.	\$357,643.00	\$0.00
TOTAL	\$464,782.72	\$145,005.11

If you have any questions, feel free to contact me.

Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino
Office of Budget & Management

MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council
FROM: Matthew Rubino, Office of Budget & Management *MR*
DATE: January 24, 2011
RE: Agenda Items

The Office of Budget & Management requests that the following 2011 fiscal items be presented to the members of County Council for their consideration at the meeting of February 8, 2011. The fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A.	28S253	WIA Stimulus		BA1100170
		WI151019- WIA Stimulus		
		Other Expenses	\$ 732,606.66	

This appropriation increase is requested in response to an additional stimulus (ARRA) award from ODJFS. The award is for the WIA Stimulus allocation for the New Rapid response, the new NEG grant, and for the remainder 2010 stimulus services invoices funded by the American Recovery and Reinvestment Act of 2009 (ARRA). The funding source is the Federal Department of Labor through Ohio Department of Jobs and Family Services.

B.	21A846	Foreclosure Prevention		BA1100216
		TR762997 – Treasurer Foreclosure Prevention		
		Personal Services	\$ 43,000.00	
		Other Expenses	\$ 5,453.36	

Appropriation is requested for the Cuyahoga County Foreclosure Prevention program. Funds are derived from grants and private foundations for foreclosure prevention.

C.	22A105	Dept. of Housing and Urban Devel. (HUD) Section 108		BA1100142
		DV711606 – HUD Section 108		
		Other Expenses	\$ 22,417.44	

Additional appropriation is requested in the HUD Section 108 account to repay loans and fees to HUD. Loan repayments from borrowers are collected in a Treasurer account and periodically transferred to repay HUD. This appropriation of funds will enable the payment of loans and fees to HUD. Funding for HUD Section 108 comes from the U.S. Department of Housing and Urban Development.

D	22S274	Home Weatherization Assistance Program (HWAP)		BA1100143
		American Recovery and Reinvestment Act (ARRA) 2009-2010		
		DV725200 – HWAP ARRA Dept. of Energy Health & Safety 2009-2010		

Office of Budget & Management
1219 Ontario Street, Cleveland, OH 44113, (216) 443-7220, FAX (216) 443-7256
Ohio Relay Service (TTY) 711

Other Expenses \$ 4,200 00

Appropriation is requested to cover expenses incurred for the 2009-2010 Home Weatherization Assistance Program (HWAP), which provides heating assistance to low-income households. Funding for this account comes in part from landlord deposits for furnace and hot water tank replacements. Contributions are provided from utility companies that leverage grant funding via the American Reinvestment and Recovery Act (ARRA) from U.S. Department of Energy dollars passed through the Cleveland Housing Network. This grant requires no County match.

E. 22A979 Clean Ohio Program **BA1100146**
DV712844 – Clean Ohio Revitalization Fund (CORF) – Tri-C Expansion
Other Expenses \$ 3,000,000.00

Appropriation is requested to begin the clean up and remediation of a brownfield located at the east campus of Cuyahoga Community College in Highland Hills. Funding for this grant comes from the Ohio Department of Development. The grant requires no County match. The funding period is 07/09/2009 through 12/13/2012.

F. 22A979 Clean Ohio Program **BA1100146**
DV712836 – Clean Ohio Revitalization Fund (CORF) - Ben Venue
Laboratories, Inc. Expansion
Other Expenses \$ 2,494,800.00

Appropriation is requested to begin the clean up and remediation of the Ben Venue Laboratories Expansion property in Bedford. Funding for this grant comes from the Ohio Department of Development and requires no County match. The funding period for the grant is 01/11/2010 through 09/12/2012.

G 21A321 Project RESTORE Program 2010/2011 **BA1100192**
SH352047 – Project RESTORE Program 2010/2011
Personal Services \$ 42,588.00
Other Expenses \$ 707,090.00

To provide appropriations for the Sheriff's recent award from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in connection with the FY2010 Second Chance Act to establish the Project RESTORE (Reentry Strategies Toward Reintegration) Program in the amount of \$749,678.00 covering the period October 1, 2010 through September 30, 2011. The award was accepted by the Board of County Commissioners on December 2, 2010, resolution #1051207. There is a \$850,933.67 in kind match all from the County Sheriff's Department.

H. 20A810 Criminal Justice Intervention HHS **BA1100200**
JA107433 – Criminal Justice Intervention HHS
Personal Services \$ 160,000.00

The increase in appropriations is to provide Early Retirement Incentive Program (ERIP) costs from employees who were transferred from Justice Affairs Youth Development Center (YDC) which closed in 2009 to Criminal Justice Intervention HHS but were budgeted in 2011 in Common Pleas Court Treatment Alternatives to Street Crime (TASC) account as part of the move of TASC from Justice Affairs to Common Pleas Court. There is a corresponding reduction in Common Pleas Court TASC HHS account (document BA1100203, fiscal item I). Funding is from the Health and Human Services Levy covering the period January 1, 2011 through December 31, 2011.

I. 20A192 TASC HHS (Common Pleas Court) **BA1100203**
CO456533 – TASC HHS (Common Pleas Court)
Personal Services \$ (160,000.00)

The decrease in appropriations is necessary to provide ERIP costs from employees who were transferred from Justice Affairs Youth Development Center (YDC) which closed in 2009 but were budgeted in error in Common Pleas Court TASC account. There is a corresponding increase in Justice Affairs Criminal Justice Intervention HHS account (document BA1100200, fiscal item H). Funding is from the Health and Human Services Levy Fund covering the period January 1, 2011 through December 31, 2011

J	20A810	Criminal Justice Intervention HHS JA107433 – Criminal Justice Intervention HHS Other Expenses	\$ (82,507.00)	BA1100201
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The decrease in appropriations is to properly reflect space maintenance for TASC in Common Pleas Court rather than in Criminal Justice Intervention HHS. This was because TASC was moved from Justice Affairs to Common Pleas Court in late November 2010 and there was not sufficient time to transfer the 2011 budget in the proper account. See corresponding increase in Common Pleas Court TASC HHS account (document BA1100202, fiscal item K). Funding is from the Health and Human Services Levy covering the period January 1, 2011 through December 31, 2011.

K.	20A192	TASC HHS (Common Pleas Court) CO456533 – TASC HHS (Common Pleas Court) Other Expenses	\$ 82,507.00	BA1100202
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The increase in appropriations is to properly reflect space maintenance for TASC in Common Pleas Court rather than in Criminal Justice Intervention HHS. This was because TASC was moved from Justice Affairs to Common Pleas Court in late November 2010 and there was not sufficient time to transfer the 2011 budget in the proper account. See corresponding decrease in Common Pleas Court TASC HHS account (document BA1100201, fiscal item J). Funding is from the Health and Human Services Levy covering the period January 1, 2011 through December 31, 2011.

L.	20A425	Treatment Services Medicaid Funds JA107722 – Treatment Services Medicaid Funds Other Expenses	\$ 172,500.00	BA1100204
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The increase in appropriations is necessary to provide sufficient funds to cover cash transfers to Department of Children and Family Services. Funding is from costs reimbursement of costs under the Social Security Act for eligible Medicaid expenses. Sufficient cash in the special revenue fund exists for this increase. Funding covers the period January 1, 2011 through December 31, 2011.

M.	21A418	TASC Drug Court JA751628 – FY2010 TASC Drug Court Personal Services Other Expenses	\$ (23,441.91) \$ (13,080.87)	BA1100210
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The decrease in appropriations is to prepare the grant for close-out. Funding is from the Ohio Department of Alcohol and Drug Addiction Services covering the period July 1, 2009 through June 30, 2010.

N.	21A860	Adult Drug Court Project JA763409 – Adult Drug Court Project FY2009 Personal Services	\$ (1,705.43)	BA1100211
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The decrease in appropriations is to prepare the grant for close-out. Funding is from the Ohio Department of Alcohol and Drug Addiction Services covering the period January 1, 2009 through June 30, 2010.

O.	21A311	TASC			BA1100212
		JA749580 – TASC FY06			
		Personal Services	\$	(23,764.82)	
		Other Expenses	\$	(8,923.18)	

The decrease in appropriations is to prepare the grant for close-out. Funding is from the Ohio Department of Alcohol and Drug Addiction Services covering the period July 1, 2005 through June 30, 2006.

Resolutions: Appropriation Transfers

A. FROM: 01A001 – General Fund **BA1100197**
CC012054 – Human Resources
Other Expenses \$ 7,000.00

TO: 01A001 – General Fund
CC012054 – Human Resources
Capital Outlays \$ 7,000.00

An appropriation transfer is requested to cover computer purchases.

B. FROM: 22A982 – 2007 Lead Hazard Reduction **BA1100144**
DV712620 – 2007 Lead Hazard Reduction
Other Expenses \$ 28,776.48

TO: 22A982 – 2007 Lead Hazard Reduction
DV712620 – 2007 Lead Hazard Reduction
Personal Services \$ 28,776.48

An appropriation transfer is requested in Lead Hazard Reduction from other expenses to personal services to cover salary adjustments and facilitate the grant close-out. Funding for 2007 Lead Hazard Reduction comes from the U.S. Department of Housing and Urban Development (HUD).

C. FROM: 01A001 – General Fund **BA1100188**
PD140053 – Public Defender
Other Expenses \$ 37,000.00

TO: 01A001 – General Fund
PD140053 – Public Defender
Capital Outlay \$ 37,000.00

This appropriation transfer is to cover the purchase of 57 laptop computers for the Public Defender's Office. Sufficient appropriations exist for this transfer.

D. FROM: 01A001 – General Fund **BA1100205**
JA050088-Justice Affairs Administration
Personal Services \$ 63,139.72

TO: 01A001 – General Fund
JA302224-Public Safety Grants Administration (Justice Affairs)
Personal Services \$ 63,139.72

The transfer is to realign resources for the transfer of a Program Officer 3 and a part-time Program Officer 4 from Justice Affairs Administration to Justice Affairs Public Safety Grants Administration that took place in late 2010 which could not be included prior to the adoption of the 2011 budget. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

E. FROM: 21A896 – Cuyahoga Regional TEW **BA1100206**
JA751057-Cuyahoga Regional TEW
Personal Services \$ 1,334.23

TO: 21A896 – Cuyahoga Regional TEW
JA751057-Cuyahoga Regional TEW
Other Expenses \$ 1,334.23

The transfer is to correctly align grant funds for expenses to be adjusted applicable to the grant period and to prepare the grant for closure. Funding is from the Office of criminal Justice Services covering the period January 1, 2007 through December 31, 2007

F.	FROM:	21A900 – Regional Collaboration Project	BA1100229
		JA752196-Regional Collaboration Project 2010/2011	
		Other Expenses	\$ 114,894.40
	TO:	21A900 – Regional Collaboration Project	
		JA752196-Regional Collaboration Project 2010/2011	
		Capital Outlays	\$ 114,894.40

The transfer is to correctly align grant funds to the capital outlay line in anticipation of purchase orders being issued (specifically for Information Services Customer Service Request #C5110010 and other expenses). The category transfer has been approved by the funding source. Funding is from the Ohio Emergency Management Agency covering the period September 1, 2008 through March 31, 2011.

G.	FROM:	01A001 – General Fund	BA1100233
		DR391052-Domestic Relations Court (general account)	
		Other Expenses	\$ 357,643.00
	TO:	01A001 – General Fund	
		DR495515-Bureau of Support (Domestic Relations Court)	
		Other Expenses	\$ 357,643.00

The transfer is to correctly align space maintenance costs between the two divisions of the Domestic Relations Court. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011. Payment from the Bureau of Support account will allow the Court to more efficiently draw Title IV-D reimbursement.

Resolutions: Cash Transfers

A. FROM: 29A390 – Alcohol Drug Addiction Mental Health 2.9 **JT1100500**
SU514646 – Alcohol Drug Addiction Mental Health Board Subsidy
Transfer Out \$ 4,201,707.00

29A391 – Alcohol Drug Addiction Mental Health 4.8
SU514596 - Alcohol Drug Addiction Mental Health Board Subsidy
Transfer Out \$ 4,201,707.00

TO: 20A317 – Mental Health
MH431056 – Mental Health Administrative
Revenue Transfer \$ 8,403,414.00

This operating transfer is necessary to disburse the first quarter subsidy payment to the ADAMHS Board. The source of funding is the Health and Human Services Levy Fund.

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County Council of Cuyahoga County, Ohio

Resolution No. R2011-0055

Sponsored by: County Executive FitzGerald/ Cuyahoga County Board of Developmental Disabilities	A Resolution accepting the installation of emergency generators at the Brooklyn and Rocky River Adult Activities Centers as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, The Cuyahoga County Board of Developmental Disabilities is certifying that Ullman Electric Company has completed all work in accordance with plans and specifications for installation of emergency generators at the Brooklyn and Rocky River Adult Activities Centers required under Contract No. CE1000157-01; and,

WHEREAS, the Cuyahoga County Board of Developmental Disabilities has requested that the County Treasurer be authorized to release the escrow in the amount of \$7,332.00.

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

SECTION 1. The installation of the emergency generators at the Brooklyn and Rocky Rocky River Adult Activities Centers is hereby accepted as complete in accordance with the plans and specifications as required under Contract No. CE1000157-01 with Ullman Electric Company.

SECTION 2. The County Treasurer is hereby authorized to release the escrow in the amount of \$7,332.00 plus any accrued interest upon notification from the County of Cuyahoga.

SECTION 3. 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 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

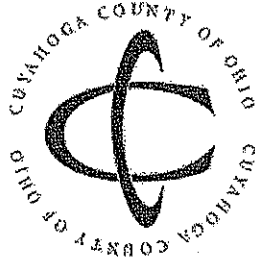
Clerk of Council

Date

Journal CC001
February 8, 2011

R 2011-0055

Novus AGENDA



Item Details:

Agency/Dept. Name:	Cuyahoga County Board of Mental Retardation and Developmental Disabilities	Agency/Dept. Head Name:	Terrence M. Ryan
---------------------------	--	--------------------------------	------------------

Type of Request: Other

Request Prepared by:	George Trochemenko	Telephone No.	216-741-2784
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SUMMARY OF REQUESTED ACTION:

The Cuyahoga County Board of Developmental Disabilities is certifying that Ullman Electric Company has completed all work in accordance with plans and specifications for installation of emergency generators at the Brookly and Rocky River Adult Activities Centers. The contract completion certificate for CE1000157-01 is attached for signature and for authorization to release the escrow in the amount of \$7,332.00.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Release of escrow on this project to install two emergency generators at CCBDD facilities

Principal Owner: Ronald H. Ullman, President
Phone: 216-432-5777

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Competitive Bid

Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0056

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0400154-03 with dck North America, LLC, for construction management and construction support services to assign the interest to Hill International, Inc., effective 7/6/2010; no additional funds required, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County entered into Contract No. CE0400154-03 with dck North America, LLC, for construction management and construction support services;

WHEREAS, the County Engineer recommends amending said contract through an assignment of interest to Hill International, Inc., for construction management and construction support services effective July 6, 2010.

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

SECTION 1. That the County Executive is hereby authorized to enter into an amendment to Contract No. No. CE0400154-03 through an assignment of interest to Hill International, Inc. for construction management and support services, effective July 6, 2010.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President Date

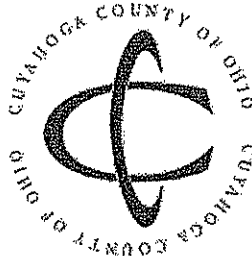
County Executive Date

Clerk of Council Date

Journal CC001
February 8, 2011

R2011-0056

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Jamal H. Husani
Type of Request:	Other	Telephone No.	216-348-3815
Request Prepared by:	Ernest F. Zadell		
SUMMARY OF REQUESTED ACTION:			
County Engineers, Submitting an amendment to Contract No. CE0400154-01, 02, 03 with dck North America, LLC for assignment of interest to Hill International, Inc. for construction management and construction support services for the period 02/10/04 to 12-31-10.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Will be able to complete the plans and specifications for the County Engineer's projects. Principal Owners: See attached.			
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

- ASSIGNMENT OF INTEREST
- EXHIBIT "A"

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0057

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0700741-03 with dck North America, LLC, for construction inspection services for various County projects for the period 7/1/2007 - 9/30/2010 to assign the interest to Hill International, Inc., effective 7/6/2010; no additional funds required, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, the County entered into Contract No. CE0700741-03 with dck North America, LLC, for construction inspection services for various County projects for the period July 1, 2007 through September 30, 2010;

WHEREAS, the County Engineer recommends amending said contract through an assignment of interest to Hill International, Inc., for construction management and construction support services effective July 6, 2010.

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

SECTION 1. That the County Executive is hereby authorized to enter into an amendment to Contract No. CE0700741-03 through an assignment of interest to Hill International, Inc. for construction inspection services for various County projects for the period July 1, 2007 through September 30, 2010, effective July 6, 2010.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0057

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Jamal H. Husani
Type of Request:	Other	Telephone No.	216-348-3815
Request Prepared by:	Ernest F. Zadell		
SUMMARY OF REQUESTED ACTION:			
County Engineers, submitting an amendment to Contract No. CE0700741-01, 02, 03 with dck North America, LLC for assignment of interest to Hill International, Inc. for construction Inspection services for the period 07/01/07 to 09/30/10.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Will be able to complete the plans and specifications for the County Engineer's projects.			
Principal Owners: See attached.			
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

ASSIGNMENT OF INTEREST

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0058

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE08166-01 with Euthenics, Inc. for consultant services for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma to change the scope of the services, effective 11/3/2010, and for additional funds in the amount not-to-exceed \$229,442.31, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Engineer has determined that additional engineering services are needed for the design of Pleasant Valley Road (C.R. 39) from Pearl Road to York Road and that additional funds are necessary in the amount of \$229,442.31; and,

WHEREAS, these services are necessary to complete the planned specifications for the project.

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

SECTION 1. That the County Executive is authorized to enter into an amendment to Contract No. CE08166-01 with Euthenics, Inc. for consultant services for improvement of Pleasant Valley Road (C.R.39) from Pearl Road to York Road in the Cities of Middleburg Heights and Parma to change the scope of the services, effective November 3, 2010, and for additional funds in the amount not-to-exceed \$229,442.31.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

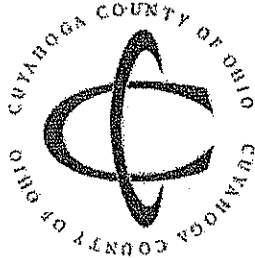
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0058

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Michael Chambers, CPA	W.
Type of Request:	Contract/Amendment			
Request Prepared by:	Heather Keel	Telephone No.	216-348-3852	
SUMMARY OF REQUESTED ACTION:				
Submitting an amendment to contract CE 08166-01 with Euthentics, Inc. for engineering services for the design of Pleasant Valley Road (C.R. 39) from Pearl Road to York Road for additional funds in the amount of \$229,442.31.				
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):				
Purpose/Outcome: Will be able to complete the plans and specifications for the project.				
Principal Owners: See attached				
Explanation for late submittal:				

Contract/Agreement Information:

Procurement Method:	Other
Explanation for Increase/Decrease in \$ Amount for current request:	Additional engineering services needed.

Financial Information:

Funding source:	Explanation:
Other	\$5.00 License Tax Fund
Total Amount Requested:	\$229,442.31

ATTACHMENTS:

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0059

Sponsored by: County Executive FitzGerald/County Engineer	A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900324-01 with CH2M Hill, Inc. for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn to change the scope of services, effective 2/8/2011, and for additional funds in the amount not-to-exceed \$117,578.00, and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, the County Engineer has determined that additional engineering services are needed for the design of Ridge Road (C.R.10) from Interstate 480 to Memphis Avenue; and,

WHEREAS, on November 10, 2010, the County Engineer received authorization to prepare a contract amendment with the consulting firm of CH2M Hill, Inc.

WHEREAS, the County Engineer has submitted a request to enter into an amendment to Contract No. CE0900324-01 with CH2M Hill, Inc. for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn to change the scope of services, effective February 8, 2011, and for additional funds in the amount not-to-exceed \$117,578.00.

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

SECTION 1. The County Executive is hereby authorized to enter into an amendment to Contract No. CE0900324-01 with CH2M Hill, Inc. for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn to change the scope of services, effective February 8, 2011, and for additional funds in the amount not-to-exceed \$117,578.00.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

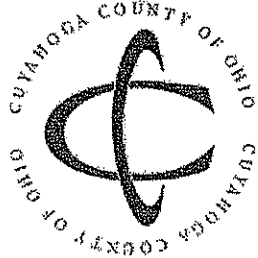
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0059

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Michael Chambers, CPA	W.
Type of Request:	Contract/Amendment			
Request Prepared by:	Heather Keel	Telephone No.	216-348-3852	
SUMMARY OF REQUESTED ACTION:				
Submitting an amendment to Contract CE0900324-01 with CH2M Hill, Inc. for engineering services needed for the design of Ridge Road (C.R. 10) from Interstate I-480 to Memphis Avenue for additional funds in the amount of \$117,578.00.				
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):				
Purpose/Outcome: Will be able to complete the plans and specifications for the project.				
Principal Owners: See attached				
Explanation for late submittal:				

Contract/Agreement Information:

Procurement Method:	Other
Explanation for Increase/Decrease in \$ Amount for current request:	Change in scope of services

Financial Information:

Funding source:	Explanation:
Other	\$5.00 License Tax Fund
Total Amount Requested:	\$117,578.00

ATTACHMENTS:

**BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT/AGREEMENT EVALUATION FORM
(To be completed in its entirety by user department for
all contract/agreement renewals or amendments.)**

Contractor: CH2M Hill, Inc.

Contract/Agreement No.: CE0900324-01

Time Period: N/A

Service Description: Engineering Services – Ridge Road from I-480 to Memphis Avenue

Original Contract/Agreement Amount: \$954,918.00

Prior Amendment(s) Amount(s): N/A

Performance Indicators: CH2M Hill, Inc. has provided the County with high quality engineering services and thorough design services of all tasks on this project.

Actual performance versus performance indicators (include statistics): CH2M Hill has had a 90% success rate in meeting performance for all tasks.

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: All of the engineers that have worked on assigned task have been proficient in their field.



User Department

10/13/10
Date

Contract Evaluation

Ernest Zadell - Fwd: CH2M Hill Board of Directors

From: Thomas Gabanic
To: Ernest Zadell
Date: 1/14/2011 9:21 AM
Subject: Fwd: CH2M Hill Board of Directors

>>> <Cindy.Juliano@CH2M.com> 10/14/2010 9:08 AM >>>

Tom,

Our 2010 Board of Directors is as follows (pictures included!):



Manuel Aguirre
Regional Managing Director
for Latin America



Chad Holliday (OD)
Former Chairman and CEO, DuPont



Bob Bailey
Water Business Group



Mike McKelvy
Government, Environment & Nuclear
Division, Delivery Excellence



Bob Card
Facilities &
Infrastructure Division



Georgia Nelson (OD)
Former President and General Manager,
Edison International and Edison Mission
Energy Americas



Bill Dehn
Risk Management



David Price, Jr. (OD)
Chief Executive Officer &
President, Birdet Price, LLC



Jerry Geist (OD)

Chairman, Santa Fe
Center Enterprises, Inc.



Lee McIntire
Chairman of the Board



Jacquie Rast
Major Programs,
Mergers & Acquisitions



Nancy Tuor
Sustainability



Barry Williams (OD)
President,
Williams Pacific Ventures, Inc.

(OD) - Outside Director

Please let me know if you need anything else. It appears I will be able to have the contract signed and overnight shipped to you so it arrives tomorrow as requested.

Thank you,

Cindy Juliano, P E
Transportation & Planning Manager

CH2M Hill
Ph 216.623.0326 x41211
Mobile 216.392.8683
1100 Superior Avenue East
Suite 1420
Cleveland, Ohio 44114
Fax 216 623 1624

Remember.. happiness is a means of travel, not just a destination!

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0060

Sponsored by: County Executive FitzGerald/ Common Pleas Court/ Corrections Planning Board	A Resolution authorizing the Common Pleas Court/Corrections Planning Board to enter into a contract with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$593,465.00 for residential substance abuse treatment services for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, the Corrections Planning Board/Adult Probation Department of Common Pleas Court places offenders into substance abuse treatment programs designed for individual needs for the offending population; and

WHEREAS, many of these offenders are dually diagnosed and require intensive inpatient programs; and,

WHEREAS, these offenders are matched to the best service provider among the panel of agencies used by the Corrections Planning Board/Adult Probation Department for their treatment episodes and jail day costs are saved by quickly identifying these offenders and placing them into the appropriate treatment facility.

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

SECTION 1. That the Common Pleas Court/Corrections Planning Board is hereby authorized to enter into a contract with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$593,465.00 for residential substance abuse treatment services for the period January 1, 2011 through December 31,2011.

SECTION 2. That this contract shall not exceed the amount of \$265,549.00 and funds have been certified and encumbered sufficient to fund this contract.

SECTION 3. 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 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

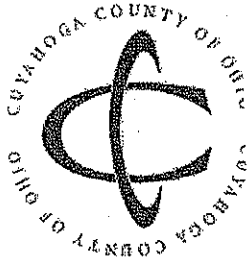
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0060

Novus Agenda



Item Details:

Agency/Dept. Name:	Common Pleas Court/Corrections Planning Board	Agency/Dept. Head Name:	Maria Nemeec
Type of Request:	Contract/Amendment		
Request Prepared by:	Patricia MIngee	Telephone No.	(216) 443-4908
SUMMARY OF REQUESTED ACTION:			
Submitting a contract with the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHSB) in the amount not-to-exceed \$593,465.00 for offender residential substance abuse treatment services for the period January 1, 2011 through December 31, 2011.			
Funding is provided by the HHS Levy (\$513,465.00) and FY 2011 Community Corrections Act Grant Funds (\$80,000.00).			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
The Corrections Planning Board/Adult Probation Department places offenders into substance abuse treatment programs designed for individual needs for the offending population. Many of these offenders are dually diagnosed and require intensive inpatient programs. They are matched up to the best service provider among our panel of agencies for their treatment episode. Jail day costs are saved by quickly identifying these offenders and placing them in the appropriate treatment facility.			
William M. Denihan - Chief Executive Officer, ADAMHSB			
Explanation for late submittal:			
Identifying and appropriating available funding for 2011, gathering the required signatures and year-end agenda scheduling caused us to miss the deadline.			

Contract/Agreement Information:

Procurement Method:

State Contract

Explanation for Increase/Decrease in \$ Amount for current request:

Court's HHS budget reduced as part of 2011 county budget process; Requested added CCA funds to existing grant-grateful for any extra treatment funds that were available

Financial Information:

Funding source:	Explanation:
Other	Cuyahoga County Health & Human Service Fund / Community Correction Act Grants (State)

Total Amount Requested:

\$593,465.00

ATTACHMENTS:

Click to download

- [A W9 ADAMHSB Res Sub Abuse 2011](#)
- [B Blueback ADAMHSB Res Sub Abuse 2011](#)
- [C Contract ADAMHSB Res Sub Abuse 2011](#)
- [E Auditor ADAMHSB Res Sub Abuse 2011](#)
- [F DMA ADAMHSB Res Sub Abuse 2011](#)
- [Ia Evaluation ADAMHSB Res Sub Abuse 2011](#)
- [Ib History ADAMHSB Res Sub Abuse 2011](#)
- [Ic Requisition ADAMHSB Res Sub Abuse 2011](#)
- [Id Add'l Index Code ADAMHSB Res Sub Abuse 2011](#)
- [History](#)
- [BB](#)
- [Voucher](#)

History

Time	Who	Approval
1/25/2011 10:36 AM	Office of Procurement & Diversity	Yes
1/25/2011 2:15 PM	Clerk of the Board County Auditor	Yes

**COUNTY OF CUYAHOGA, OHIO
CONTRACT EVALUATION FORM**

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: Alcohol, Drug Addiction & Mental Health Services Board of Cuyahoga County
2012 West 25th Street, 6th Floor
Cleveland, OH 44113
Contact: Rosalina Fini, JD (216) 241-3400

Contract No.: CE1000075 Time Period: January 1, 2010 through December 31, 2010

Service Description: Residential treatment services for offenders under the supervision of the Cuyahoga County Adult Probation Department / Common Pleas Court.

Original Contract Amount: \$557,345.00
First Amendment Amount: \$105,000.00

Performance Indicators: Contract with mutually agreed upon certified service provider(s) for this program;
Monitor treatment services to verify compliance;
Serve as fiscal agent;
Monitor service provider for compliance on all certifications.

Actual performance versus performance indicators (include statistics):
ADAMHSBCC selected Fresh Start, Catholic Charities and ORCA to administer this program;
Treatment services meet the guidelines of ODADAS;
Program funds have been disbursed by ADASB to the providers;
Service providers maintain all required certifications.

Rating of Overall Performance of Contractor (Check One):

- Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: The Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County has met the needs of finding and monitoring the vendors selected to provide treatment to the offenders placed in substance abuse treatment program through the Court of Common Pleas. Ongoing efforts by all involved parties have reduced the wait time for offenders to be placed in treatment.

Cuyahoga County Adult Probation Dept.
User Department

December 16, 2010
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0061

Sponsored by: County Executive FitzGerald/Office of Early Childhood	A Resolution authorizing the County Executive to enter into a contract with Starting Point in the amount not-to-exceed \$1,832,782.00 for administration of the Special Needs Child Care Program for the Invest in Children Program for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, Cuyahoga County's Office of Early Childhood has requested authorization to enter into contracts with Starting Point for the management and administration of the Special Needs Child Care Program for the Invest in Children Program for the period of January 1, 2011 through December 31, 2011; and

WHEREAS, the Special Needs Child Care Program is designed to increase the inclusion of children with identified disabilities, challenging behaviors, medical needs, and children who are at risk of not being served in typical child care setting; and,

WHEREAS, the Special Needs Child Care Program provides child assessments, technical assistance, training, special equipment, and resources for families who are in need of specialized care; and,

WHEREAS, for the requested contract will come from three different sources: the County Health and Human Services Levy in the amount of \$1,672,360, the County Child Care allocation in the amount of \$40,830 and the The George Gund Foundation in the amount of \$119, 583.

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 Starting Point in the amount not-to-exceed \$1,832,782.00 for administration of the Special Needs Child Care Program for the Invest in Children Program for the period 1/1/2011 - 12/31/2011.

SECTION 2. Funds have been certified and encumbered sufficient to fund this contract.

SECTION 3. 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 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

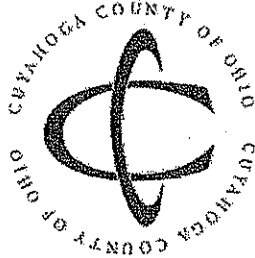
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0061

NOVUS AGENDA



Item Details:

Agency/Dept. Name:	Administrator's Office/Office of Early Childhood	Agency/Dept. Head Name:	Rebekah Dorman
Type of Request:	Contract/Amendment		
Request Prepared by:	Nakiaa Robinson	Telephone No.	(216) 443-6573

SUMMARY OF REQUESTED ACTION:

Submitting a contract with Starting Point in the amount not-to-exceed \$1,832,782.00 for the management and administration of the Special Needs Child Care program for Invest in Children for the period January 1, 2011 through December 31, 2011. Funding for this contract will come from three different sources: the County Health & Human Services Levy \$1,672,360, the County Child Care allocation \$40,830 and the George Gund Foundation \$119,583.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Special Needs Child Care program is designed to increase the inclusion of children with identified disabilities, challenging behaviors, medical needs, and children who are at-risk of not being served in typical child care settings. The Special Needs Child Care program provides child assessments, technical assistance, training, special equipment, and resources for families who are in need of specialized care.

The program will be administered by Starting Point. In turn, Starting Point will subcontract with at least six Training and Technical Assistance providers. There will be three components of the agreement:

I. System Coordination

Continue the existing models of enhanced child care referrals for families and providers, and continue to provide appropriate child care settings for children with special needs.

II. Service Coordination

Provide service coordination including training and technical assistance; and link families to

appropriate service providers, school districts, and community resources.

III. Subcontracts

In its role as System Coordinator, Starting Point will subcontract with at least six Training and Technical Assistance providers.

Funding for this contract will come from three different sources: the County Health & Human Services Levy \$1,672,360, the County Child Care allocation \$40,830 and the George Gund Foundation \$119,583.

Starting Point
Billie Osborne Fears, Executive Director
(216) 575-0061

Explanation for late submittal:

2011 Budget to post

Contract/Agreement Information:

Procurement Method:

Other

Explanation for Increase/Decrease in \$ Amount for current request:

This increase results from the inclusion of PEP Day Care Plus in the Special Needs request for proposal process administered by Starting Point. Funds previously awarded to PEP are now being included in the Starting Point contract.

Financial Information:

Funding source: Explanation:

Other

Funding for this project will come from the Office of Early Childhood 2011 operating budget using Health & Human Services Levy funds, the county child care allocation and funds from the Gund Foundation.

Total Amount Requested:

\$1,832,782.00

ATTACHMENTS:

Click to download

- [SP SNCC Contract 2011](#)
- [SP SNCC Scope Exhibits I & II](#)
- [SP SNCC Budget 2011](#)
- [SP Auditor](#)
- [SP DMA](#)
- [SP COC](#)
- [SP Business Filings](#)
- [SOS](#)
- [SP SNCC Eval 2011](#)
- [SP SNCC Addl Index Codes 2011](#)
- [BB](#)

**Cuyahoga County
Contract Evaluation Form**

(To be completed in its entirety by user department for all contract renewals or amendments)

Contractor: Starting Point
Contract No: CE1000097-01, 02
Time Period: January 1, 2010 through December 31, 2010

Service Description: Administration and management of the Special Needs Child Care program for the Office of Early Childhood.

Original Contract Amount: \$1,408,462.00
Amended Contract Amount: N/A

Performance Indicators: Include the following:

- As System Coordinator for the Special Needs Child Care program, subcontract with at least six Training and Technical Assistance Providers
- Maintain MIS and provide quarterly performance measures and reports.
- Conduct four (4) Quarterly Assessments for each Training and Technical Assistance Provider.
- Provide technical assistance and consultation on behalf of at least 794 children with special needs.

Actual performance versus performance indicators (include statistics):

- Starting Point subcontracted with six community agencies to serve as Training and Technical Assistance Providers
- Starting Point maintains a MIS system and provides quarterly reports in a timely manner
- Starting Point has conducted 4 Quarterly Assessments for each Training and Technical Assistance Provider to date
- Approximately 1,120 children have been served in CY 2010, (contracted number of 794).

Rating of overall performance of contractor (check one)

- Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating:

Starting Point has met or exceeded all of its contract deliverables while providing high-quality services


User Department

1/14/10
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0062

Sponsored by: County Executive FitzGerald/Department of Human Services/Department of Children & Family Services	A Resolution authorizing the County Executive to enter into a contract with Adoption Network Cleveland in the amount not-to-exceed \$315,000.00 for child-centered recruitment services for the Adopt Cuyahoga's Kids Initiative for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, the Department of Children and Family Services has requested authorization to enter into a contract with Adoption Network Cleveland in the amount not-to-exceed \$315,000 for child centered recruitment services for the Adopt Cuyahoga's Kids Initiative for the period January 1, 2011 through December 31; and,

WHEREAS, the Adopt Cuyahoga Kids Initiative is a public/private partnership designed to decrease barriers to permanency for the significant number of youth in the permanent custody of CFS without identified adoptive families and the Adoption Network Cleveland operates as the lead agency for this initiative; and,

WHEREAS, this initiative focuses on child-centered recruitment (CCR) strategy and includes navigator support around systemic barriers with home study completion and the adoption process in general as well as child preparation activities to assist youth and families transitioning to adoption.

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

SECTION 1. That County Executive is authorized to enter into a contract with Adoption Network Cleveland in the amount not-to-exceed \$315,000 for child centered recruitment services for the Adopt Cuyahoga's Kids Initiative for the period January 1, 2011 through December 31, 2011.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

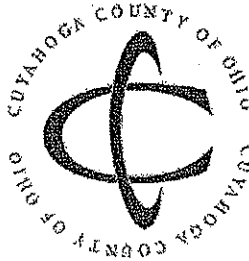
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0062

NOVUS AGENDA



Item Details:

Agency/Dept. Name: Department of Children and Family Services
Agency/Dept. Head Name: Deborah Forkas

Type of Request: Contract/Amendment

Request Prepared by: Gregory E. Jones
Telephone No.: (216) 881-4495

SUMMARY OF REQUESTED ACTION:

The Department of Children and Family Services (CFS) is requesting authorization from Cuyahoga County of Ohio to enter into contract with Adoption Network Cleveland for the Adopt Cuyahoga Kids Initiative (ANC), for the period of January 1, 2011 to December 31, 2011 for an amount not to exceed **\$315,000.00**.

Vendor Name: Adoption Network Cleveland +\$315,000.00

4614 Prospert Avenue, Suite 550
Cleveland, OH 44103

Contact Person: Betsie Norris, Executive Director
(216) 325-1000

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Adopt Cuyahoga Kids Initiative is a Public-Private partnership designed to decrease barriers to permanency for the significant number of youth in the permanent custody of CFS without identified adoptive families. The Adoption Network Cleveland operates as the lead agency for this initiative.

This initiative focuses on child-centered recruitment (CCR) strategy. The initiative also includes navigator support around systemic barriers with homestudy completion and the adoption process in general as well as child preparation activities to assist youth and families transitioning to adoption.

Principal Owner(s): Adoption Network Cleveland

Betsie Norris, Executive Director
Non-Profit

Explanation for late submittal:

Just received contract back from vendor due to contract negotiations

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Decrease due to budgetary reasons

Financial Information:

Funding source: Explanation:

General Fund

Total Amount Requested:

\$315,000.00

ATTACHMENTS:

Click to download

- [2011 Adoption Network Cleveland \(ANC\) Contract SD.pdf](#)
- [2011 Adoption Network Cleveland \(ANC\) FR-DMA-CC.pdf](#)
- [2011 Adoption Network Cleveland \(ANC\) W-9.pdf](#)
- [2011 Adoption Network Cleveland \(ANC\) Principle Owner.pdf](#)
- [2011 Adoption Network Cleveland \(ANC\) Secretary of State.pdf](#)
- [2011 Adoption Network Cleveland \(ANC\) Evaluation.pdf](#)
- [2011 Adoption Network Cleveland \(ANC\) Bb.doc](#)
- [Adoption Network Cleveland \(ANC\) History Log.xls](#)
- [Adoption Network Cleveland \(ANC\) Exemption Letter.pdf](#)

History

Time

Who

Office of Procurement &
Diversity

Approval

CUYAHOGA COUNTY
CONTRACT/AGREEMENT EVALUATION FORM
 (To be completed in its entirety by user department for
 all contract/agreement renewals or amendments.)

Contractor: Adoption Network Cleveland

Contract/Agreement No.: CE1000281-01
Time Period: 01/01/2010- 12/31/2010

Service Description: Lead agency for Adopt Cuyahoga Kids a public-private partnership designed to decrease barriers to permanency for children in CFS custody without identified adoptive families. Finding families through this initiative includes a focus on child-centered recruitment (CCR).

Original Contract/Agreement Amount:
 \$450,000.00

Prior Amendment(s) Amount(s):
 Resolution# 1051159 / \$2,600.00 added to the contract

Performance Indicators:
 The performance indicators include the following:

- # of adoptive placements and finalizations
- Navigation services and support to prospective adoptive families
- Mentoring services to youth in the permanent custody of CFS

Actual performance versus performance indicators (include statistics): As of Dec.2010

- 100 youth were assigned to the initiative.
- 32 cases in motion for permanency
- 9 new mentor matches made/ 51 existing matches maintained
- 1542 contacts with pre-adoptive families for information and referral /380 post adoption contacts

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating:
 Child-centered recruitment continues to be an innovative and effective practice in finding families for difficult to place youth with no identified family. The Adopt Cuyahoga Kids Initiative has exceeded goals for mentor and navigation services. Adoptive placements and finalizations have been identified as targeted goal areas of improvement. The number of adoptive placements and finalizations fell short of the targeted performance outcome goal.

Children & Family Services (Adoptions)
 User Department

January 7, 2011
 Date



MEMORANDUM

MULTIPLE VENDOR PRINCIPAL OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Adoption Network Cleveland
Primary Owner	4614 Prospect Ave., Suite 550, Cleveland Oh. 44103
Title	Betsie Norris, Executive Director

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
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Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0063

Sponsored by: County Executive FitzGerald/Department of Human Services/Department of Children & Family Services	A Resolution authorizing the County Executive to enter into contracts with various providers for placement services for the period 1/1/2011 - 9/30/2011, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, the Department of Children and Family Services (“DCFS”) has requested authorization to enter into contract with various community-based providers for placement services for the period January 1, 2011 through September 30, 2011; and,

WHEREAS, these community-based residential services providers agencies 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 January 1, 2011 through December 31, 2011 as follows:

- 1) BHC Belmont Pines Hospital, Inc. in the amount not-to-exceed \$510,000.00.
- 2) Alliance Human Services, Inc. in the amount not-to-exceed \$2,362,500.00.
- 3) Christian Children's Home of Ohio, Inc. in the amount not-to-exceed \$510,000.00.
- 4) Continue Life in the amount not-to-exceed \$215,625.00.
- 5) Applewood Centers, Inc. in the amount not-to-exceed \$1,286,250.00.
- 6) Beech Brook in the amount not-to-exceed \$3,825,000.00.
- 7) Berea Children's Home in the amount not-to-exceed \$4,350,000.00.
- 8) House of New Hope in the amount not-to-exceed \$845,250.00.
- 9) In Focus of Cleveland, Inc. in the amount not-to-exceed \$517,500.00.
- 10) Parenthesis Family Advocates, Incorporated in the amount not-to-exceed \$279,000.00.
- 11) The Village Network in the amount not-to-exceed \$1,395,000.00.
- 12) National Youth Advocate Program, Inc. in the amount not-to-exceed \$921,450.00.
- 13) Pathway Caring for Children in the amount not-to-exceed \$219,750.00.

- 14) START - Support To At-Risk Teens in the amount not-to-exceed \$851,250.00.
- 15) Options for Families and Youth in the amount not-to-exceed \$1,164,000.00.
- 16) Pressley Ridge in the amount not-to-exceed \$1,526,250,000.00.
- 17) Specialized Alternatives for Families & Youth of Ohio, Inc. in the amount not-to-exceed \$2,687,250.00.
- 18) The Bair Foundation in the amount not-to-exceed \$1,498,125.00.
- 19) The Twelve of Ohio, Inc. in the amount not-to-exceed \$945,000.00.
- 20) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$3,600,000.00.
- 21) Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$4,357,500.00.
- 22) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$2,437,500.00.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

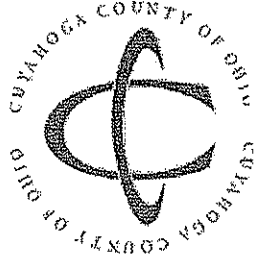
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0063

NOVUS AGENDA



Item Details:

Agency/Dept. Name: Department of Children and Family Services
Agency/Dept. Head Name: Deborah Forkas

Type of Request: Contract/Amendment

Request Prepared by: Christian E. Hofstetter
Telephone No.: (216) 881-2018

SUMMARY OF REQUESTED ACTION:

The Department of Children and Family Services (CFS) is requesting authorization from the Cuyahoga County of Ohio to enter into contracts with various community-base providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.

BHC Belmont Pines + \$510,000.00

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.

These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.

To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.

Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.

Principal Owner(s):

BHC Belmont Pines - Non-Profit Corporation - George Perry, Chief Executive Officer

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source: Explanation:

Other Health and Human Services Levy

Total Amount Requested:

\$510,000.00

ATTACHMENTS:

Click to download

- [2011 BHC Belmont Pines Contract SD.pdf](#)
- [2011 BHC Belmont Pines W-9.pdf](#)
- [2011 BHC Belmont Pines FR-DMA-CC.pdf](#)
- [BHCBelmontPinesSecofStateCertificate.pdf](#)
- [History Log](#)
- [Evaluation](#)
- [Exemption Letter](#)
- [DIRECT DEPOSIT LIST](#)
- [Blue Back](#)
- [Voucher](#)
- [Contract](#)

History

Time	Who	Approval
12/29/2010 10:14 AM	Office of Procurement & Diversity	Yes
1/5/2011 1:47 PM	Clerk of the Board	Yes
1/14/2011 12:50 PM	County Auditor	Yes
	County Prosecutor Civil	

CUYAHOGA COUNTY
CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: BHC Belmont Pines Hospital
Contract No.: CE1000047-10

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 10/6/10

Service Description: BHC Belmont Pines Hospital, Inc. is a for-profit organization, licensed by the Ohio Dept. of Mental Health to serve children and adolescents in short-term crisis stabilization and residential programs. We currently contract for a short-term (10 day) diagnostic/stabilization unit and a longer term residential program.

Original Contract Amount: \$1,184,000.00

Amendment Amount : (\$97,000.00)

Performance Indicators: 1) rating of the quality of the program including foster home recruitment activities, training, and overall maintenance and quality of homes; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 4	
Residential Program Quality:	50
Administrative Functions:	50
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: This provider was evaluated on three measures with an average score of 66.66%, which is in the average range.

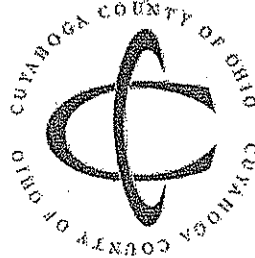
Note: BHC Belmont Pines accept children with many complex issues and are cooperative in addressing any CFS concerns.

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

R2011-0063

Novus AGENDA



Item Details:

Agency/Dept. Name: Department of Children and Family Services
Agency/Dept. Head Name: Deborah Forkas

Type of Request: Contract/Amendment

Request Prepared by: Christian E. Hofstetter
Telephone No.: (216) 881-2018

SUMMARY OF REQUESTED ACTION:

The Department of Children and Family Services (CFS) is requesting authorization from the Board of Cuyahoga County (BOCC) to enter into contracts with various community-base providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.

- Continue Life + \$215,625.00**
- Children's Home of Ohio + \$510,000.00**
- Alliance Human Services + \$2,362,500.00**

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.

These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.

To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.

Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.

Principal Owner(s):

Continue Life - Non-Profit Corporation - Balinda Cavor, Executive Director

Christian Children's Home of Ohio - Non-Profit Corporation - Gary D. Porter, Executive Director

Alliance Human Services - Non-Profit Corporation - Mary A. McCarthy, President and CEO

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source: Explanation:

Other Health and Human Services Levy

Total Amount Requested:

\$3,088,125.00

ATTACHMENTS:

Click to download

- [2011 Continue Life, Inc FR-DMA-CC.pdf](#)
- [2011 Continue Life, Inc W-9.pdf](#)
- [ContinueLifeSecofStateCertificate.pdf](#)
- [ContinueLife,Inc-2010-renewal-evaluation.doc](#)
- [2011ContinueLifeHistoryLog.xls](#)
- [2011 Christian Children's Home of Ohio FR-DMA-CC.pdf](#)
- [2011 Christian Children's Home of Ohio W-9.pdf](#)
- [ChristianChildren'sHomeofOhioSecofStateCertificate.pdf](#)
- [ChristianChildrensHomeofOhio,Inc-2010-renewal-eval.doc](#)
- [2011 Christian Childrens Home History Log.xls](#)
- [2011 Alliance Human Services FR-DMA-CC.pdf](#)
- [2011 Alliance Human Services W-9.pdf](#)
- [2011AllianceHumanServicessecofstate.pdf](#)
- [AllianceHumanServices,Inc-2010-renewal-evaluation.doc](#)
- [2011AllianceHistoryLog.xls](#)
- [DIRECT DEPOSIT LIST](#)
- [Exemption Letter](#)
- [Vouchers \(3\)](#)
- [Alliance Contract](#)

BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Alliance Human Services, Inc
Contract No.: CE100045-10

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 10/6/10

Service Description: Alliance Human Services, Inc provides traditional and specialized foster care services, accepting difficult to place populations such as adjudicated delinquents, lower functioning/MRDD, and severely behaviorally and/or emotionally disturbed children. CFS contracts for four levels of care.

Original Contract Amount: \$3,230,652.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 85	100
Number indicated/substantiated: 0	70
Quality of Foster Care Program:	60
Quality of Administrative Functions:	

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total score = 230 divided by 3 (number of indicators) = 77 - Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM
(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Christian Children's Home of Ohio, Inc. Contract Period: 1/1/10 – 12/31/10
Evaluation Period: 1/1/10- 9/27/10

Contract No.: CE1000048-01

Service Description: Christian Children's Home of Ohio, Inc (CCHO) was founded in 1969 to provide residential care for children with emotional and behavioral issues in small family like settings. CCHO has since expanded to include foster care, adoption, independent living, and counseling services.

Original Contract Amount: \$884,930.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of foster home quality, including recruitment activities, training, and overall maintenance and quality of homes; 3) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 4) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 17	
Program Quality:	60
Foster Home Quality:	60
Administrative Functions:	60
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total points (280) divided by the number of measures (4) = 70 – Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

September 27, 2010
Date

BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Continue Life Incorporated
Contract No.: CE1000044-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 9/30/10

Service Description: Continue Life, Inc. was established in 1984 with the mission of assisting young women with unplanned pregnancies. The facility Continue Inn was established in 1988 to provide housing and services for pregnant and parenting young women. The scope of service includes individual and group counseling, independent living skill training and parenting education. CFS utilizes this provider for pregnant and parenting teens when the child is to be placed with the mother.

Original Contract Amount: \$235,540.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) and, 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 12	
Program Quality:	60
Administrative Functions:	50
Number of substantiated abuse/neglect allegations: 0	100

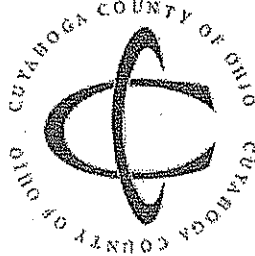
Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: The total score (210) divided by the number of measures (3) = 70 – Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date



Item Details:

Agency/Dept. Name:	Department of Children and Family Services	Agency/Dept. Head Name:	Deborah Forkas
Type of Request:	Contract/Amendment		
Request Prepared by:	Christian E. Hofstetter	Telephone No.:	(216) 881-2018
SUMMARY OF REQUESTED ACTION:			
<p>The Department of Children and Family Services (CFS) is requesting authorization from the Board of Cuyahoga County (BOCC) to enter into contracts with various community-base providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.</p>			
<p>Applewood Centers, Inc. + \$1,286,250.00 Beech Brook + \$3,825,000.00 Berea Children's Home + \$4,350,000.00</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
<p>The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.</p> <p>These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.</p> <p>To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.</p> <p>Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.</p>			

Principal Owner(s):

Applewood Centers, Inc. - Non-Profit Corporation - Melanie K. Falls, Executive Director

Beech Brook - Non-Profit Corporation - Debra Rex, Chief Executive Officer

Berea Children's Home - Non-Profit Corporation - Richard R. Frank, President and CEO

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source:

Other

Explanation:

Health and Human Services Levy

Total Amount Requested:

\$9,461,250.00

ATTACHMENTS:

Click to download

- [2011 Applewood Centers Inc FR-DMA-CC](#)
- [2011 Applewood Centers Inc W-9](#)
- [2011 Applewood Centers Inc Principle Owner](#)
- [2011Applewoodsecofstate](#)
- [Applewood Eval](#)
- [2011ApplewoodHistoryLog](#)
- [2011 BeechBrook FR-DMA-CC](#)
- [2011 BeechBrook W-9](#)
- [2011 BeechBrook Principle Owner](#)
- [2011 BeechBrook sec of state](#)
- [Beechbrook History](#)
- [BeechBrook Eval Revised](#)
- [2011 Berea Children' Home FR-DMA-CC](#)
- [2011 Berea Children' Home W-9](#)
- [2011 Berea Children' Home Principle Owner](#)
- [BereaChildren'sHomeSecofStateCertificate](#)
- [Berea Children's Home 2010 RenewalEval](#)
- [2011 Berea History Log](#)
- [DIRECT DEPOSIT LIST](#)
- [County Administrator Exemption Memo](#)

BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: **Applewood Centers, Inc**
Contract No.: **CE1000028-01**

Contract Period: **1/1/10 - 12/31/10**
Evaluation Period: **1/1/10- 9/17/2010**

Service Description: Applewood Centers Inc., created in 1997 by the merger of Children's Services, Inc. and the Guidance Centers, operates residential, foster care, adoption, and community-based programming. Children's Aid Society merged with this provider effective 7/1/2004. This enabled the provider to increase it's continuum of care to include residential services for younger children and increased capacity in the Partial Hospitalization program.

Original Contract Amount: \$1,732,000.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of foster home quality, including recruitment activities, training, and overall maintenance and quality of homes; 3) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 4) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 45	
Program Quality:	60
Foster Home Quality:	60
Administrative Functions:	60
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating:

Total Score of 280 divided by 4 (the number of measures) = 70 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

September 17, 2010
Date

BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Beech Brook
Contract No.: CE1000051-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 10/6/10

Service Description: Beech Brook is a non-profit organization offering traditional and specialized levels of foster care, intensive treatment and residential care for children 6 through 13, in-home, community based, and adoption services. CCDCFS currently contracts for all these services.

Original Contract Amount: \$5,643,000.00
Amendment Amt: (\$156,000.00)

Performance Indicators: 1) the number and percentage of positive placement changes compared with the total number of children with a placement change during the evaluation period (excluding neutral moves); 2) the number and percentage of children achieving permanency compared with the total number of children with a positive placement change; 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number finalized during the evaluation period; and, 4) the number and percentage of children placed in foster homes in Cuyahoga County compared with the number of children placed during the evaluation period.

Actual performance versus performance indicators:

Number of children served: 128	
Program Quality:	60
Administrative Functions:	60
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

<input type="checkbox"/>	Superior
<input checked="" type="checkbox"/>	Above Average
<input type="checkbox"/>	Average
<input type="checkbox"/>	Below Average
<input type="checkbox"/>	Poor

Justification of Rating: The total score (220) divided by the number of measures (3) = 73

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Berea Children's Home
Contract No.: CE1000046-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10 - 9/27/10

Service Description: Berea Children's Home was founded in 1864 as the German Methodist Orphan's Asylum. The organization has expanded services over the years to include residential care, foster care services, counseling services, community education, and juvenile justice programs.

Original Contract Amount: \$5,823,000.00
Amendment Amount:

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of foster home quality, including recruitment activities, training, and overall maintenance and quality of homes; 3) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 4) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 137	
Program Quality:	70
Foster Home Quality:	60
Administrative Functions:	40
Number of substantiated abuse/neglect allegations: 6	100

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total score of 300 divided by 4 (# of outcome measures) = 67 Average

Cuyahoga County Dept. of Children and Family Services

User Department

Prepared by Rita Carey
August 28, 2009

September 27, 2010

Date



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Applewood Centers, Inc.
Vendor's Legal Address	Paulson Center, 2525 East 22 nd Street, Cleveland, Ohio 44115-3266
Primary Owner	N/A – non-profit
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Beech Brook
Vendor's Legal Address	3737 Lander Rd Cleveland, OH 44124
Primary Owner	Debra Rex
Title	Chief Executive Officer

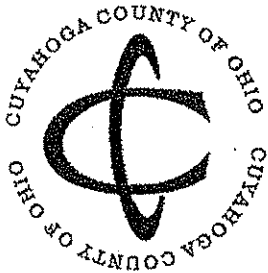
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Berea Children's Home
Vendor's Legal Address	202 East Bagley Road
Primary Owner	Rev. Don Lefelar
Title	Chairperson, Board of Directors

Vendor's Legal Name	Berea Children's Home
Vendor's Legal Address	202 East Bagley Road
Primary Owner	Mary Greulich
Title	Assistant Treasurer

Vendor's Legal Name	Berea Children's Home
Vendor's Legal Address	202 East Bagley Road
Primary Owner	Richard R. Frank
Title	President and CEO

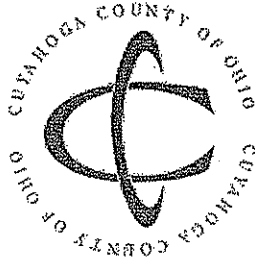
Vendor's Legal Name	Berea Children's Home
Vendor's Legal Address	202 East Bagley Road
Primary Owner	Joseph R. Ziegler
Title	Vice President of Finance and Administration

Vendor's Legal Name	Berea Children's Home
Vendor's Legal Address	202 East Bagley Road
Primary Owner	Donna Keegan
Title	Vice President and Chief Operating Officer

Vendor's Legal Name	Berea Children's Home
Vendor's Legal Address	202 East Bagley Road
Primary Owner	Dr. Benjamin Kearney
Title	Vice President and Chief Clinical Officer

R2011-0063

NOVUS AGENDA



Item Details:

Agency/Dept. Name: Department of Children and Family Services
Agency/Dept. Head Name: Deborah Forkas

Type of Request: Contract/Amendment

Request Prepared by: Gregory E. Jones
Telephone No.: (216) 881-4495

SUMMARY OF REQUESTED ACTION:

The Department of Children and Family Services (CFS) is requesting authorization from the Board of Cuyahoga County (BOCC) to enter into contracts with various community-based providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.

- The Village Network + \$1,395,000.00**
- House of New Hope + \$845,250.00**
- Parenthesis Family Advocates + \$279,000.00**
- In Focus of Cleveland, Inc. + \$517,500.00**

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.

These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.

To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.

Provide the least restrictive placement consistent with the best interest and special needs of

the child which prevent temporary placement with relatives, etc.

Principal Owner(s):

The Village Network- Non-Profit Corporation - James T. Miller, Executive Director

House of New Hope- Non-Profit Corporation - Jeffrey R. Greene, Ph.D, Executive Director

Parenthesis Family Advocates- Non-Profit Corporation -Arlene Davey, Executive Director

New Directions, Inc.,- Non-Profit Corporation - Michael Matoney, Executive Director

In Focus of Cleveland, Inc. - Non-Profit Corporation - Darlene E. White, Executive Director

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source:

Other

Explanation:

Health and Human Services Levy

Total Amount Requested:

\$3,036,750.00

ATTACHMENTS:

Click to download

- [2011 The Village Network W-9](#)
- [2011 The Village Network FR-DMA-CC](#)
- [2011 The Village Network Principle Owner](#)
- [2011The Village Network Secretary of State.pdf](#)
- [2011 The Village Network History Log](#)
- [2011 House of New Hope W-9](#)
- [2011 House of New Hope FR-DMA-CC](#)
- [2011 House of New Hope Principle Owner](#)

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: House of New Hope
Contract No.: CE1000020-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 9/27/10

Service Description: House of New Hope, incorporated in 1993, provides traditional and treatment levels of foster care, as well as adoption services. CFS contracts for all levels of foster care, and utilizes this provider principally for large sibling groups and children with severe treatment issues.

Original Contract Amount: \$1,136,800.00
Amendment Amount:

Performance Indicators: 1) rating of the quality of the program including foster home recruitment activities, training, and overall maintenance and quality of homes; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:
Number of children currently being served: 49
Foster Home Quality: 70
Administrative Functions: 70
Number of abuse/neglect allegations: 1 99

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total score = 240 divided by 3 (number of indicators) = 80 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

September 27, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: In Focus of Cleveland, Inc
Contract No.: CE1000017-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10-9/30/10

Service Description: In Focus of Cleveland, Inc was incorporated in 2002 to provide community based group care in three settings for boys 12 through 18. CFS principally uses this provider for teens with treatment issues who for various reasons cannot be placed or have been unsuccessful in foster care.

Original Contract Amount: \$744,350.00
Amendment amount:

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, adequacy of services provided and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children in placement:	10
Number of Substantiated CAN:	0
Quality of Program:	70
Administrative Functions:	60

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total rating = 230 divided by three (number of indicators) = 76.66.

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: **Parenthesis Family Advocates** Contract Period: **1/1/2010 -12/31/2010**
Contract No.: **CE100023-01** Evaluation Period: **1/1/2010-9/17/2010**

Service Description: Parenthesis Family Advocates, founded in 1983, provides treatment foster care, adoption and post-adoptive services. Bases in Columbus, Ohio, it has recently expanded to include homes in Cuyahoga County.

Original Contract Amount: \$390,100.0
Amendment Amount:

Performance Indicators: 1) rating of the quality of the program including foster home recruitment activities, training, and overall maintenance and quality of homes; 2) rating of administrative functions, including level of cooperation, timeliness of submission of quarterly reports, homestudies, reporting of incidents, access to appropriate staff, attendance at SAR's, other staffings; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 11	
Foster Home Quality:	70
Administrative Functions:	70
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total score = 240 divided by 3(number of indicators) = 80 (Above Average)

Cuyahoga County Dept. of Children and Family Services
User Department

September 17, 2010
Date

CONTRACT EVALUATION FORM
(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: The Village Network
Contract No.: CE100024-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 9/30/10

Service Description: The Village Network, formerly Boys' Village Inc. was founded in 1946 as a residential facility for teen boys. It has since expanded to provide foster care, day treatment and alternative school programs. CFS contracts for mental health, substance abuse, sex offender residential programs, and traditional and treatment foster care. They operate a Cleveland regional office with approximately 25 homes.

Original Contract Amount: \$2,057,400.00
Amendment Amount:

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, adequacy of services provided and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served:	45	
Number of CAN allegations:	1	Number indicated/substantiated: 0 80
Quality of Foster Care Program:		60
Quality of Residential Program:		60
Quality of Administrative Functions:		60

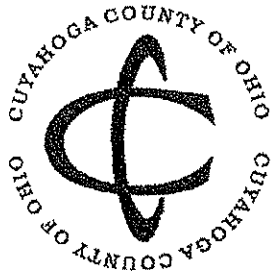
Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total score = 260 divided by 4 (number of indicators) = 65 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	HOUSE OF NEW HOPE
Vendor's Legal Address	8135 MT. VERNON RD, ST. LOUISVILLE OH 43071
Primary Owner	BOARD OF TRUSTEES (SOIC3)
Title	

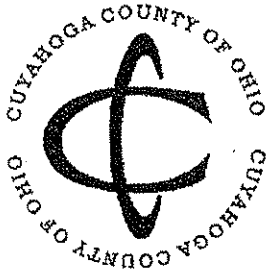
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	IN Focus of Cleveland, Inc.
Vendor's Legal Address	19008 Nottingham Rd, Cleveland Oh 44110
Primary Owner	Barlene G. White
Title	Executive Director

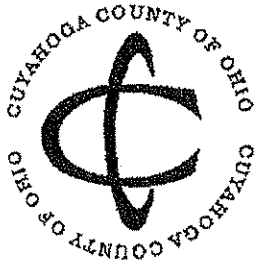
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Parenthesis Family Advocates
Vendor's Legal Address	6500 Taylor Road SW, Reynoldsburg, OH 43068
Primary Owner	Arlene Dawley
Title	Executive Director

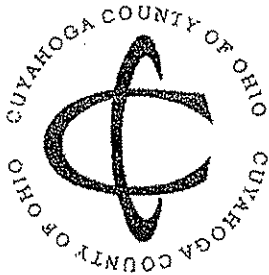
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	The Village Network
Vendor's Legal Address	PO Box 518, Smithville OH 44677
Primary Owner	JAMES T. MILLER
Title	EXECUTIVE DIRECTOR

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

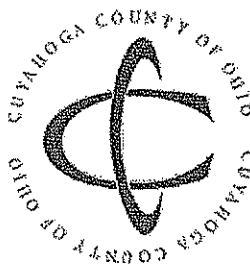
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

R2011-0063

NOVUS AGENDA



Item Details:

Agency/Dept. Name:	Department of Children and Family Services	Agency/Dept. Head Name:	Deborah Forkas
Type of Request:	Contract/Amendment		
Request Prepared by:	Gregory E. Jones	Telephone No.:	(216) 881-4495
SUMMARY OF REQUESTED ACTION:			
<p>The Department of Children and Family Services (CFS) is requesting authorization from the Board of Cuyahoga County (BOCC) to enter into contracts with various community-based providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.</p>			
<p>S.T.A.R.T- Support To At-Risk Teens + \$851,250.00 Pathway Caring For Children + \$219,750.00 National Youth Advocate Program, Inc. + \$921,450.00</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
<p>The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.</p> <p>These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.</p> <p>To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.</p> <p>Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.</p>			

Principal Owner(s):

S.T.A.R.T- Support To At-Risk Teens: Non-Profit Corporation - Mark W. Brauer, Executive Director

Pathway Caring For Children: Non-Profit Corporation - Gregg Umberger, Chief Financial Officer

National Youth Advocate Program, Inc.: Non-Profit Corporation - George E. Biggs, Director of Contract Management

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source: Explanation:

Other Health and Human Services Levy

Total Amount Requested:

\$1,992,450.00

ATTACHMENTS:

Click to download

- [2011 S.T.A.R.T Support to At Risk Teens FR-DMA-CC](#)
- [2011 S.T.A.R.T Support to At Risk Teens W-9](#)
- [S.T.A.R.T. Support To At-Risk Teens Principle Owner](#)
- [S.T.A.R.T-2010-renewal Evaluation](#)
- [2011START History Log](#)
- [2011START Sec of State](#)
- [2011 Pathway Caring for Children FR-DMA-CC](#)
- [2011 Pathway Caring for Children W-9](#)
- [2011 Pathway Caring for Children Principle Owner](#)
- [PathwayCaringforChilden-2110-renewal Evaluation](#)
- [2011-Pathway Caring for Children History Log](#)
- [2011Pathway Caring for Children Sec of State.pdf](#)
- [2011 National Youth Advocate Program, Inc FR-DMA-CC](#)
- [2011 National Youth Advocate Program, Inc W-9](#)
- [2011 National Youth Advocate Program, Inc. Principle Owner](#)
- [NationalYouthAdvocateProgram,Inc-2010-renewal-evaluation](#)
- [2011NYAPHHistoryLog](#)

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: National Youth Advocate Program, Inc
Contract No.: CE1000053-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 10/6/10

Service Description: National Youth Advocate Program, Inc., formerly the Ohio Youth Advocate Program (OYAP), was founded in 1978. The national organization operates programs in six other states besides Ohio. OYAP has approximately 200 homes throughout Ohio, including approximately thirty in Cuyahoga County. CFS contracts for traditional and three levels of specialized foster care.

Original Contract Amount: \$1,227,900.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 43	
Foster Home Quality:	50
Administrative Functions:	60
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total score = 210 divided by 3 (number of indicators) = 70 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

**BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM**

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Pathway Caring for Children Contract Period: 1/1/10 - 12/31/10
Contract No.: CE1000018-10 Evaluation Period: 1/1/10 - 10/6/10

Service Description: Pathway Caring for Children was incorporated in 1973 to provide group home services for teen boys. They expanded to include foster care in 1979, and since then has developed treatment level foster care and adoption services. CCDCFS primarily uses this provider for foster care, with one child placed in the group home.

Original Contract Amount: \$323,400.00

Performance Indicators: 1) rating of the quality of the program including foster home recruitment activities, training, and overall maintenance and quality of homes; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children being served: 10	
Foster Home Quality:	60
Administrative Functions:	60
Number of abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total Rating = 220 divided by 3 (number of indicators) = 73 (above average)

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

**BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT EVALUATION FORM**

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: S.T.A.R.T. – Support to At-Risk Teens Contract Period: 1/1/10 - 12/31/10
Contract No.: CE1000026-10 Evaluation Period: 1/1/10- 10/6/10

Service Description: S.T.A.R.T – Support to At-Risk Teens, formerly Lutheran Metropolitan Ministry, was founded in 1969. The organization serves populations primarily in Cuyahoga County. Their programs include criminal justice, employment services for the disabled, guardianship and ombudsman services for the elderly and indigent, and support services for at-risk youth. CFS contracts for short-term emergency shelter (14 to 30 days) and cluster and scattered site independent living programs for older teens. This evaluation focuses on the independent living programs.

Original Contract Amount: \$1,180,000.00
Amendment Amount:

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, adequacy of services provided and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 34	
Number of children served in IL program: 37	
Number substantiated: 0	100
Quality of Residential Program:	60
Quality of Administrative Functions:	50

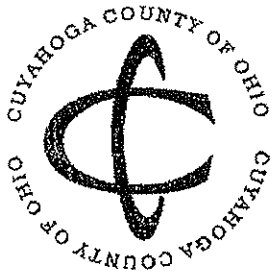
Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total score = 210 divided by 3 (number of indicators) = 70 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	NATIONAL YOUTH ADVOCATE PROGRAM, INC.
Vendor's Legal Address	1801 Watermark Drive, Suite 200, Columbus, Ohio 43215
Primary Owner	Board of Directors
Title	

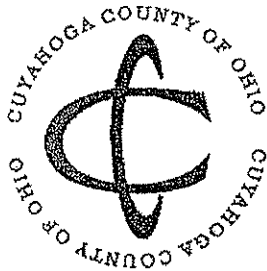
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Pathway Caring for Children
Vendor's Legal Address	6370 Wise Ave NW Canton, OH 44720
Primary Owner	Board of Directors
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	S.T.A.R.T – Support To At-Risk Teens
Vendor's Legal Address	1468 W. 25 th Street, Cleveland, OH 44113
Primary Owner	Mark W. Brauer , Non- Profit
Title	Executive Director

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

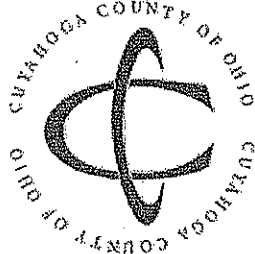
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

R2011-0063

Novus AGENDA



Item Details:

Agency/Dept. Name:	Department of Children and Family Services	Agency/Dept. Head Name:	Deborah Forkas
Type of Request:	Contract/Amendment		
Request Prepared by:	Gregory E. Jones	Telephone No.:	(216) 881-4495

SUMMARY OF REQUESTED ACTION:

The Department of Children and Family Services (CFS) is requesting authorization from the Board of Cuyahoga County (BOCC) to enter into contracts with various community-based providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.

- Options For Families and Youth + \$1,164,000.00**
- The Bair Foundation + \$1,498,125.00**
- Pressley Ridge + \$1,526,250.00**
- The Twelve of Ohio, Inc. + \$945,000.00**
- SAFY + \$2,687,250.00**

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.

These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.

To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.

Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.

Principal Owner(s):

Options For Families and Youth - Non-Profit Corporation - Michael D. Rush, Executive Director

The Bair Foundation - Non-Profit Corporation - Susan J. Miklos, Executive Director

Pressley Ridge - Non-Profit Corporation -Susanne Cole, COO

The Twelve of Ohio, Inc.,- Non-Profit Corporation -John D. Storia, Executive Director

SAFY - Non-Profit Corporation - Linda Uebel, President-SAFY of Ohio

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source: Explanation:

Other

Health and Human Services Levy

Total Amount Requested:

\$7,820,625.00

ATTACHMENTS:

Click to download

- [2011 Options for Families and Youth FR-DMA-CC](#)
- [2011 Options for Families and Youth W-9](#)
- [2011 Options for Families and Youth Principle Owner](#)
- [2011 Options for Families and Youth Secretary of State Certificate](#)
- [OptionsEval Revised](#)
- [2011 The Bair Foundation FR-DMA-CC](#)
- [2011 The Bair Foundation W-9](#)
- [2011 The Bair Foundation Principle Owner](#)
- [2011 The Bair Foundation Secretary of State Certificate](#)
- [TheBairFoundation2010-renewal Eval](#)
- [2011 The Bair Foundation History Log](#)

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Options for Families and Youth
Contract No.: CE1000055-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 10/6/10

Service Description: Options for Families and Youth (OFY) is a nonprofit organization providing traditional and specialized levels of foster care as well as adoption and early start services. OFY has approximately 50 homes in Cuyahoga County.

Original Contract Amount: \$1,500,000.00
Amendment Amount: \$60,000.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 68	
Foster Home Quality:	80
Administrative Functions:	50
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total score = 230 divided by 3 (number of indicators) = 76 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for
all contract renewals or amendments.)

Contractor: Pressley Ridge
Contract No.: CE1000197-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 9/27/10

Service Description: Pressley Ridge was founded in 1969 in Pittsburgh, Pennsylvania. With the development of its therapeutic foster care model, called PRYDE, in the 1980's, Pressley Ridge expanded services to other states including Ohio. Pressley Ridge operates three sites in Ohio, one of them being Cleveland, which now consists of a therapeutic foster care network of approximately thirty homes.

Original Contract Amount: \$2,102,500.00

Performance Indicators: 1) rating of the quality of the program including foster home recruitment activities, training, and overall maintenance and quality of homes; 2) rating of administrative functions, including level of cooperation, timeliness of submission of quarterly reports, homestudies, reporting of incidents, access to appropriate staff, attendance at SAR's other staffings; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 40	
Foster Home Quality:	50
Administrative Functions:	55
Number of substantiated abuse/neglect allegations: 0	80

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total score = 185 divided by 3(number of indicators) = 62

Cuyahoga County Dept. of Children and Family Services
User Department

September 27, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: **Specialized Alternatives for Families & Youth of Ohio, Inc.**

Contract Period: ~~1/1/10 - 12/31/10~~

Contract No.: ~~CE1000019-01~~

Evaluation Period: ~~1/1/10 - 10/4/10~~

Service Description: Specialized Alternatives for Families and Youth of Ohio (SAFY) was founded in 1984. Today SAFY provides traditional and treatment level foster care services, adoption, in-home crisis counseling, and independent living services. It also offers foster care services for specialized populations such as medically fragile and MR/DD children. SAFY has programs in eight states including homes throughout Ohio.

Original Contract Amount: ~~\$3,697,200.00~~

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served:	95	
Foster Home Quality:		60
Administrative Functions:		60
Number of substantiated abuse/neglect allegations:	1	80

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: Total score = 200 divided by 3 (number of indicators) = 77 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: The Bair Foundation
Contract No.: CE100056-10

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 10/6/10

Service Description: The Bair Foundation, founded in 1967 in New Wilmington Pennsylvania, now operates in six states. It has homes in nineteen counties in Ohio, with six homes in Cuyahoga County. Services include case management, crisis intervention, counseling, independent living, and adoption.

Original Contract Amount: \$1,660,720.00

Performance Indicators: 1) rating of the quality of the program including foster home recruitment activities, training, and overall maintenance and quality of homes; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served:	65
Foster Home Quality:	60
Administrative Functions:	60
Number of substantiated abuse/neglect allegations:	0
	100

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total score = 220 divided by 3 (number of indicators) = 73 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 6, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: The Twelve of Ohio, Inc.
Contract No.: CE1000057-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 09/27/10

Service Description: The Twelve of Ohio, Inc. originally founded in 1965, has been providing residential services for adolescent boys since 1971. Today the organization also provides residential services for sex offender treatment, four levels of foster care, independent living and adoption services. CFS contracts for all services.

Original Contract Amount: \$1,231,700.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, adequacy of services provided and appropriate length of stay; 2) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication; and 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Performance versus performance indicators:

Number of children currently being served: 52

Quality of Residential Program: 65

Quality of Administrative Functions: 65

Number of abuse/neglect allegations: 0 Number substantiated: 0 100

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: Total score (230) divided by number of measures (3) = 77 which is above average.

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Options for Families and Youth
Vendor's Legal Address	5131 West 140th Street, Brook Park, Ohio 44142
Primary Owner	Michael D. Rush, LISW-S
Title	Executive Director

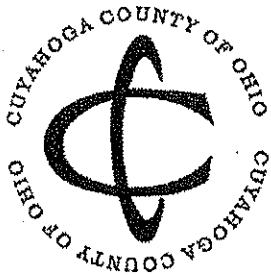
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

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Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



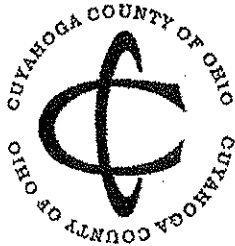
MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Pressley Ridge
Vendor's Legal Address	23701 Miles Avenue Cleveland, OH 44128
Primary Owner	N/A – Non-Profit Corporation
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Specialized Alternatives for Families and Youth of Ohio, Inc. dba as SAFY of Ohio (SAFY)
Vendor's Legal Address	10100 Elida Road, Delphos, OH 45833
Primary Owner	N/A - Non Profit Corporation Officer - Linda Uebel
Title	President - SAFY of Ohio

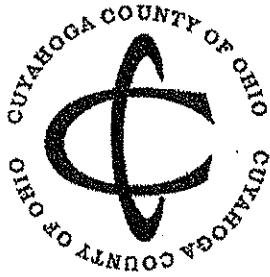
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	<i>THE BAIR FOUNDATION IS A NON-PROFIT CORPORATION</i>
Vendor's Legal Address	<i>THERE ARE NO OWNERS</i>
Primary Owner	
Title	

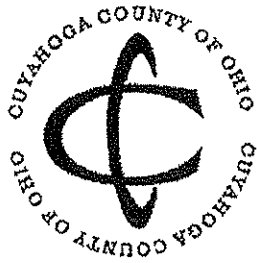
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	<i>N/A</i>
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

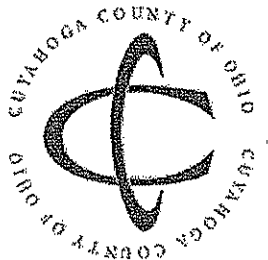
PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	The Twelve of Ohio, Inc.
Vendor's Legal Address	619 Tremont Ave. SW - PO Box 376 Massillon, OH 44648
Primary Owner	N/A - Non-Profit Corporation
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

R2011-0063



Item Details:

Agency/Dept. Name: Department of Children and Family Services
Agency/Dept. Head Name: Deborah Forkas

Type of Request: Contract/Amendment

Request Prepared by: Christian E. Hofstetter
Telephone No.: (216) 881-2018

SUMMARY OF REQUESTED ACTION:

The Department of Children and Family Services (CFS) is requesting authorization from the Board of Cuyahoga County (BOCC) to enter into contracts with various community-base providers of Placement Services, for the period January 1, 2011 to September 30, 2011 in the amounts as follows. Community-based residential services provider agencies serves the Department of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.

- Bellefaire Jewish Children's Bureau + \$3,600,000.00**
- Catholic Charities Services Corporation + \$4,357,500.00**
- The Cleveland Christian Home + \$2,437,500.00**

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The Cuyahoga County Department of Children and Family Services (CFS) is requesting authorization to contract with various agencies providing placement services.

These agreements are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.

To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.

Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.

Principal Owner(s):

**Bellefaire Jewish Children's Bureau - Non-Profit Corporation - Adam G. Jacobs,
President**

**Catholic Charities Services Corporation - Non-Profit Corporation - Maureen Dee,
Executive Director**

The Cleveland Christian Home - Non-Profit Corporation - David J. Lundeen, CEO

Explanation for late submittal:

Posting of 2011 Budget

Contract/Agreement Information:

Procurement Method:

Exempt from Competitive Bid Requirements

Explanation for Increase/Decrease in \$ Amount for current request:

Utilization

Financial Information:

Funding source: Explanation:

Other Health and Human Services Levy

Total Amount Requested:

\$10,395,000.00

ATTACHMENTS:

Click to download

- [2011 Bellefaire Jewish Childrens Home FR-DMA-CC](#)
- [2011 Bellefaire Jewish Childrens Home W-9](#)
- [2011 Bellefaire Jewish Childrens Home Principle Owner](#)
- [Bellefaire.JCBSecofStateCertificate](#)
- [Bellefaire.JCB-2010-renewal-evaluation](#)
- [Bellefaire History Revised](#)
- [2011 Catholic Charities Service Corp FR-DMA-CC](#)
- [2011 Catholic Charities Service Corp W-9](#)
- [2011 Catholic Charities Service Corp Principle Owner](#)
- [CatholicCharitiesServicesCorp.\(Parmadale\)SecofStateCertificate](#)
- [2011CatholicCharHistoryLog](#)
- [Eval Revised](#)
- [2011 The Cleveland Christian Home FR-DMA-CC](#)
- [2011 The Cleveland Christian Home W9](#)
- [2011 The Cleveland Christian Home Principle Owner](#)
- [ClevelandChristianHomeSecofStateCertificate](#)
- [TheClevelandChristianHome-2010-renewal-evaluation](#)
- [2011_Cleveland Christian Home_History Log](#)
- [County Administrator's Exemption Memo](#)
- [DIRECT DEPOSIT LIST](#)

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: Bellefaire JCB
Contract No.: CE1000029-01

Contract Period: 1/1/10 - 12/31/10
Evaluation Period: 1/1/10- 9/27/10

Service Description: Bellefaire JCB, founded in 1868 as a Jewish orphanage has grown to a multi-service agency that provides residential treatment, traditional and treatment foster care, in-home counseling services, adoption services, independent living programs, and multi-site community clinics.

Original Contract Amount: \$5,474,194.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of foster home quality, including recruitment activities, training, and overall maintenance and quality of homes; 3) rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 4) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 69	
Program Quality:	60
Foster Home Quality:	60
Administrative Functions:	60
Number of substantiated abuse/neglect allegations: 0	100

Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating:

The total score of 280 divided by 4 (the number of measures) = 70 Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

September 27, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: Catholic Charities Services Corporation

Contract Period: 1/1/10 - 12/31/10

Contract No.: CE1000031-01

Evaluation Period: 1/1/10-9/30/10

Service Description: Catholic Charities Services Corporation/Parmadale is a multi-service organization offering a complete array of human services including residential, foster care, adoptive, and in-home services. Residential services are provided at the Parmadale location. Founded in 1925, Parmadale has grown from a home for orphaned and dependent children to a facility offering specialized programs for children with emotional, behavioral and developmental issues. CFS contracts for all residential services, which includes approximately seventy five foster homes, principally in Cuyahoga County.

Original Contract Amount: \$7,328,500.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) rating of foster home quality, including recruitment activities, training, and overall maintenance and quality of homes; 3)rating of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication, cooperation and participation with CFS; and 4) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 101	
Program Quality:	50
Foster Home Quality:	60
Administrative Functions:	50
Number of substantiated abuse/neglect allegations: 2	100

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating:

Total Score of 260 divided by 4 (the number of measures) = 65 Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date

CONTRACT EVALUATION FORM

(To be completed in its entirety by user department for all contract renewals or amendments.)

Contractor: Cleveland Christian Home
Contract No.: CE1000043-01

Contract Period: 1/1/10 – 12/31/10
Evaluation Period: 1/01/10- 9/30/10

Service Description: The Cleveland Christian Home, founded in 1903, has evolved from an orphanage to a multi-service organization providing residential services, adoption, community based, and in-home programs. CCDCFs currently contracts for residential, family preservation, and adoption services.

Original Contract Amount: \$3,605,000.00

Performance Indicators: 1) rating of the quality of the program including assessment of safety of environment, quality of services provided, ability to obtain stated outcomes, and appropriate length of stay; 2) and, 3) the number and percentage of unsubstantiated reports of abuse or neglect compared to the total number of finalized allegations during the evaluation period.

Actual performance versus performance indicators:

Number of children currently being served: 57	
Program Quality:	60
Administrative Functions:	50
Number of substantiated abuse/neglect allegations: 1	100

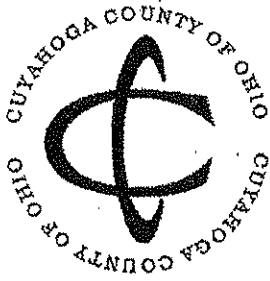
Rating of Overall Performance of Contractor (Check One):

Superior
 Above Average
 Average
 Below Average
 Poor

Justification of Rating: The total score (210) divided by the number of measures (3) = 70 – Above Average

Cuyahoga County Dept. of Children and Family Services
User Department

October 4, 2010
Date



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Bellefaire Jewish Children's Bureau
Vendor's Legal Address	22001 Fairmount Boulevard, Shaker Hts., Ohio 44118-4819
Primary Owner	N/A - non-profit
Title	

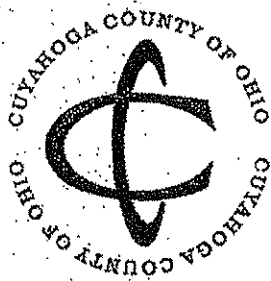
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



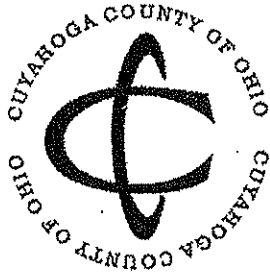
MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	CATHOLIC CHARITIES SERVICES CORPORATION
Vendor's Legal Address	7911 DETROIT AVENUE, CLEVELAND, OHIO 44102
Primary Owner	MAUREEN DEE
Title	EXECUTIVE DIRECTOR
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	
Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	The Cleveland Christian Home, Inc.
Vendor's Legal Address	2202 Prame Avenue, Cleveland, OH 44109
Primary Owner	David J. Lundeen , Non- Profit
Title	CEO

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

Vendor's Legal Name	
Vendor's Legal Address	
Primary Owner	
Title	

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0064

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing the County Executive to enter into a contract (No. CE1100126-01) with DiGioia-Suburban Excavating, LLC, in the amount not-to-exceed \$2,308,050.00 for Dewey Road Pump Station, Force Main and Tributary Sewer, located in the City of Brecksville, County Sewer District No. 13, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the Department of Public Works/Division of Sanitary Engineering is eliminating the Echo Hills Wastewater Treatment Plant in order to stop effluent discharge to waste waters of the State of Ohio; and,

WHEREAS, the project entails construction of the Dewey Road Pump Station, force main and gravity sanitary sewers and demolition of the existing treatment facility; and,

WHEREAS, on November 18, 2010, the former Board of County Commissioners for Cuyahoga County had approved contract No. CE1100126-01 with DiGioia-Suburban Excavating, LLC, in the amount of \$2,308,050.00; and,

WHEREAS, the Division of Sanitary Engineering found DiGioia-Suburban Excavating, LLC, to be the lowest qualified bidder and that the company submitted all necessary documentation per the proposal, plans and specifications; and,

WHEREAS, the project is being financed by a loan from the Water Pollution Control Loan Fund, to be repaid through User Sewer District Fees.

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

SECTION 1. That the County Executive is authorized to enter into a contract with DiGioia-Suburban Excavating, LLC, (RQST-10-18269) in the amount not to exceed \$2,308,050.00 for the Dewey Road Pump Station, force main and tributary sewer, located in the City of Brecksville, County Sewer District No. 13 for the Department of Public Works (as previously authorized by Resolution No. 105006 dated November 18, 2010).

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

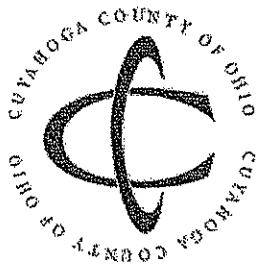
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0064

NOVUS AGENDA



Item Details:

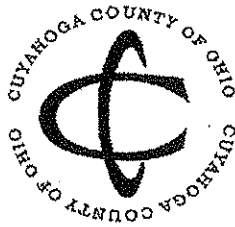
Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Robert C. Klaiber Jr.,
Type of Request:	Submission of Awarded Contract		
Request Prepared by:	Rana Sakr	Telephone No.	(216) 443-8199
SUMMARY OF REQUESTED ACTION:			
The attached awarded contract(s) by Resolution No.105006 dated November 18, 2010. The following contracts are being submitted for signature for the Dewey Road Pump Station, Force Main and Tributary Sewer, in the City of Brecksville, Ohio Sewer District No. 13			
1) Contract No. ST _____ with Digioia-Suburban Excavating, LLC., in the amount of \$ 2,308,050.00			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Signature Only			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:
Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source:	Explanation:
State	It is being financed by a loan from the Water Pollution Control Loan Fund (WPCLF), and the City Of Brecksville.
Total Amount Requested:	
\$	



Multiple Vendor Principal Owner (s) Identification Sheet

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	DIGIOIA - SUBURBAN EXCAVATING, LLC
Primary Owner	NICK DIGIOIA
Title	VICE PRESIDENT

Vendor's Legal Name	DIGIOIA - SUBURBAN EXCAVATING, LLC
Primary Owner	TERRY MONNOLEY
Title	PRESIDENT

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Clerk of Council
 1219 Ontario Street, Cleveland, Ohio 44113 (216) 443-7184, FAX (216) 348-4051
 Ohio Relay Service (TTY) 1-800-750-0750

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0065

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing the County Executive to enter into a contract (No. CE1100128-01) with Fabrizi Trucking & Paving Company, Inc., in the amount of \$463,115.00 for replacement of sanitary sewers in North Granger Road, located in the City of Garfield Heights, County Sewer District No. 9, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Department of Public Works/Division of Sanitary Engineering has determined that existing sanitary sewers on North Granger Road in the City of Garfield Heights, Ohio, County Sewer District 9, are undersized and need to be replaced and that, during rain events, surface flooding in the tributary area is caused by these undersized sewers; and,

WHEREAS, on November 18, 2010, the former Board of County Commissioners for Cuyahoga County had approved contract No. CE1100128 with Fabrizi Trucking and Paving Company, Inc. in the amount of \$463,155.00; and,

WHEREAS, the Division of Sanitary Engineering found Fabrizi Trucking and Paving Company, Inc., to be the lowest qualified bidder and that the company submitted all necessary documentation per the proposal, plans and specifications; and,

WHEREAS, the project is being financed by a loan from the Water Pollution Control Loan Fund, to be repaid through User Sewer District Fees.

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

SECTION 1. That the County Executive is authorized to enter into a contract with Fabrizi Trucking and Paving Company, Inc. (RQ ST-10-17968) in the amount not to exceed \$463,115.00 for the replacement of sanitary sewers on North Granger Road in the City of Garfield Heights, County Sewer District 9, for the Department of Public Works (as previously authorized by (as previously authorized by Resolution No. 105005 dated November 18, 2010).

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

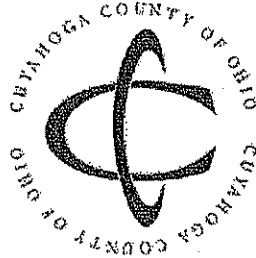
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0065

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Robert C. Klaiber Jr.,
Type of Request:	Submission of Awarded Contract		
Request Prepared by:	Rana Sakr	Telephone No.	(216) 443-8199
SUMMARY OF REQUESTED ACTION:			
The attached awarded contract(s) by Resolution No. 105005 dated November 18, 2010. The following contracts are being submitted for signature for the Replacement of Sanitary Sewers in North Granger Road , in the City of Garfield Heights, Ohio Sewer District No. 9			
1) Contract No. ST_____with Fabrizi Trucking & Paving Company, Inc., in the amount of \$ 463,115.00			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Signature Only			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:
Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source:	Explanation:
State	It is being financed by a loan from the Water Pollution Control Loan Fund (WPCLF), to be repaid by User Sewer District Fees.
Total Amount Requested:	
\$ 463,115.00	



Multiple Vendor Principal Owner (s) Identification Sheet

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Fabrizi Trucking + Paving Co INC.
Primary Owner	Emil Fabrizi JR
Title	President

Vendor's Legal Name	Fabrizi Trucking + Paving Co INC
Primary Owner	Patricia A Fabrizi
Title	Treasurer

Vendor's Legal Name	Fabrizi Trucking + Paving Co INC.
Primary Owner	Maria Fearer
Title	Vice President

Vendor's Legal Name	Fabrizi Trucking + Paving Co INC.
Primary Owner	FRANK Fabrizi
Title	Stockholder

Vendor's Legal Name	Fabrizi Trucking + Paving Co INC.
Primary Owner	Patricia M. Fabrizi
Title	Stockholder.

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) **M2011-0007**: A Motion adopting permanent Rules of Cuyahoga County Council.

Sponsors: Miller, Greenspan, Conwell, Jones and Rogers

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

- a) **O2011-0008**: An Ordinance adopting permanent Code of Ethics.

Sponsors: Greenspan, Miller and Conwell

11. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) **R2011-0002**: A Resolution opposing House Bill No. 3 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to repeal the estate tax for the estates of individuals dying on or after 1/1/2011.

Sponsor: Conwell, Miller and Germana

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

- a) **R2011-0042**: A Resolution authorizing the County Executive to enter into an agreement of cooperation with City of North Royalton for reconstruction of Royalton Road, with additional turning lanes, from West 130th Street to York Road, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- b) **R2011-0043**: A Resolution authorizing the Department of Purchasing to issue Addendum No. 1 to the specifications on RQ18868 for the County Courthouse Americans with Disabilities Act Improvements Project, to make technical changes and to change the bid due date from 1/11/2011 to 2/14/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- c) **R2011-0044**: A Resolution 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 \$229,442.31 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- d) R2011-0045: A Resolution 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 \$117,578.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- e) R2011-0046: A Resolution accepting the construction of County Improvement No. 1406, Cook Road/MacKenzie Road Sanitary Sewer in Olmsted Township, County Sewer District No. 14, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- f) R2011-0047: A Resolution accepting the construction of County Improvement No. 1319-02, Echo Hills Sanitary Sewer Force Main and Pump Station in the City of Brecksville, County Sewer District No. 13, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- g) R2011-0048: A Resolution accepting the construction of County Sewer Improvement No. 3-TA-1, Thornapple Pump Station Relocation, in the Village of Mayfield, County Sewer District No. 3, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- h) **R2011-0049:** A Resolution declaring the necessity to construct, maintain, operate and repair the Stumph Road Sewer Improvement, located in the City of Parma Heights, County Sewer District No. 1; authorizing the Director of the Department of Public Works and the County Engineer/Sanitary Engineer to negotiate with a property owner for the acquisition of a permanent sewer easement in connection with said improvement, in accordance with Ohio Revised Code Section 6117.39, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- i) **R2011-0050:** A Resolution making an award on RQ18532 and authorizing the County Executive to enter into a contract with C & K Industrial Services, Inc. in the amount of \$704,200.00 for inspecting, cleaning and repairing sanitary sewers located in various County Sewer Districts for the period 1/1/2011 - 12/31/2012, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- j) **R2011-0051:** A Resolution authorizing the County Executive to prepare an amendment (Change Order No. 2) to Contract No. CE1000410-01 with The R.J. Platten Contracting Co. for construction of the Quincy Parking Lot in connection with the Cuyahoga County Juvenile Justice Center Project to approve pending Construction Change Directives; to increase the Unforeseen Conditions Cash Allowance amount from \$223,617.78 to \$391,335.90 and for additional funds in the amount of \$167,718.12, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- k) **R2011-0052:** A Resolution approving an amendment to a collective bargaining agreement with Cleveland Building and Construction Trades Council, covering 88 employees in 16 classifications in the Department of Public Works/Department of Central Services for the period 7/1/2009 - 6/30/2012, by changing Article 31: Wages, effective 7/1/2010, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Resources/Labor Relations Division

- l) **R2011-0053**: A Resolution approving an amendment to a collective bargaining agreement with Ohio and Vicinity Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America, covering 9 employees in 2 classifications in the Department of Public Works/Department of Central Services for the period 7/1/2009 - 6/30/2012, to change Article 31: Wages, effective 7/1/2010, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Resources/Labor Relations Division

- m) **R2011-0054**: A Resolution amending the 2011 Annual Appropriation Measure by providing 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/Office of Budget & Management

- n) **R2011-0055**: A Resolution accepting the installation of emergency generators at the Brooklyn and Rocky River Adult Activities Centers as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Cuyahoga County Board of Developmental Disabilities

- o) **R2011-0056**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0400154-03 with dck North America, LLC, for construction management and construction support services to assign the interest to Hill International, Inc., effective 7/6/2010; no additional funds required, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- p) **R2011-0057**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0700741-03 with dck North America, LLC, for construction inspection services for various County projects for the period 7/1/2007 - 9/30/2010 to assign the interest to

Hill International, Inc., effective 7/6/2010; no additional funds required, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- q) **R2011-0058**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE08166-01 with Euthenics, Inc. for consultant services for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma to change the scope of services, effective 11/3/2010, and for additional funds in the amount not-to-exceed \$229,442.31, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- r) **R2011-0059**: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900324-01 with CH2M Hill, Inc. for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn to change the scope of services, effective 2/8/2011, and for additional funds in the amount not-to-exceed \$117,578.00, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- s) **R2011-0060**: A Resolution authorizing the Common Pleas Court/Corrections Planning Board to enter into a contract with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$593,465.00 for residential substance abuse treatment services for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Common Pleas Court/Corrections Planning Board

- t) **R2011-0061**: A Resolution authorizing the County Executive to enter into a contract with Starting Point in the amount not-to-exceed \$1,832,782.00 for administration of the Special Needs Child Care Program for the Invest in Children Program for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Early Childhood

- u) **R2011-0062**: A Resolution authorizing the County Executive to enter into a contract with Adoption Network Cleveland in the amount not-to-exceed \$315,000.00 for child-centered recruitment services for the Adopt Cuyahoga's Kids Initiative for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Services/Department of Children & Family Services

- v) **R2011-0063**: A Resolution authorizing the County Executive to enter into contracts with various providers for placement services for the period 1/1/2011 - 9/30/2011, and declaring the necessity that this Resolution become immediately effective:
- 1) BHC Belmont Pines Hospital, Inc. in the amount not-to-exceed \$510,000.00.
 - 2) Alliance Human Services, Inc. in the amount not-to-exceed \$2,362,500.00.
 - 3) Christian Children's Home of Ohio, Inc. in the amount not-to-exceed \$510,000.00.
 - 4) Continue Life in the amount not-to-exceed \$215,625.00.
 - 5) Applewood Centers, Inc. in the amount not-to-exceed \$1,286,250.00.
 - 6) Beech Brook in the amount not-to-exceed \$3,825,000.00.
 - 7) Berea Children's Home in the amount not-to-exceed \$4,350,000.00.
 - 8) House of New Hope in the amount not-to-exceed \$845,250.00.
 - 9) In Focus of Cleveland, Inc. in the amount not-to-exceed \$517,500.00.
 - 10) Parenthesis Family Advocates, Incorporated in the amount not-to-exceed \$279,000.00.
 - 11) The Village Network in the amount not-to-exceed \$1,395,000.00.
 - 12) National Youth Advocate Program, Inc. in the amount not-to-exceed \$921,450.00.
 - 13) Pathway Caring for Children in the amount not-to-exceed \$219,750.00.
 - 14) START - Support To At-Risk Teens in the amount not-to-exceed \$851,250.00.
 - 15) Options for Families and Youth in the amount not-to-exceed \$1,164,000.00.
 - 16) Pressley Ridge in the amount not-to-exceed \$1,526,250,000.00.
 - 17) Specialized Alternatives for Families & Youth of Ohio, Inc. in the amount not-to-exceed \$2,687,250.00.
 - 18) The Bair Foundation in the amount not-to-exceed \$1,498,125.00.

- 19) The Twelve of Ohio, Inc. in the amount not-to-exceed \$945,000.00.
- 20) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$3,600,000.00.
- 21) Catholic Charities Services Corporation (Parmadale) in the amount not-to-exceed \$4,357,500.00.
- 22) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$2,437,500.00.

Sponsor: County Executive FitzGerald/Department of Human Services/Department of Children & Family Services

- w) **R2011-0064:** A Resolution authorizing the County Executive to enter into a contract (No. CE1100126-01) with DiGioia-Suburban Excavating, LLC, in the amount not-to-exceed \$2,308,050.00 for Dewey Road Pump Station, Force Main and Tributary Sewer, located in the City of Brecksville, County Sewer District No. 13, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- x) **R2011-0065:** A Resolution authorizing the County Executive to enter into a contract (No. CE1100128-01) with Fabrizi Trucking & Paving Company, Inc., in the amount of \$463,115.00 for replacement of sanitary sewers in North Granger Road, located in the City of Garfield Heights, County Sewer District No. 9, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

13. MISCELLANEOUS COMMITTEE REPORTS

14. MISCELLANEOUS BUSINESS

15. PUBLIC COMMENT UNRELATED TO AGENDA

16. ADJOURNMENT

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2011-0005

SPONSORED BY: COUNCIL PRESIDENT CONNALLY

A Motion confirming the County Executive's appointment of Robert Reid upon his taking the oath of office as the Sheriff of Cuyahoga County.

WHEREAS, pursuant to Article III, Section 5.01 of the Charter of Cuyahoga County, each of the offices provided for in Article V shall be appointed by the County Executive, subject to the confirmation by Council; and

WHEREAS, Article V, Section 5.08 of the Charter provides for the office of the Sheriff of Cuyahoga County; and

WHEREAS, the County Executive has nominated Robert Reid for the appointment to the position of Sheriff of Cuyahoga County; and

WHEREAS, the Council has undergone review and scheduled a Confirmation Hearing which was noticed to the public and held in an open meeting on January 27, 2011; and

WHEREAS, the Council elects to confirm the County Executive's appointment of Robert Reid to the position of Sheriff; and

WHEREAS, pursuant to Cuyahoga Council Rule 7E(3), this Council, by a vote of at least seven (7) members, determines that this Motion be approved upon first consideration 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 Cuyahoga County government;

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

SECTION 1. That the appointment by the County Executive of Robert Reid upon his taking the oath of office as the Sheriff of Cuyahoga County is hereby confirmed by Council;

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.

SECTION 3. Pursuant to Cuyahoga Council Rule 7E(3), this Council, by a vote of at least seven (7) members, determines that this Motion be approved upon first consideration 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 Cuyahoga County government.

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

Journal CC001
February 8, 2011

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2011-0006

SPONSORED BY: SCHRON

A Motion designating nonprofit and educational organizations that are engaged in the promotion of economic development of the County who shall collectively select one member to the Economic Development Commission.

WHEREAS, Article VII 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 its residents; and

WHEREAS, in furtherance of that purpose, Section 7.01 of the Charter states that the County shall, as authorized by the Constitution of Ohio, general law, the Charter itself and enactments pursuant thereto, develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County as to create and preserve jobs and employment opportunities for and available to residents of the County; and

WHEREAS, Section 7.04 of the Charter calls for the creation of an Economic Development Commission and states that one member of the Commission shall be selected collectively by the nonprofit and educational organizations that are engaged in the promotion of economic development of the County, as shall be designated by Council; and,

WHEREAS, pursuant to Cuyahoga Council Rule 7E(3), this Council, by a vote of at least seven (7) members, determines that this Motion be approved upon first consideration 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 Cuyahoga County government;

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

SECTION 1. That the following non-profit and educational organizations that are engaged in the promotion of economic development of the County are hereby designated to collectively select one member of the Economic Development Commission of Cuyahoga County pursuant to Section 7.04 of the Charter: University Hospitals Case Medical Center, Manufacturing Advocacy & Growth Network, The George Gund Foundation, Cleveland State University and The Presidents' Council, LLC.

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.

SECTION 3. Pursuant to Cuyahoga Council Rule 7E(3), this Council, by a vote of at least seven (7) members, determines that this Motion be approved upon first consideration 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 Cuyahoga County government.

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

Journal CC001
February 8, 2011

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2011-0007

**SPONSORED BY: MILLER, GREENSPAN,
CONWELL, JONES AND ROGERS**

**A Motion of Council presented in the form of a resolution to adopt
permanent rules for the Cuyahoga County Council.**

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, the interim Rules of Council provide 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;

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

SECTION 1. Rules of Cuyahoga County Council. The Rules of Cuyahoga County Council are hereby adopted as follows:

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.

DEFINITIONS

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.

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.
3. "Agenda" means a list of all ordinances, resolution, 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.
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.
5. "Clerk" means the Clerk of Council.
6. "County" means Cuyahoga County.
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.
8. "Executive" means the Elected County Executive of Cuyahoga County as provided in Article 2 of the Charter.
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.
10. "Journal 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.
11. "Legislation" means any ordinance or resolution, including a Motion of Council or proclamation, 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.
12. "Matters" mean all legislation, parliamentary motions, agenda items, and requests to address Council.
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.

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

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.

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.

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.

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

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

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.

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: Member Rights

Members shall have equal status, privileges and rights, regardless of any position in the Council to which a member has been elected or appointed.

Rule 1C: 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 1D: 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 1E: Letters of Commendation and Condolence

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

2. OFFICERS OF COUNCIL

Rule 2A: Presentation of Candidates for Council Leadership

The Council shall provide candidates for President and Vice President an opportunity to present their candidacies to their colleagues and the public as follows:

(1) Prior to the Council meeting on the 4th Tuesday in November in each year in which a general election for Members of Council takes place, any Member or Member-Elect who will be a Member at the next Organizational Meeting and who wishes to participate in the public presentation of candidacies shall inform the Clerk of his/her intentions to be a candidate for President or Vice President of Council. At that same Council meeting, the Clerk shall announce the names of candidates who declared for President or Vice President.

(2) Within one week following the Council meeting on the 4th Tuesday in November, each candidate for President or Vice President shall submit a biography or resume to the Clerk, who shall post these materials on the County's website and distribute them to all Members or Members-Elect who will be Members at the next Organizational Meeting.

(3) On the 2nd Tuesday in December of the same year, at 5 PM, all Members who shall be Members at the next Organization Meeting shall meet in the regular Council Chambers to hear the presentations of the candidates for President and Vice President. For purposes of notice and open meetings requirements, this meeting shall be handled in the same way as a meeting of Council. The Clerk shall preside over the meeting. Each candidate shall be given three (3) minutes for presentation. After all the candidates for an office have been heard, time shall be provided for questions from the Members, with all questions being directed to all candidates for the same office. After the presentations have been completed, the Members may take an advisory vote on the offices, using the process outlined in Rule 2D, in order to enable the presumed winners for President and Vice President time to prepare for their leadership responsibilities; however, such vote shall not be binding on Members at the Organizational Meeting.

(4) In the event that the result of the General Election for any Member of Council is in dispute, the Council shall adjust the schedule for the presentation of candidates for President and Vice President to insure that the process follows the determination of the results of the General Election for Members of Council.

Rule 2B: 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 2C: 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 2D: 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 2E: 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 2F: 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 2G: 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 2D, except that a majority of those voting shall be sufficient for election.

Rule 2H: Council Officer Vacancy

If a vacancy occurs in the office of President, the Vice President shall become President Pro-Tem until the vacancy is filled. Not later than the second regular meeting after the vacancy occurs, the Clerk shall conduct an election for President, following the procedure set forth in Rule 2D. If the Vice-President is elected as President, the Clerk shall immediately conduct an election for Vice President, following the same procedure. If a vacancy occurs in the office of Vice-President, the President shall appoint a member as Vice-President Pro Tem until the vacancy is filled. Not later than the second regular meeting after the vacancy occurs, the Clerk shall conduct an election for Vice-President, following the procedure set forth in Rule 2D.

Rule 2I: Council Officers Entitled to Vote

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

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 and Council Committees, determine quorums, record the proceedings and the votes of each Member, and keep the journal 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) Publish all legislation as required by these Council Rules;
- (7) Publish the Journal of Council;
- (8) Conduct the election of Council officers;
- (9) Accept and provide the Chair of the applicable Committee or the President of Council with requests to address Council or a Committee of Council;
- (10) Any other duties that the Council determines are necessary for the performance of its duties.

Rule 3B: Other Council Personnel

The Council shall, by appropriate legislation, determine the number, job titles, classifications, compensation, and duties of such other personnel, either full time or part time staff, contractors or professional experts or other consultants on a retainer or contract bases, as are needed to properly perform the duties of Council as set forth in the Charter. In making such appointments or contracts, the President shall make recommendations to Council 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 to be reflective of all the people of Cuyahoga County.

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.

5. MEETINGS OF COUNCIL

Rule 5A: Schedule of Regular Council Meetings

No later than November 30th of each year, 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 calendar year.

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

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 twenty-four (24) hours notice in rescheduling any 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.

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 or 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. Only matters specified in the request may be considered at a Special Council Meeting. 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 meetings of Council. 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. Before a vote is taken to excuse the absence, the Member who was absent must file a written explanation with the Clerk, who shall provide a copy of the explanation to all Members. 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 Journal 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 expecting 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.

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) The Pledge of Allegiance to the flag of the United State of America
- (3) Silent meditation
- (4) Roll call
- (5) Public comment relating to today's agenda
- (6) Approval of minutes
- (7) Messages from the Executive
- (8) Consideration of proclamations
- (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.

7. ACTIONS OF COUNCIL

Rule 7A: Types of Council Action

The Council may take action only through ordinances, resolutions, proclamations, 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) All ordinances 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) All resolutions 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: Proclamations

(1) Proclamations are ceremonial acknowledgements, generally of congratulation or condolence, to recognize a noteworthy event or person.

(2) Proclamations shall be considered a form of resolution and 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 proclamations, 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.

(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 considered a form of resolution and 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 a permanent file, which may be in an electronic format.

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: Rationale Required

Every ordinance, resolution, or Motion of Council shall include an explanation of the rationale for the action(s) taken.

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: Audible Demonstrations Prohibited

No applause, outburst, or demonstration shall be permitted during Council or committee, except for appropriate recognition during ceremonial presentations.

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.

9. PARLIAMENTARY PROCEDURE

Rule 9A: Parliamentary Procedure Manual

The parliamentary guide for a 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

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.

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, and all proposed amendments to an ordinance, resolution, or Motion of Council shall be in written form, but 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: Interim Executive Appointments

Whenever the Executive makes an appointment on an interim basis to a position that is subject to advise and consent by Council, the President shall request that, prior to the completion of sixty(60) days of service, the appointee shall make a presentation of his/her qualifications and answer questions at a committee designated by the President.

Rule 9O: 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.

10. VOTING

Rule 10A: Duty to Vote

Members shall vote on every question in the Council or in committee, except when granted permission not to vote by the Council or the committee. A Member shall request to be recused from voting whenever the member has a personal or monetary interest in any matter under consideration or when voting on the matter could for any other reason constitute a violation of state or county ethics law. Any such request shall not be denied by the presiding officer, except for good cause.

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. 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.

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.

12. COMMITTEES

Rule 12A: Referral to Committee

The President shall assign all legislation pending before Council to a 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 committees, 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 to study and make recommendations to the full committee on specific subjects within the standing committee's jurisdiction. With the approval of the President, the membership of a subcommittee may include one or more members of the general public, who shall be electors of Cuyahoga County, and who shall serve at the pleasure of the Chairperson. Members of the public serving on subcommittees may sit at the subcommittee table and participate in all discussions but may not vote or offer motions.

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. The Chairperson of each subcommittee shall be a Member of Council. Except for the provisions of this rule relating to the composition, appointment of members, and appointment of officers for 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: 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 12F: 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 12G: 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 12H: 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 12I: 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.

Rule 12J: 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 12K: 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 12L: 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 12M: Notice Requirements for Committee Meetings

Except as provided in Rule 12N, 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 Journal 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 12I, the same information shall be distributed to the news media that have requested this information. The agenda shall indicate which, if any, of the matters on the agenda may be up for a final vote in committee at that meeting. A matter not designated in the agenda for a possible vote shall not be voted upon unless this rule is suspended by a vote of 2/3 of the full membership of the committee.

Rule 12N: Emergency Committee Meeting

An Emergency Committee Meeting may be conducted with shorter notice than that required in Rule 12M, provided that at least twenty-four (24) hours before the meeting, all the notice requirements of Rule 12M 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 12O: 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 12P: Written Committee Reports Required

All committee reports shall be in written form. The Clerk shall post all committee reports on the county's website and include them in the Journal of Council.

Rule 12Q: Clerk 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 included in the Journal of Council and posted on the County's website within seven (7) days after the conclusion of the meeting.

Rule 12R: 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 12S: 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. 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 12T: 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 12U: 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.

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.

14. OPEN MEETINGS, OPEN RECORDS, EXECUTIVE SESSION, SPECIFIC NOTICE

Rule 14A: Open Meetings

All meetings of Council or any Committee of Council 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 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 matters discussed.

Rule 14D: Record of Executive Sessions Required

The Clerk shall post a list on the County's website of all Executive Sessions conducted and shall maintain a permanent file of the same, which may be in an electronic format. For each Executive Session conducted, the list shall name the Council or the specific committee conducting the meeting and each item of information required to be in the minutes of an Executive Session, according to Rule 14C.

Rule 14E: 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 14F: Notice Available to News Media

The Clerk shall provide to any new 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 new media to apply to receive this information on an ongoing basis.

Rule 14G: 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.

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: Journal of Council

The Clerk shall keep a Journal 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 Journal 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 of failure to adopt. The Journal of Council shall also include the agenda for all Council meetings, the agenda and minutes for all committee meetings, and all committee reports.

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.

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) and/or ordinance, resolution, or Motion of Council numbers 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 on presentations, 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 two (2) 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 elected to 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

Journal _____
_____, 2011

CUYAHOGA COUNCIL OF CUYAHOGA COUNTY, OHIO

ORDINANCE NO. O2011-0008

SPONSORED BY: GREENSPAN, MILLER AND CONWELL

WHEREAS, the Cuyahoga County Charter provides for the transition, effective January 1, 2011, to a county governed by an elected County Executive and an eleven member elected County Council; and

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

WHEREAS, the interim Code of Ethics provide that permanent rules shall be adopted by an Ordinance receiving the affirmative vote of at least eight (8) members of County Council; and

WHEREAS, Section 3.09 (12) of the Charter, Powers and Duties of the Council, provides that Council has the power to establish by ordinance a Code of Ethics, which shall be in addition to, and not inconsistent with, general law on the subject, which shall guide and inform County officers and employees in the performance of their official duties in a manner that will represent high standards of professionalism and loyalty to the residents of the County and that will avoid conflicts of interest, self-dealing and other violations o the public trust.;

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

Section 1. Code of Ethics. Pursuant to the Charter of Cuyahoga County Article 3, Section 9, subsection 12, Council hereby establishes a Code of Ethics for Cuyahoga County, whose provisions are fully set forth in the attached "Code of Ethics" and are incorporated herein with the intent that they have the full force and effect of all other provisions of this Ordinance.

Section 2. Effective Date. It is hereby determined to be necessary that this Ordinance become effective in order that Cuyahoga County services may continue to be provided in an ethical manner, and so that the usual and daily operations of government may continue to function. Provided this Ordinance receives the affirmative vote of eight of the members elected to Council, it shall take effect immediately upon the signature of the County Executive.

Section 3. 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 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 Motion was duly approved.

Yeas:

Nays:

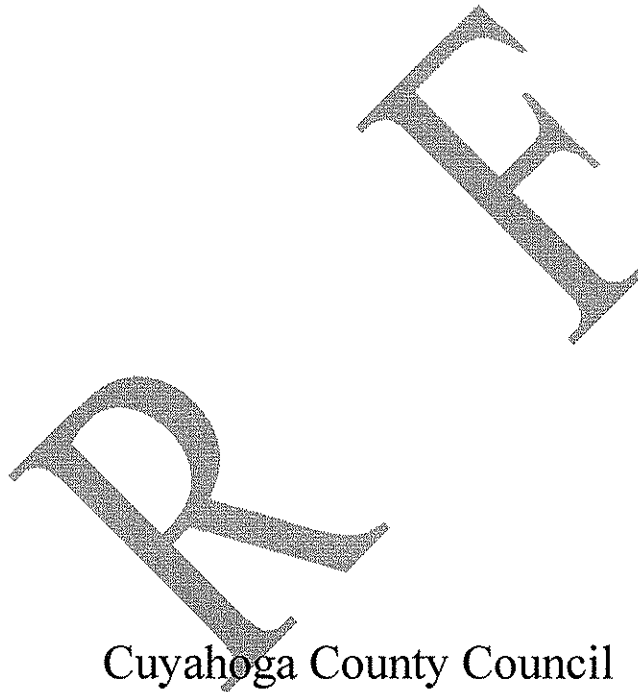
County Council President Date

County Executive Date

Clerk of Council Date

Journal CC001
February 8, 2011

Cuyahoga County Ethics Ordinance



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

February 2011

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<p><i>A copy of these laws will be provided to each employee upon commencement of their employment with the County. These laws are also available at www.ethics.ohio.gov. Each employee shall be required to sign a form acknowledging receipt of this document and the form shall be placed in each employee's personnel file.</i></p>		
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ARTICLE I: PREAMBLE

The County government is a representative democracy. Those who are elected, appointed, hired or volunteer to serve the public as representatives accept a public trust, which they share with those whom they elect, appoint, hire or otherwise enlist to help them serve the Public. Public trust requires that acts which are contrary to the Public interest be defined and prohibited; that there be an orderly procedure for raising and addressing ethical questions; that ethical behavior be encouraged and suitably rewarded; and that unethical behavior be discouraged and suitably disciplined through a process which is fundamentally fair.

It is the responsibility of each Public Official to act in a manner which contributes to cultivating Public trust in the integrity of government and avoiding even lawful activity when the appearance of impropriety would lessen the Public's confidence.

In adopting this Ordinance, the County recognizes that:

- (a) Public Officials are also members of society and, therefore, share the same general personal and economic interests in the decisions and policies of government as all members of the community;
- (b) Public Officials retain their rights to publicly express their views on matters of general public interest, and to express their opinions on the effect of public actions on their personal or economic interests or rights;
- (c) It is sound public policy for standards of ethical conduct for Public Officials to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are personal, material and avoidable;
- (d) Public Officials are entitled to engage in employment, professional or business activities, other than official duties, in order to support themselves and their families and to maintain a continuity of professional or business activity, and are entitled to maintain investments.

This Ordinance provides the minimum standards below which a Public Official's conduct cannot fall without the risk of penalty. The principal policy which forms the foundation of this Ordinance is to encourage internal commitment to integrity with pride and enthusiasm, by establishing and maintaining a work environment which supports such behavior and standards. A work environment which supports integrity includes Public Officials who:

- (a) Recognize with gratitude that the primary reason they hold a public position is to serve the public;
- (b) Are motivated and committed to pursue ethical ideals which always exceed minimum standards and often achieve the highest standards;
- (c) Encourage ethical practices which protect, advance and promote the public interest;
- (d) Recognize that the most effective way to eradicate unethical practices is to consistently act ethically themselves, and to consistently react appropriately with respect to the ethical decisions of others;
- (e) When they observe serious unethical practices, promptly disclose them to appropriate authorities, and encourage others to do the same;
- (f) Ensure that those for whom they are responsible are aware of minimum standards of ethics below which their conduct cannot fall without the risk of disciplinary consequences; and
- (g) When circumstances warrant, appropriately discipline those who are proven to have engaged in unethical behavior.

ARTICLE II: GENERAL PROVISIONS

Section I: Definitions

Term	Definition
Administrative Fee	The civil penalty equivalent of a fine, levied by and payable to the Inspector General.
Advice	A written, expert judgment and recommendation by the Inspector General as to whether an issue raised poses ethical problems and how the issue may best be resolved. If the recipient acts in accordance with that advice, s/he is in compliance with the Code of Ethics.
Anything of Value	As used in any section of the Revised Code for the violation of which there is provided a penalty of forfeiture, unless the context otherwise requires, "Anything of Value" includes: a. Money, bank bills or notes, United States treasury notes, and other bills, bonds, or notes issued by lawful authority and intended to pass and circulate as money; B. Goods and chattles; C. Promissory notes, bills of exchange, orders, drafts, warrents, checks, or bonds given for the payment of money; D. Receipts given for the payment of money or other property; E. Rights in action; F. Things which savor of the realty and are, at the time they are taken, a part of the freehold, whether they are of the substance or produce thereof or affixed thereto, although there may be no interval between the servicing and taking away; G. Any interest in realty, including fee simple and partial interests, present and future, contingent or vested interest, beneficial interests, leasehold interests, and any other interest in realty; H. Any promise or future employment; I. Everyother thing of value.
Associated	Associated, when used with reference to a business or an organization, includes any business or organization in which a public servant public official or a public servant's Public official's partner in interest is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least five percent of the outstanding equity, or any business or organization in which a public servant public official or a partner in interest has a personal interest.
Authorizing and Securing Authorization	Authorizing a contract includes voting on, signing, or taking any other action to award the contract. Adv. Op. No. 2001-02. Employing the "authority or influence" of one's position to "secure authorization of" a contract includes a much broader range of activities, such as recommending, deliberating or discussing, and formally or informally lobbying any public official or employee about the contract.
Before	A matter is "before" a public agency when it is "being considered by, decided by, or in the presence of or under the official purview of" the agency. Adv. Op. No. 2007-03.
Benefit	1. "Anything of Value" having a monetary value in excess of \$75.00; 2. Anything, regardless of its monetary value,

perceived or intended by either the one who offers it or the one to whom it is offered to be sufficient in value to influence a public servant in the performance or nonperformance of an official action; or 3. Anything, regardless of its monetary value, which, under the circumstances, a reasonably prudent person in the position of the public servant to whom the thing is or may be offered, would recognize as being likely to be intended to influence the public servant in the performance or nonperformance of an official action.

The term "benefit" includes, but is not limited to, a valuable act, advance, award, contract, compensation, contribution, deposit, emolument, employment, favor, fee, forbearance, fringe benefit, gift, gratuity, honorarium, loan, offer, payment, perquisite, privilege, promise, reward, remuneration, service, subscription, or the promise that any of these things will be conferred in the future. The term "benefit" shall not include food and beverage.

Board An abbreviation for any authority, board, commission or special district to which County officials appoint at least one member or to which County funds are appropriated.

Business Business means an activity, association, commercial entity, corporation, enterprise, firm, franchise, holding company, joint stock company, organization, partnership, receivership, self-employed individual, sole proprietorship, trust or other legal entity established to earn or otherwise obtain money, whether for profit or nonprofit, excluding a municipal corporation or governmental entity.

Business Associate A business associate includes any individuals, companies, or organizations with which the official is acting together to pursue a common business purpose. Examples of a public official's business associates include, but are not limited to, the official's: (1) partners in a partnership; (2) co-owners of a business; (3) outside employer; and (4) co-members of an LLC. Adv. Op. No. 2009-06.

Business with which a public servant is associated Business with which a public servant public official is associated or associated business means a business in which any of the following applies:
(1) The public servant public official is an owner, partner, director, officer, employee or independent contractor in relation to the business;
(2) A public official's partner in interest is an owner, partner, director or officer;
(3) The public official or a partner in interest is a stockholder of close corporation stock which is worth at least \$1,000.00 at fair market value or which represents more than a five percent equity interest;

	(4) The public official or a partner in interest is a stockholder of publicly traded stock which is worth at least \$5,000.00 at fair market value or which represents more than five percent equity interest, other than publicly traded stock under a trading account if the public official reports the name and address of the stockholder;
Campaign Contribution	Any monetary or non monetary donation to any political campaign committee.
Candidate	Means an individual who is a candidate for an elective county office, as defined in the County Charter, or an applicant for County employment or for an appointive County position.
Compensation	Compensation: "Anything of Value" that is given for services can be "compensation," whether it is in the form of cash, tangible goods or chattels, or other financial gains or benefits that accrue to the public servant. The services performed by the public servant may be provided for the specific benefit of the individual offering the compensation or for the general benefit of the public agency and the citizens served by the agency. Adv. Op. No. 2008-01.
Compensation	Compensation means any benefit conferred upon or received by any person in return for services rendered or to be rendered.
Complainant	Person who has filed a complaint alleging a violation of the ethics ordinance
Confidential	
Conflict of Interest	Means not only a personal interest, as defined in this ordinance, but also a professional or non-pecuniary interest, such as arises when the County attorney is precluded from representing one public servant because of the County attorney's preexisting attorney-client relationship with another public servant.
Contractor	A person or business – including but not limited to service providers, vendors, consultants and their subcontractors – that provides goods or services to the County under terms specified in a binding, officially approved agreement.
Day	A calendar day, unless otherwise noted
Decision Maker	Decision maker means any public servant or group of public servants empowered to act in a discretionary manner on behalf of the County in any capacity whatsoever, including the making of recommendations. To the extent this ordinance is applicable to them, any volunteer or independent contractor who is empowered to exercise any discretionary power which could influence a public servant in the performance or nonperformance of an official action. In this ordinance, the term "decision maker" is used to represent any and every public servant who could take any discretionary action regarding a matter in which a public servant or a partner in interest has or may have a conflict of interest, or as a result of which a public servant might receive a personal benefit.

Disclosure	The reporting of financial information, personal or business connections, gifts, activities, campaign contributions or potential conflicts of interest.
Due process	The reporting of financial information, personal or business connections, gifts, activities, campaign contributions or potential conflicts of interest.
Expenditure	Has the same meaning as in section 101.70 of the Revised Code when used in relation to activities of a legislative agent, and the same meaning as in section 121.60 of the Revised Code when used in relation to activities of an executive agency lobbyist.
Finding	The official decision reached by the Inspector General after thorough investigation or a formal hearing.
Full Family	(1) A public official's spouse, domestic partner, child children, grandchildren, parents, parents-in-law, grandparents, grandparents-in-law, sisters, sisters-in-law, brothers, brothers-in-law, sons-in-law, daughters-in-law, nieces, nephews, aunts, uncles, or cousins (whether by marriage, lineal descent or adoption); (2) A public official's relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the public servant or from whom the public servant receives, directly or indirectly, more than one-half of his or her support; and (3) An individual claimed by the public official or the public official's spouse as a dependent under the United States Internal Revenue Code.
Immediate Family	A public official's spouse, domestic partner, child or children. (whether by marriage, lineal descent or adoption)
Gift	Gift means any benefit or thing or act of monetary value which is conveyed to or performed for the benefit of a public servant or a partner in interest, including any advance, award, contract, contribution, deposit, employment, favor, forbearance, gift, gratuity, honorarium, loan, payment, service, subscription, or the promise that any of these things or acts of value will be conferred in the future, if such thing or act of value is conferred or performed without the lawful exchange of consideration which is commensurate in value at least equal in value to the thing or act conferred or performed.
Interest	A prohibited "interest" in a public contract is a definite and direct interest that can be of either a financial or fiduciary nature. Adv. Op. No. 2009-06.
Lawful Disclosure	Public divulgence of a County matter not legally required to be kept confidential because of personal privacy, ongoing litigation, or property negotiations.
Legislation	Legislation," "legislative agent," "financial transaction," and "actively advocate" have the same meanings as in section 101.70 of the Revised Code.
Lobbyist	An individual wholly or partially compensated for direct, private communication with County policy-making officials

	or their staffs, with the purpose of influencing the expenditure of funds in the awarding of a contract or other financial arrangement; or for making direct, private contact with same to promote, advocate or oppose the passage, modification, defeat, approval or veto of any legislation or policy.
Nepotism	The practice of hiring or appointing full family members to positions, or of awarding other favors to same.
Nominating Authority	Leader of a nonprofit entity invited to provide suggested nominees to the County Executive for appointment to the Inspector General.
Of such a character as to manifest a substantial and improper influence	A thing of value is "of such a character as to manifest a substantial and improper influence" on a public official or employee if it is "of such a quality, nature or kind that it could have a substantial and improper influence on the public official or employee." Adv. Op. No. 2009-01. The Commission has explained that it is unnecessary that the thing of value actually has a substantial and improper influence on the official or employee provided that it is of such a character that it could have such influences.
Official	A person who is elected or appointed to head a County office, department or agency or board.
Patronage	The practice of hiring or appointing political allies or business associates to governmental positions.
Person	Includes "an individual, corporation, business trust, estate, trust, partnership, and association." R.C. 1.59. Also includes governmental agencies. Adv. Op. No. 2009-01.
Personally rendering services	Includes, but is not limited to, representing, advising, preparing non-ministerial documents for, or consulting with, any person. Adv. Op. No. 2007-03. Examples are: (1) negotiating or discussing matters with agency personnel or contractors; (2) appearing at an agency meeting or hearing; and (3) preparing pleadings or documents to be filed with or submitted to an agency. A person would be personally rendering services if he or she prepared and submitted, to a state agency, any grant or investment proposals, contract bid packages, responses to requests for proposals, or any other submission for financial support for a client or customer.
Position of Profit	": A public official occupies a "position of profit" in the prosecution of a public contract when he or she receives some financial gain or benefit that is definitely and directly related to the carrying out and completion of a contract that he or she authorized or that was authorized by a board of which he or she is a member. Adv. Op. No. 2009-05
Prohibited Source	A party that gives or promises an unlawful gift to any covered person, specifically a party doing or seeking to do business with, regulated by, or interested in matters before the County, its departments, agencies, boards or commissions, including any lobbyist or contractor.
Public Agency	Means the County Council, all Cuyahoga County courts, any department, division, institution, board, commission, or

Public Contract	advisory council, or other instrumentality of the county or any board, commission, or advisory council for which the Cuyahoga County Executive and/or the Cuyahoga County Council appoints one or more of its members. "Public agency does not include any department, division, institution, board, commission, authority, bureau, advisory council, or other instrumentality that functions exclusively for cultural, educational, historical, humanitarian, advisory, or research purposes; that does not expend more than ten thousand dollars per calendar year, excluding salaries and wages of employees; whose members are uncompensated.
Public Official	The County or any agency or instrumentality there of or any board or commission which includes one or more members appointed by the County Executive or County Council. Includes: "Any elected or appointed officer, or employee, or volunteer, or agent of the state or any political subdivision, whether in a temporary or permanent capacity." R.C. 2921.01(A). The restriction in R.C. 2921.42(A)(1) applies to all individuals who are elected or appointed to, or employed by, any public agency, including but not limited to any state agency, county, city, township, school district, public library, and regional authority. The restriction applies regardless of whether the person is: (1) compensated or uncompensated; (2) serving full time or part time; or (3) serving in a temporary or permanent position.
Recusal/to Recuse	The act of removing oneself from decision-making in matters where one has a "conflict of interest".
Use Of or Authorization of the Use Of	The authority or influence of one's office or employment: Voting on, recommending, deliberating about, discussing, lobbying, or taking any other formal or informal action within the scope of a public official's or employee's public authority is "use of," or "authorization of the use of" the authority or influence of a public official's or employee's office or employment. Adv. Op. No. 2010-03.
Whistleblower	A person who reports possible crimes or violations of this Code of Ethics.

Section 2. Purposes of Ordinance

This Ordinance, including the definitions set forth in section is adopted to:

- i. Identify the minimum standards of ethical conduct which Public Officials must meet;
- ii. Adequately educate Public Officials, in the principles of ethics;
- iii. Encourage Public Officials to pursue the highest ethical ideals which they can achieve;
- iv. Provide a process by which Public Officials may identify and resolve ethical issues;
- v. Provide a process to ensure the prompt disclosure by Public Officials of serious unethical practices, and encourage others to do the same;

- vi. Provide a fair and impartial process by which alleged violations of this Ordinance may be heard;
- vii. Provide for a just and reasonable balance among the rights of all individuals who are directly affected by the operation of this Ordinance; and
- viii. Establish penalties, as appropriate, for Public Officials who violate the Public trust.

Section 3: Covered Persons

The provisions of this Ordinance shall apply to all Public Officials of Cuyahoga County, its administrative departments, agencies, boards and commissions. In addition, parts of this Code shall also govern lobbyists, contractors and others who do business with the County.

This Ordinance does not govern the conduct of the Courts of Common Pleas and Appeals which, together with all of their employees, remain covered by the Ohio Ethics Law for the State Judiciary.

Section 4. Relationship to Ohio Law

Compliance with Ohio Ethics Laws

Public Officials are required to abide by the State of Ohio's ethics laws, as found in the Ohio Revised Code and as interpreted by the Ohio Ethics Commission and Ohio courts.

Morales – requires each employee to sign off on this document

Brady – Does County have the authority to do this?

Miller – Recommend that later employees be required to sign off on Ohio and county rules – move to section 1 article 6

Section 5. Minimum Standard

This Ordinance shall constitute a minimum standard for ethical conduct and practices in Cuyahoga County government.. If the provisions of this Ordinance conflict with any other County Ordinance, regulation or rule, this Ordinance shall control.

Section 6. Liberal Construction of Ordinance.

The provisions of this Ordinance are to be construed liberally, to the end that the public interest be fully protected, and shall be construed in a manner consistent with all applicable federal and state laws and applicable provisions of the County Charter.

Section 7. Severability

The various provisions of this Ordinance are intended to be severable, and the validity or invalidity of one or more such provisions shall not affect the validity of the remaining provisions.

Section 9. Applicability of Ordinance.

This Ordinance applies to all Public Officials, as the term is defined in this Ordinance.

Section 10. Exemptions.

- (1) This Ordinance does not prevent any Public Official from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of his or her public duties, provided that the Public Official complies with all applicable County requirements, including any requirements imposed by this Ordinance.
- (2) No Public Official shall be deemed to have a conflict of interest by virtue of carrying out any contract pursuant to which the Public Official directly or indirectly received income or benefits in the form of compensation for the performance of official duties.
- (3) A former Public Official is not prohibited from entering into a contract to represent the County in any matter.
- (4) No Public Official shall be deemed to have a conflict of interest by virtue of sharing, directly or indirectly, in the benefit of a lawful County action when the benefit to the Public Official is substantially the same as the benefit to the public at large or to a segment of the public to whom the benefit is provided in a nondiscriminatory manner.
- (5) This Ordinance does not prohibit any Public Official from taking any action to approve the lawful payment of salaries, employee benefits, reimbursements of actual and necessary expenses, or other lawful payments which are authorized in accordance with County policies.
- (6) This Ordinance does not prohibit a Public Official from taking any official action properly within the scope of his or her duties with respect to any proposal to enact or modify law or Public policy.
- (7) This Ordinance does not prohibit an elected official or other Public Official from raising campaign contributions in any manner which is otherwise permitted by law.
- (8) This Ordinance does not prohibit communication between an individual or organization and a candidate regarding the candidate's views, record or plans for future action regarding an issue or measure in an attempt to determine a candidate's viewpoints or how the candidate plans to act in the future, if such communication results in an endorsement of the candidate, a decision not to endorse the candidate, or a contribution or expenditure required to be recorded or reported under a state statute.
- (9) Actions which might otherwise be alleged to constitute a conflict of interest shall be deemed to comply with this Ordinance and not to be a conflict of interest if:
 - (i) Before acting, the Public Official requested and received a written opinion from the county's Inspector General or a formal ethics opinion or a confidential advisory opinion from the Inspector General in accordance with the procedures established in this Ordinance;
 - (ii) The material facts, as stated in the request for an opinion, are true and complete; and
 - (iii) The actions taken were consistent with the opinion.

Section 11. Duties of Public Official

- (1) No Public Official or former Public Official shall divulge any confidential information to any person who is not authorized to have it nor divulge to any unauthorized person confidential information acquired in the course of holding his or her position in advance of the time prescribed by the County Executive, County Council, administrators, or other applicable law for its release to the public.
- (2) All Public Officials shall respond fully and truthfully to any inquiries by the county's Inspector General in connection with the investigation of an alleged or potential violation of this Ordinance. All Public Officials shall cooperate fully in any investigation by the county's Inspector General, and shall locate, compile and produce for them such information as they may request, unless the information requested is exempt from disclosure under this Ordinance or other applicable law.
- (3) Except as set forth below in paragraph (4) of this section, within a reasonable period of time, all Public Officials must report a violation of this Ordinance of which they have knowledge to the Inspector General – within 5 business days of the event in question.
- (4) Public Officials are not, however, required to report a violation that has already been reported.
- (5) In addition to being a violation of other laws, it is also a violation of this Ordinance for any Public Official to:
 - (a) Be convicted of any felony or misdemeanor involving moral turpitude; Miller asked what this means – Morales – there is a definition in the law – Include this in the definitions. Miller – not sure this falls in the scope of an Ethics Ordinance. Morales – this may weaken the section. Current policy – removable offence to commit a felony while county employee.
Miller – when talking about ethics – they are issues surrounding corruption, the behavior of employees on their own time,
Simon – not sure this section belongs –
Greenspan will take Morales language from this section to Ohio Ethics -
 - (b) Be found liable of violating any federal, state, county or municipal law prohibiting discrimination or sexual harassment;
 - (c) Be found liable through a final order of violating any federal, state, county or municipal laws prohibiting retaliation against Public Officials who assert a lawful claim of any nature or otherwise engage in lawfully protected activity; or
Miller – what situations does this section deal with.
Greenspan – intent was whistleblower protection
Miller – “lawful claim” broad language
Morales – reference a final order
 - (d) Be found liable of violating any state laws governing lobbying activities or regulating political activity.

Penalty ORC 102.99

(A) Whoever violates division (C) of section 102.02 (Financial disclosure statement filed with the state Ethics Commission) or conflicts of interest of a Public Official is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (D) of section 102.02 (Financial disclosure statement filed with the state Ethics Commission) or former Public Official to report certain financial information, representation by a present or former Public Official prohibited, no compensation to elected or appointed Public Official other than from agency served, or no divulging of information in disclosure statements is guilty of a misdemeanor of the first degree.

Any violations of this Ordinance shall be punishable to the maximum extent permitted by law. Any disciplinary action shall be carried out in accordance with the provisions of this Ordinance, as well as any other laws, policies and procedures applicable to the position of the offender and the gravity of the offense. The Inspector General is permitted to take any action which it is otherwise lawfully permitted to take, including, but not limited to, any one or combination of the following which the Inspector General deems appropriate under the circumstances:

1. *Letter of Notification.* The Inspector General may issue a letter of notification when it finds that a violation of this Ordinance was clearly unintentional or inadvertent. The letter may advise the Respondent of any steps to be taken to avoid future violations.
2. *Letter of Admonition.* The Inspector General may issue a letter of admonition when it finds that the violation of this Ordinance was minor and/or may have been unintentional or inadvertent.
3. *Letter of Reprimand.* The Inspector General may issue a letter of reprimand when it finds that the Respondent has intentionally or knowingly violated this Ordinance.
4. *Recommendations to the County Executive.* When the Inspector General finds that the Respondent has intentionally or knowingly violated this Ordinance, the Inspector General may make a recommendation to the County Executive or County Council (depending on the appointing authority), including but not limited to a recommendation for suspension, forfeiture of office or removal from office, and/or banning or temporarily suspending the Respondent's (or Respondent's associated businesses or organizations') right to solicit, bid on or obtain a contract with or from the County, as allowed by applicable law. Morales – charter is clear about Exec having responsibility for discipline of employees.
 - a. Notice to the Ohio State Ethics Commission, When the Inspector General finds that the County Executive or a member of County Council has intentionally or knowingly violated this Ordinance, the Inspector General shall provide notice to the Ohio Ethics Commission so appropriate action can be taken.

5. *Referral to Ethics Training.* Upon finding of violation of this Ordinance, the Inspector General may require that the Respondent undergo ethics training in addition to or in lieu of any other penalties imposed upon the Respondent.

Section 13.

Penalties Cumulative

The penalties prescribed in this Ordinance shall be cumulative and not exclusive of each other or of any other penalties which may be imposed pursuant to any other laws or policies.

ARTICLE III: PROHIBITED CONDUCT

Section 1: Misuse of Official Position

Misuse of Official Position – [ORC 102.03(A)]

1. No present or former Public Official shall, during Public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the Public Official personally participated as a Public Official through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.
2. For a period of one year after the conclusion of employment or service as a Public Official, no former Public Official shall represent, or act in a representative capacity for, any person on any matter before the County.
3. As used in (1) and (2) of this section, “matter” includes any case, proceeding, application, determination, issue, or question, but does not include the proposal, consideration, or enactment of statutes, rules, Ordinances, resolutions, or charter or constitutional amendments. As used in this section, “matter” includes the proposal, consideration, or enactment of statutes, resolutions, or constitutional amendments. As used in division (A) of this section, “represent” includes any formal or informal appearance before, or any written or oral communication with, any Public agency on behalf of any person.
4. Nothing contained in this section shall prohibit, during such period, a former Public Official from being retained or employed to represent, assist, or act in a representative capacity for the Public agency by which the Public Official was employed or on which the Public Official served.
5. This section shall not be construed to prohibit the performance of ministerial functions, including, but not limited to, the filing or amendment of tax returns, applications for permits and licenses, incorporation papers, and other similar documents.

Prohibited conduct, and other abuses or misuses of position

- (1) Public Officials of the County shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and shall avoid both actual and potential conflicts between their private self-interest and the Public interest. Prohibited conduct of each such Public Official shall include, but not be limited to, the following:

- (a) Granting or making available to any person any special consideration, treatment, advantage, or favor beyond that which it is the general practice to grant or make available to the Public at large;
- (b) Requesting, using or permitting the use of any Publicly owned or Publicly supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of oneself or any other person, except as otherwise allowed by law;
- (c) Participating in the deliberation of or voting on any matter involving personal financial or personal interest;
- (d) Engaging in private employment with, or rendering services for, any private person who has business transactions with the County, unless the Public Official has made full Public disclosure of such employment;
- (e) Accepting any gift, whether in the form of money, thing, favor, loan, or promise, that would not be offered or given to the Public Official if the individual were not a Public Official;
- (f) Disclosing any confidential information concerning any Public Official, or any other person, or any property or governmental affairs of the County, without prior formal authorization of the County council;
- (h) Using or permitting the use of confidential information to advance the financial or personal interest of the Public Official or any other person;
- (g) Ordering any goods and services for the County without prior official authorization for such an expenditure;
- (h) Use his or her superior position to request or require an employee to:
 - (i) Do clerical work on behalf of the Public Official's family, business, social, church or fraternal interest when such work is not furthering a County interest;
 - (ii) Perform any work outside the employee's normal course of County employment;
 - (iii) Purchase goods and services for personal, business, or political purposes; or
 - (iv) Work for him or her personally without offering just compensation;
- (i) A Public Official shall not draw per diem or expense monies from the County to attend a seminar, convention, or conference and then fail to attend the seminar, convention, or conference without refunding the pro-rata unused per diem or expense monies to the County.

- (2) No Public Official shall hold any other office, elected or appointed, in any other governmental entity, when the duties of such office are incompatible with the proper discharge of the Public Official's duties with the County. For purposes of this Ordinance, the holding of any office, elective or appointive, with any other

governmental entity by any member of the County Council, County Executive, County Prosecutor or of the Inspector General is hereby prohibited in any one of the following circumstances:

- (a) Where one office is subordinate to the other;
 - (b) Where one office carries the power of removal of the other; or
 - (c) Where the occupancy of both offices is prohibited by the County Charter or other law.
- (3) No Public Official shall falsely represent his or her personal opinion to be the official position of the County, and no Public Official shall falsely represent his or her personal opinion to be the official position of any board. This subsection shall not apply to statements of elected officials made in the course of fulfilling the responsibilities of their offices or in running for election to office.
 - (4) All Public Officials have a fiduciary duty to use County fiscal and human resources in a manner which advances the Public interest, and to refrain from using County resources for their personal benefit; therefore, Public Officials are prohibited from using County resources in any manner which violates any applicable law or policy, and are expressly prohibited from using any County resource to obtain any personal benefit.
 - (5) No Public Official shall use his or her official authority or position to influence or interfere with or affect the results of any election, nor to solicit or receive contributions from County employees in connection with any County election.
 - (6) No Public Official shall suppress any Public document, record, report or any other Public information available to the general Public because it might tend to unfavorably affect their private financial, personal, or political interest.
 - (7) When a Public Official, in the course of carrying out his or her duties, has been offered or is discussing future employment with a business that is presently dealing with the County concerning matters within the Public Official's current official duties, that person shall disclose such possible future employment to the Inspector General.
 - (8) No Public Official having a personal interest in a matter shall represent himself or any other person before the County in connection with that matter, nor in connection with any matter in which a partner in interest has a personal interest, except in cases where a legal right to self-representation exists.
 - (9) No Public Official having a conflict of interest shall represent himself or any other person before the County in connection with that matter, nor in connection with any matter in which the Public Official or his or her full family or a business with which the Public Official, or a member of his or her full family, is associated has a prohibited interest, except in cases where a legal right to self-representation exists.

Section 2: Misuse of Confidential Information.

Misuse of Confidential Information – Lifetime Prohibition[ORC 102.03(B)]

No present or former Public Official shall disclose or use, without appropriate authorization, any information acquired by the Public Official in the course of the Public Official's official duties that is confidential because of statutory provisions, or that has been clearly designated to the Public Official as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

Section 3. Misuse of Authority to Secure "Anything of Value".

Misuse of Authority to Secure "Anything of Value" - [ORC 102.03(D)(E)(F)(G)]

- (D) No Public Official shall use or authorize the use of the authority or influence of office or employment to secure "Anything of Value" or the promise or offer of "Anything of Value" that is of such a character as to manifest a substantial and improper influence upon the Public Official with respect to that person's duties.
- (E) No Public Official shall solicit or accept "Anything of Value" that is of such a character as to manifest a substantial and improper influence upon the Public Official with respect to that person's duties.
- (F) No person shall promise or give to a Public Official "Anything of Value" that is of such a character as to manifest a substantial and improper influence upon the Public Official with respect to that person's duties.
- (G) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, contributions made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of an elected Public Official or other Public Official who seeks elective office shall be considered to accrue ordinarily to the Public Official for the purposes of divisions (D), (E), and (F) of this section.

Section 4. Misuse of County Resources

No Public Official shall use, request, or permit the private use of county resources, including but not limited to motor vehicles, equipment and supplies. Printing, mailing or electronic communicating of personal or political material using county resources is likewise prohibited.

Section 5. Nepotism, Patronage.

Nepotism, Patronage [ORC 102.03(C)]

No Public Official shall participate within the scope of duties as a Public Official, except through ministerial functions as defined in division (A) of this section, in any license or ratemaking proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation, or association in which the Public Official or full family owns or controls more than five percent. No Public Official shall participate within the scope

of duties as a Public Official, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person to whom the Public Official or full family, or a partnership, trust, business trust, corporation, or association of which the Public Official or the Public Official's or employee's full family owns or controls more than five per cent, has sold goods or services totaling more than one thousand dollars during the preceding year, unless the Public Official has filed a written statement acknowledging that sale with the clerk or secretary of the Public agency and the statement is entered in any Public record of the agency's proceedings. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code, or patients of persons certified under section 4731.14 of the Revised Code.

Section 6: Gifts from Prohibited Sources.

Gifts. [ORC 102.03(D)(E)(F)(G)]

- (D) No Public Official shall use or authorize the use of the authority or influence of office or employment to secure "Anything of Value" or the promise or offer of "Anything of Value" that is of such a character as to manifest a substantial and improper influence upon the Public Official with respect to that person's duties.
- (E) No Public Official shall solicit or accept "Anything of Value" that is of such a character as to manifest a substantial and improper influence upon the Public Official with respect to that person's duties.
- (F) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, contributions made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of an elected Public Official or other Public Official who seeks elective office shall be considered to accrue ordinarily to the Public Official for the purposes of divisions (D), (E), and (F) of this section.

Gifts for Public Officials ORC 102.031

- (A) As used in this section:
 - (1) "Business associate" means a person with whom a Public Officials is conducting or undertaking a financial transaction.
 - (2) "Contribution" has the same meaning as in section 3517.01 of the Revised Code.
 - (3) "Employee" does not include a Public Officials whose non-legislative position of employment does not involve the performance of or the authority to perform administrative or supervisory functions; or whose non-legislative position of employment, if the member is a Public employee, does not involve a substantial and material exercise of administrative discretion in the formulation of Public policy, expenditure of Public funds, enforcement of laws and rules of the state or a county or city, or execution of other Public trusts.
- (B) No Public Officials shall vote, when applicable, on any legislation that the member knows is then being actively advocated if the member is one of the following with respect to a legislative agent or employer that is then actively advocating on that legislation:

- (1) An employee;
 - (2) A business associate;
 - (3) A person, other than an employee, who is hired under contract to perform certain services, and that position involves a substantial and material exercise of administrative discretion in the formulation of Public policy.
- (C) No member of the Public Officials shall knowingly accept any of the following from a legislative agent or a person required to file a statement described in division (A)(2) of section 102.021 of the Revised Code:
- (1) The payment of any expenses for travel or lodging except as otherwise authorized by division (H) of section 102.03 of the Revised Code;
 - (2) More than seventy-five dollars aggregated per calendar year as payment for meals and other food and beverages, other than for those meals and other food and beverages provided to the member at a meeting at which the member participates in a panel, seminar, or speaking engagement, at a meeting or convention of a national organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or at a dinner, party, or function to which the Public Officials are invited;
 - (3) A gift of any amount in the form of cash or the equivalent of cash, or a gift of any other thing of value whose value exceeds seventy-five dollars. As used in division (C)(3) of this section, "gift" does not include any contribution or any gifts of meals and other food and beverages or the payment of expenses incurred for travel to destinations either inside or outside this state that is received by a Public Officials and that is incurred in connection with the Public Officials official duties.
- (D) It is not a violation of division (C)(2) of this section if, within sixty days after receiving notice from a legislative agent that the legislative agent has provided Public Officials with more than seventy-five dollars aggregated in a calendar year as payment for meals and other food and beverages, the Public Officials returns to that legislative agent the amount received that exceeds seventy-five dollars.

Section 7. Accepting Honoraria

Honoraria

Honoraria [ORC 102.03(H)(1)]

(H)(1) No Public Official, shall solicit or accept, an honorarium.
Miller – "no person shall give" can't be th

Section 8. Travel, Meals, Lodging and Other Expenses.

Travel, Meals, Lodging and Other Expenses ORC 102.03(I)

A Public Official may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the Public Official with respect to that person's duties. This division does not preclude any person from seeking an advisory opinion from the Inspector General under section 102.08 of the Revised Code.

Section 9. Abuse of political authority or influence.

Abuse of political authority or influence ORC 124.61

No person who holds any Public office, or who has been nominated for, or who seeks a nomination or appointment to any Public office, shall corruptly use or promise to use, either directly or indirectly, any official authority or influence in order to secure or aid any person in securing for himself or another any office or employment in the classified service, or any promotion or increase of salary therein, as a reward for political influence or service. Nor shall any person, by means of threats or coercion, induce or seek to induce anyone in the classified service to resign his position or to waive his right to certification, appointment, or promotion.

Section 10. Abuse of power for political reasons.

Abuse of power for political reasons ORC 124.60

No Public Official, shall appoint, promote, reduce, suspend, lay off, discharge, or in any manner change the official rank or compensation of any officer or employee in the classified service, or promise or threaten to do so, or harass, discipline, or coerce any such officer or employee, for giving, withholding, or refusing to support any party.

Section 11. Payment for appointment or promotion.

Payment for appointment or promotion ORC 124.59

No applicant for appointment or promotion in the classified or unclassified service shall, directly or indirectly, pay or promise to pay any money or other valuable thing, nor shall he ask or receive any recommendation or assistance from any person, upon the consideration of any political service to be rendered, for or on account of his appointment or promotion, or proposed appointment or promotion.

Section 12: Discrimination.

Discrimination

No Public Official, operations or entities of Cuyahoga County shall favor or discriminate against anyone because of race, religion, age, ethnicity, gender, sexual orientation, disability or political affiliation, pursuant to U.S. Law [Civil Rights Act of 1964, 43 U.S.C. §2000e et. seq.] and the Cuyahoga County Charter.

Section 13: Sexual Harassment.

Sexual Harassment.

No Public Official shall harass or otherwise make unwelcome sexual advances that interfere with job performance, create a hostile work environment, or attempt to make a person's submission or rejection of sexual advances a condition of his/her employment or appointment status. [Section 703 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.]

Section 14: Soliciting or accepting improper compensation - General

2921.43 (A) (B) (D) (E) (F) Soliciting or accepting improper compensation.

- (A) No Public Official shall knowingly solicit or accept, and no person shall knowingly promise or give to a Public Official, either of the following:
 - (1) Any compensation, other than as allowed by divisions (G), (H), and (I) of section 102.03 of the Revised Code or other provisions of law, to perform the Public Official's official duties, to perform any other act or service in the Public Official's public capacity, for the general performance of the duties of the Public Official's public office or public employment, or as a supplement to the Public Official's public compensation;
 - (2) Additional or greater fees or costs than are allowed by law to perform the Public Official's official duties.
- (B) No Public Official for the Public Official's own personal or business use, and no person for the person's own personal or business use or for the personal or business use of a Public Official or party official, shall solicit or accept "Anything of Value" in consideration of either of the following:
 - (1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;
 - (2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.
- (D) Whoever violates this section is guilty of soliciting improper compensation, a misdemeanor of the first degree.
- (E) A Public Official who is convicted of a violation of this section is disqualified from holding any public office, employment, or position of trust in this state for a period of seven years from the date of conviction.
- (F) Divisions (A) and (B) of this section do not prohibit a person from making voluntary contributions to a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity or prohibit a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from accepting voluntary contributions.

Section 15: Soliciting or accepting improper compensation-Political Contributions

2921.43 (C) (D) (E) (F) Soliciting or accepting improper compensation.

- (C) No person for the benefit of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity shall coerce any contribution in consideration of either of the following:
 - (1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;

- (2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.
- (D) Whoever violates this section is guilty of soliciting improper compensation, a misdemeanor of the first degree.
- (E) A Public Official who is convicted of a violation of this section is disqualified from holding any public office, employment, or position of trust in this state for a period of seven years from the date of conviction.
- (F) Divisions (C) of this section do not prohibit a person from making voluntary contributions to a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity or prohibit a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from accepting voluntary contributions.

Section 16: Employee Contributions to an Elected Employer.

Employee Contributions to an Elected Employer.

No Public Official shall make political contributions or raise funds for their own elected County employer. Exempted from this total prohibition are voluntary employee contributions to candidates for any other Public office. [Ed. note: Fangman v. City of Cincinnati USDC 1:08cv702]

ARTICLE IV: CONFLICTS OF INTEREST

Section 1. Conflict of interests and personal benefits prohibited

- (1) Except as otherwise permitted under applicable federal, state and county laws and policies, including the county's procurement policies, no Public Official shall have a personal interest in any official action.
- (2) No Public Official shall accept or receive, directly or indirectly, from any person, including one whose identity is unknown to the Public Official, any personal benefit under circumstances in which it can reasonably be inferred that the benefit is intended to influence the Public Official or as a reward for any official action of the Public Official.
- (3) No person, including any vendor, contractor or business, shall offer or give any personal benefit to any Public Official or any partner-in-interest of the Public Official.
- (4) No Public Official or partner in interest of that Public Official shall solicit from any person, directly or indirectly, any personal benefit, regardless of value, or the promise of receiving a personal benefit in the future, for the Public Official.
- (5) No current or former Public Official shall intentionally use or disclose information gained in the course of, or by reason of, his or her official position or activities in any way that could result in the receipt of any personal benefit for the Public Official, for a

partner in interest of that Public Official, or for any other person. This provision shall not:

- (a) Prohibit the disclosure of Public information;
- (b) Prohibit the disclosure of information the Public Official has been authorized to disclose;
- (c) Prohibit the disclosure of any such information to incumbent Public Officials to whom the information may be pertinent;
- (d) Prevent the disclosure of violations of this Ordinance or other illegal acts to the proper authorities; or
- (e) Prohibit the disclosure of any such information the disclosure of which is required by law.

Section 2.

Public contracts

- (1) The County is prohibited from entering into any contract with a business in which a Public Official or a Public Official's partner in interest has a controlling interest involving services or property of a value in excess of \$2,500.00.
- (2) Any Public Official who has or may have a personal interest in any contract shall disclose such interest prior to the first of any of the following events:
 - (a) The solicitation of a contract;
 - (b) The bidding of a contract;
 - (c) The negotiation of a contract; or
 - (d) The approval of a contract by the County Council.
- (3) Any contract entered into in violation of this section may be voided by the County in an action commenced within three years of the date on which the Inspector General, or the department or officer acting for the County in regard to the allocation of funds from which such payment is derived, knew or should have known that a violation of this section occurred. This section does not affect the application of any state statute.
- (4) Mandatory provision in volunteer agreements. Volunteers share in receiving the Public's trust and in the responsibility to contribute to creating and maintaining an ethical work environment. Volunteers serve without the expectation of receiving any compensation from the County, and it is improper for any volunteer to seek any compensation. Volunteers, unless expressly authorized by a Public Official empowered to grant such authorization, are prohibited from acting as volunteers in any matter in which they have a conflict of interest or a potential or alleged conflict of interest; or in any matter in which they hope to receive any personal benefit.

Conflict of Interest in County Contracts Sec. 2921.42.

- (A) No Public Official shall knowingly do any of the following:
 - (1) Authorize, or employ the authority or influence of the Public Official's office to secure authorization of any Public contract in which the Public Official, a member of the Public Official's family, or any of the Public Official's business associates has an interest;
- (E) Whoever violates this section is guilty of having an unlawful interest in a Public contract. Violation of division (A)(1) or (2) of this section is a felony of the fourth degree. Violation of division (A)(3), (4), or (5) of this section is a misdemeanor of the first degree.

Section 3. Disclosure of conflict of interest or potential conflict of interest.

- (1) A Public Official who has or may have a conflict of interest in a matter which requires an official action by any decision maker shall, before the matter is decided, disclose the conflict of interest or the potential or alleged conflict of interest. If the Inspector General believes that no conflict of interest exists, or that despite any alleged or potential special interest, such Public Official is nevertheless able to vote and otherwise participate fairly, objectively and in a manner consistent with the Public interest, then the member shall so state in the written disclosure.
- (2) If the Public Official has or may have a conflict of interest in any matter of the County, than such Public Official shall not, discuss, debate, deliberate about, act upon, vote upon or otherwise participate in or influence the decision-making process pertaining to the matter in which the member has a conflict of interest.
- (3) Any Public Official who has or may have a conflict of interest shall disclose it. After receiving a disclosure, the Inspector General shall:
 - (a) Maintain a record of such disclosure; and
 - (b) Promptly forward copies of the disclosure to any person named in the disclosure and the county's Director of Law.
- (4) Any Public Official who believes that any other Public Official has a conflict of interest in any agenda item before a governmental body shall disclose such interest to the Inspector General,
- (5) A Public Official, in addition to disqualifying her/himself from participation in any decision regarding the pecuniary or employment interest of a partner in interest, shall make known the existence of the relationship and the interest by filing with the Inspector General a written disclosure of the relationship and the nature and extent of the conflict of interest involved.

Section 4. Profit or Gain from County Contracts

Profit or Gain from County Contracts . [ORC 2921.42(A)(4) and (5)]

- (A) No Public Official shall knowingly do any of the following:

- (4) Have an interest in the profits or benefits of a Public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which the Public Official is connected;
- (5) Have an interest in the profits or benefits of a Public contract that is not let by competitive bidding if required by law and that involves more than one hundred fifty dollars.

Section 5. Voiding of Tainted Contracts or Investments.

Voiding of Tainted Contracts or Investments. ORC 2921.42(H)]

- (H) Any Public contract in which a Public Official, a member of the Public Official's full family, or any of the Public Official's business associates has an interest in violation of this section is void and unenforceable. Any contract securing the investment of Public funds in which a Public Official, a member of the Public Official's full family, or any of the Public Official's business associates has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees and that was entered into in violation of this section is void and unenforceable.

Section 6. County Investments.

County Investments . [ORC 2921.42(A)(2) and (E)]

- (A) No Public Official shall knowingly do any of the following:
 - (2) Authorize, or employ the authority or influence of the Public Official's office to secure the investment of Public funds in any share, bond, mortgage, or other security, with respect to which the Public Official, a member of the Public Official's full family, or any of the Public Official's business associates either has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees;
- (E) Whoever violates this section is guilty of having an unlawful interest in a Public contract. Violation of division (A)(1) or (2) of this section is a felony of the fourth degree. Violation of division (A)(3), (4), or (5) of this section is a misdemeanor of the first degree.

Section 7: Outside Employment.

Outside Employment . [ORC 2921.42(A)(3)]

- (A) No Public Official shall knowingly do any of the following:
 - (3) During the Public Official's term of office or within one year thereafter, occupy any position of profit in the prosecution of a Public contract authorized by the Public Official or by a legislative body, commission, or board of which the Public Official was a member at the time of authorization, unless the contract was let by competitive bidding to the lowest and best bidder;

Section 8. Secondary Employment.

1. *Purpose of policy.* The purpose of the policy governing unauthorized outside employment is to prevent conflicts of interest and conflicts of loyalty; to prevent abuses regarding dual

compensation, payment for work not done, or unlawful gifts of Public funds; and to prevent excessive loss of efficiency in the performance of Public service.

2. *Conflict of interest.* A Public Official shall not accept any employment, nor enter into any contract, nor perform any service for compensation that results in a financial conflict of interest or a conflict of loyalties which would affect the performance of the Public Official's official duties

No Public Official compensated by the County shall engage in secondary employment if that employment is incompatible with the proper discharge of official County duties or might impair objectivity or independent judgment on the job. This includes partisan elective office in another jurisdiction or in a political party.

- a. All covered persons shall disclose secondary employment in writing to the Human Resources Department and to the Inspector General on an official form approved by the latter, updating this information whenever it changes.
- b. Prior to accepting an additional job, such persons shall obtain official advice from the Inspector General, which must respond within five business days of the request. The Inspector General in its discretion may limit the type of classifications of secondary employment that require disclosure and/or prior approval (III.C.b.)
- c. In situations pre-dating the adoption of this Ordinance, the covered person shall seek official advice from the Inspector General, within sixty days of the effective date of this Code.
- d. The employee's outside employment does not place the employee in violation of the County's Ordinance including, but not limited to, creation of a conflict of interests.
- e. *Penalty* -- If the secondary employment is ruled a conflict of interest, the covered person shall either terminate that employment or face dismissal from County service, in compliance with existing personnel practices and collective bargaining agreements.

Section 9.

Political Activity

Prohibition against partisan political activity. (ORC 124.57)

- (A) No Public Official in the classified service of the state, the several counties, cities, and city school districts of the state, or the civil service townships of the state shall directly or indirectly, orally or by letter, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political party or for any candidate for Public office; nor shall any person solicit directly or indirectly, orally or by letter, or be in any manner concerned in soliciting, any such assessment, contribution, or payment from any officer or employee in the classified service of the state, the several counties, cities, or city school districts of the state, or the civil service townships of the state; nor shall any officer or employee in the classified service of the state, the several counties, cities, and city school districts of the state, or the civil service townships of the state be an officer in any political organization or take part in politics other than to vote as the officer or employee pleases and to express freely political opinions.
- (B)(1) Nothing in division (A) of this section prohibits an officer or employee described in that division from serving as a precinct election official under section 3501.22 of the Revised Code.

- (2) Nothing in division (A) of this section prohibits an employee of the Ohio cooperative extension service whose position is transferred from the unclassified civil service to the classified civil service and who also holds the office of president of a city legislative authority from completing the existing term of office as president.

Political activity of employees in the classified service. (OAC123:1-46-02)

- (A) The purpose of this rule is to provide appointing authorities, personnel officers, and others with guidelines concerning political activity. Employees in the classified service are prohibited by section 124.57 of the Revised Code from engaging in political activity.
 - (1) "Classified service" means all persons in active pay status serving in the competitive classified civil service of the state, the counties, or the general health districts. Unless specifically exempted from the classified service in accordance with the Revised Code and these rules, an employee shall be considered to be in the classified service for purposes of this rule.
 - (2) "Political activity" and "politics" refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates.
- (B) The following are examples of permissible activities for employees in the classified service:
 - (1) Registration and voting;
 - (2) Expression of opinions, either oral or written;
 - (3) Voluntary financial contributions to political candidates or organizations;
 - (4) Circulation of nonpartisan petitions or petitions stating views on legislation;
 - (5) Attendance at political rallies;
 - (6) Signing nominating petitions in support of individuals;
 - (7) Display of political materials in the employee's home or on the employee's property;
 - (8) Wearing political badges or buttons, or the display of political stickers on private vehicles, and
 - (9) Serving as a precinct election official under section 3501.22 of the Revised Code.
- (C) The following activities are prohibited to employees in the classified service:
 - (1) Candidacy for Public office in a partisan election;
 - (2) Candidacy for Public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
 - (3) Filing of petitions meeting statutory requirements for partisan candidacy to elective office;

- (4) Circulation of official nominating petitions for any candidate participating in a partisan election;
 - (5) Service in an elected or appointed office in any partisan political organization;
 - (6) Acceptance of a party-sponsored appointment to any office normally filled by partisan election;
 - (7) Campaigning by writing for Publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
 - (8) Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
 - (9) Solicitation of the sale, or actual sale, of political party tickets;
 - (10) Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
 - (11) Service as, witness or challenger, for any party or partisan committee;
 - (12) Participation in political caucuses of a partisan nature; and
 - (13) Participation in a political action committee which supports partisan activity.
- (D) An employee in the classified service who engages in any of the activities listed in paragraphs (C)(1) to (C)(13) of this rule is subject to removal from his or her position in the classified service. The appointing authority may initiate such removal action in accordance with the procedures in section 124.34 of the Revised Code. The director may also institute an investigation or action in case of a violation.
- (E) Employees in the unclassified service, who serve at the pleasure of the appointing authority and are not subject to competitive examination, are not prohibited from engaging in political activity unless specifically precluded by federal or state constitutional or statutory provisions.
- (F) Service in an appointed or elected position is prohibited when such position is subordinate to or in any way a check upon a position concurrently occupied by a classified or unclassified employee, or when it is physically impossible for one person to discharge the duties of both positions, or if some specific constitutional or statutory bar exists prohibiting a person from serving both positions.
- (G) If any person holding Public office or employment is convicted of violating the Revised Code provisions prohibiting abuse of political influence, such office or position shall thereby be rendered vacant.

Section 10. Boards, Commissions and Advisory Board Appointments

No appointee to a County policy-making Board or commission shall have one or more of the following conflicts of interest with the intended Board's objective and impartial operations:

- a. Elected or appointed employment with the County during the 12 months immediately preceding the Board appointment;
- b. One or more full family members or business associates serving on the same Board, Commission or Advisory Board; or
- c. An interest in one or more contracts in effect with or under consideration by that Board, Commission or Advisory Board.

Section 11. Failure to Recuse Oneself

Representation, Sales of Goods and Services ORC Section 102.04

- (E) No Public Official who files a statement or is required to file a statement under division (D) of this section shall knowingly fail to disqualify himself from any participation as a Public Official of the agency with which he serves in any matter involving any official or employee of an agency before which a matter for which he rendered personal services was pending or of a Public agency that purchased or agreed to purchase goods or services.

Duty to leave meeting.

- (1) To avoid the appearance of impropriety, after any Public Official or a partner in interest is determined to have a conflict of interest or a potential conflict of interest in any matter, and once all questions relating to the conflict of interest have been answered to the satisfaction of the decision maker, the Public Official shall immediately leave the meeting room, except that if the matter is being considered at a Public meeting, the Public Official may remain in the area of the room occupied by the general Public.
- (2) Nothing herein shall require members of voting bodies to leave their seats while action is taken regarding any item contained on a consent agenda on which there is no deliberation, the Public Official's conflict has been disclosed, and the Public Official abstains from voting on the item.

Section 12: Gratuities for Performance of Regular Duties

Representation, Sales of Goods and Services ORC Section 102.04 (A), (B), (C), (D).

- (A) Except as provided in division (D) of this section, no Public Officials shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter that is before the County, excluding the courts.
- (B) Except as provided in division (D) of this section, no Public Official shall sell or agree to sell, except through competitive bidding, any goods or services to the County, excluding the courts.
- (C) Except as provided in division (D) of this section, Public Official shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any matter which is before the County.
- (D) A Public Official who is appointed to a non-elective office shall be exempted from division (A), (B), or (C) of this section if both of the following apply:
 - (1) The agency to which the Public Official wants to sell the goods or services, or before which the matter that involves the rendering of his services is pending, is an agency other than the one with which he serves;

- (2) Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the Inspector General,

The required statement shall contain the Public Official's name and home address, the name and mailing address of the Public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the Public Official's declaration that he disqualifies himself for a period of two years from any participation as such Public Official in any matter involving any Public Official of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same Public agency regarding a particular matter more than once in a calendar year.

Section 13: Gratuities for Employment Favors

Gratuities for Employment Favors

Section 2921.43

- (B) No Public Official shall solicit or accept "Anything of Value" for the Public Official's own personal or business use, and no Public Official for ones own personal or business in consideration of either of the following:
- (1) Appointing or securing, maintaining, or renewing the appointment of any person to any Public office, employment, or agency;
 - (2) Preferring, or maintaining the status of, any Public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

Section 14: Penalties for Violations of Improper Gratuities

Penalties for Violations Section 2921.43

- (D) Whoever violates this section is guilty of soliciting improper compensation, a misdemeanor of the first degree.
- (E) A Public Official who is convicted of a violation of this section is disqualified from holding any Public office, employment, or position of trust in this state for a period of seven years from the date of conviction.

Section 15: Post Employment Disclosure

Post Employment Disclosure ORC Sec. 102.021

- (A)(1) For the twenty-four month period immediately following the end of the former Public Official's relationship with the County, except as provided in division (B) or (D) of this section, each former a Public Official who filed or was required to file a disclosure statement under section 102.02 of the Revised Code shall file, on or before the deadlines specified in division (D) of this section, with the ethics committee a statement that shall include the information described in divisions (A)(2), (3), (4), and (5) of this section, as applicable. The statement shall be filed on a form and in the manner specified by the ethics committee. This division does not apply to a Public

Official who filed or was required to file a disclosure statement under section 102.02 of the Revised Code, who leaves service or Public employment, and who takes another position as a Public Official who files or is required to file a disclosure statement under that section.

No person shall fail to file, on or before the deadlines specified in division (D) of this section, a statement that is required by this division.

- (2) The statement referred to in division (A)(1) of this section shall describe the source of all income received, in the former Public Official own name or by any other person for the person's use or benefit, and briefly describe the nature of the services for which the income was received if the source of the income was any of the following:
 - (a) An executive agency lobbyist or a legislative agent;
 - (b) The employer of an executive agency lobbyist or legislative agent, except that this division does not apply if the employer is any state agency or political subdivision of the state;
 - (c) Any entity, association, or business that, at any time during the two immediately preceding calendar years, was awarded one or more contracts by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more, or bid on one or more contracts to be awarded by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more.
- (3) If the former Public Official received no income as described in division (A)(2) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.
- (4) If the former Public Official directly or indirectly made, either separately or in combination with another, any expenditure or gift for transportation, lodging, or food or beverages to, at the request of, for the benefit of, or on behalf of any Public Official or employee, and if the former Public Official would be required to report the expenditure or gift in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made, the statement referred to in division (A)(1) of this section shall include all information relative to that gift or expenditure that would be required in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made.
- (5) If the former state elected officer or staff member made no expenditure or gift as described in division (A)(4) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.
- (B) If, at any time during the twenty-four month period immediately following the end of the former Public Official's service filed or was required to file a disclosure statement under section 102.02 of the Revised Code becomes a legislative agent or an executive agency lobbyist, the former Public Official shall comply with all registration and filing requirements set forth in sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, and, the former state elected officer or staff member also shall file a statement under division (A)(1) of this section except that the statement filed under division (A)(1) of this section does not need to include information regarding any income source, expenditure, or gift to the extent that that information was included in any registration or statement filed under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code.
- (C) Except as otherwise provided in this division, division (A)(2) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession

and who, pursuant to a section of the Revised Code, the common law of this state, a Ordinance applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose in the brief description of the nature of services required by division (A)(2) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

- (D)(1) Each Public Official who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves Public service or Public employment shall file an initial statement under division (A)(1) of this section not later than the day on which the former state elected officer or staff member leaves Public service or Public employment. The initial statement shall specify whether the person will, or will not, receive any income from a source described in division (A)(2)(a), (b), or (c) of this section.

If a person files an initial statement under this division that states that the person will receive income from a source described in division (A)(2)(a), (b), or (c) of this section, the person is required to file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section. If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, except as otherwise provided in this division, the person is not required to file statements under division (A)(2), (4), or (5) of this section or to file subsequent statements under division (A)(3) of this section. If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, and, subsequent to the filing of that initial statement, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division, and the person thereafter shall file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

- (2) After the filing of the initial statement under division (D)(1) of this section, each person required to file a statement under division (A)(2), (3), (4), or (5) of this section shall file it on or before the last calendar day of January, May, and September. The statements described in divisions (A)(2), (3), and (5) of this section shall relate to the sources of income the person received in the immediately preceding filing period from each source of income in each of the categories listed in division (A)(2) of this section. The statement described in division (A)(4) of this section shall include any information required to be reported regarding expenditures and gifts of the type

described in division (A)(4) of this section occurring since the filing of the immediately preceding statement.

If, pursuant to this division, a person files a statement under division (A)(2) of this section, the person is required to file statements under division (A)(4) of this section, and subsequent statements under division (A)(2), (3), or (5) of this section, at the times specified in this division. In addition, if, subsequent to the filing of the statement under division (A)(2) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section that was not listed on the statement filed under division (A)(2) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source.

If, pursuant to this division, a person files a statement under division (A)(3) of this section, except as otherwise provided in this division, the person thereafter is not required to file statements under division (A)(2), (4), or (5) of this section, or to file subsequent statements under division (A)(3) of this section. If, subsequent to the filing of the statement under division (A)(3) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source, and the person thereafter shall file statements under division (A)(4) of this section, and subsequent statements under division (A)(2) or (3) of this section, at the times specified in this division.

- (3) No fee shall be required for filing an initial statement under division (D)(1) of this section. The person filing a statement under division (D)(2) of this section that is required to be filed on or before the last calendar day of January, May, and September shall pay a ten dollar filing fee with each such statement not to exceed thirty dollars in any calendar year. The joint legislative ethics committee may charge late fees in the same manner as specified in division (G) of section 101.72 of the Revised Code.
- (E) Any state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves Public service or Public employment shall provide a forwarding address to the officer's or staff member's last employer, and the employer shall provide the person's name and address to the joint legislative ethics committee. The former elected state officer or staff member shall provide updated forwarding addresses as necessary to the joint legislative ethics committee during the twenty four month period during which division (A)(1) of this section applies. The Public agency or appointing authority that was the last employer of a person required to file a statement under division (A)(2) of this section shall furnish to the person a copy of the form needed to complete the initial statement required under division (D)(1) of this section.
- (F) During the twenty-four month period immediately following the end of the former Public Official's service or Public employment, no person required to file a statement under this section shall receive from a source described in division (A)(2)(a), (b), or (c) of this section, and no source described in division (A)(2)(a), (b), or (c) of this section shall pay to that person, any compensation that is contingent in any way upon the introduction, modification, passage, or defeat of any legislation or the outcome of any executive agency decision.
- (G) As used in this section "state elected officer or staff member" means any elected officer of this state, any staff, as defined in section 101.70 of the Revised Code, or any staff, as defined in section 121.60 of the Revised Code.

Representation, Sales of Goods and Services ORC Section 102.04

- A) Except as provided in division (D) of this section, no Public Official employed by the County, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter that is before the County, excluding the courts.
- (B) Except as provided in division (D) of this section, no Public Official employed by the County, excluding the courts, shall sell or agree to sell, except through competitive bidding, any goods or services to the County, excluding the courts.
- (C) Except as provided in division (D) of this section, no Public Official, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter which is before the County.
- (D) A Public Official who is appointed to a non-elective office or a Public employee shall be exempted from division (A), (B), or (C) of this section if both of the following apply:
 - (1) The agency to which the official or employee wants to sell the goods or services, or before which the matter that involves the rendering of his services is pending, is an agency other than the one with which he serves;
 - (2) Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the appropriate ethics commission, with the Public agency with which he serves, and with the Public agency before which the matter is pending or that is purchasing or has agreed to purchase goods or services. \

The required statement shall contain the official's or employee's name and home address, the name and mailing address of the Public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the Public Official's or employee's declaration that he disqualifies himself for a period of two years from any participation as such Public Official in any matter involving any Public Official of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same Public agency regarding a particular matter more than once in a calendar year.

- (E) No Public Official who files a statement or is required to file a statement under division (D) of this section shall knowingly fail to disqualify himself from any participation as a Public Official of the agency with which he serves in any matter involving any official or employee of an agency before which a matter for which he rendered personal services was pending or of a Public agency that purchased or agreed to purchase goods or services.
- (F) This section shall not be construed to prohibit the performance of ministerial functions including, but not limited to, the filing, or amendment of tax returns, applications for permits and licenses, incorporation papers, and other documents.

Section 17: Employment of Relatives

Relationship to another individual employed by the County will not constitute a bar to initial employment. The County extends equal consideration to all applicants and candidates for employment. Neither positive nor negative weight shall be considered when a relationship exists with another County employee.

To preclude actual favoritism or the appearance of favoritism in the employment relationship, no employee shall take any part in the selection process for a position for which a full family member is an applicant. In addition, an individual may not be assigned or accept employment in a department in which supervisory authority and/or responsibility directly affecting that department is provided by a full family member of the individual. Employees who become related as a result of marriage (their own or that of a relative) will be transferred to another work unit. An employee will not participate in decisions involving a direct benefit to relatives such as employment, retention, appraisal, promotion, salary, and leave of absence.

ARTICLE V: FINANCIAL DISCLOSURE

Section 1: *Financial Disclosure*

Financial Disclosure – ORC: Section 102.02

1. Except as otherwise provided in division (h) of this section, all of the following shall file with the appropriate ethics commission the disclosure statement described in this division on a form prescribed by the appropriate commission: every person who is elected to or is a candidate for a state, county, or city office and every person who is appointed to fill a vacancy for an unexpired term in such an elective office;

The disclosure statement shall include all of the following:

- (1) The name of the person filing the statement and each member of the person's full family and all names under which the person or members of the person's full family does business;
- (2)(a) Subject to divisions (A)(2)(b), and (c) of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other than income from a legislative agent identified in division (A)(2)(b) of this section, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a Public Official, the statement shall identify the amount of every source of income received in accordance with the following ranges of amounts: zero or more, but less than one thousand dollars; one thousand dollars or more, but less than ten thousand dollars; ten thousand dollars or more, but less than twenty five thousand dollars; twenty-five thousand dollars or more, but less than fifty thousand dollars; fifty thousand dollars or more, but less than one hundred thousand dollars; and one hundred thousand dollars or more. Division (A)(2)(a) of this section shall not be construed to require a

person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of that business or profession, except for those individual items of income that are attributable to the person's or, if the income is shared with the person, the partner's, solicitation of services or goods or performance, arrangement, or facilitation of services or provision of goods on behalf of the business or profession of clients, including corporate clients, who are legislative agents. A person who files the statement under this section shall disclose the identity of and the amount of income received from a person who the Public Official knows or has reason to know is doing or seeking to do business of any kind with the Public Official's or employee's agency.

(b) If the person filing the statement is a Public Official, the statement shall identify every source of income and the amount of that income that was received from a legislative agent during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. Division (A)(2)(b) of this section requires the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons certified under section 4731.14 of the Revised Code, if those clients or patients are legislative agents. Division (A)(2)(b) of this section requires a person filing the statement who derives income from a business or profession to disclose those individual items of income that constitute the gross income of that business or profession that are received from legislative agents.

(c) Except as otherwise provided in division (A)(2)(c) of this section, division (A)(2)(a) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2)(a) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(c) of this section to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2)(a) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(c) of this section to disclose in the brief description of the nature of services required by division (A)(2)(a) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(3) The name of every corporation on file with the secretary of state that is incorporated in this state or holds a certificate of compliance authorizing it to do business in this state, trust, business trust, partnership, or association that transacts business in this

state in which the person filing the statement or any other person for the person's use and benefit had during the preceding calendar year an investment of over one thousand dollars at fair market value as of the thirty-first day of December of the preceding calendar year, or the date of disposition, whichever is earlier, or in which the person holds any office or has a fiduciary relationship, and a description of the nature of the investment, office, or relationship. Division (A)(3) of this section does not require disclosure of the name of any bank, savings and loan association, credit union, or building and loan association with which the person filing the statement has a deposit or a withdrawable share account.

- (4) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;
- (5) The names of all persons residing or transacting business in the state to whom the person filing the statement owes, in the person's own name or in the name of any other person, more than one thousand dollars. Division (A)(5) of this section shall not be construed to require the disclosure of debts owed by the person resulting from the ordinary conduct of a business or profession or debts on the person's residence or real property used primarily for personal recreation, except that the superintendent of financial institutions shall disclose the names of all state-chartered savings and loan associations and of all service corporations subject to regulation under division (E)(2) of section 1151.34 of the Revised Code to whom the superintendent in the superintendent's own name or in the name of any other person owes any money, and that the superintendent and any deputy superintendent of banks shall disclose the names of all state-chartered banks and all bank subsidiary corporations subject to regulation under section 1109.44 of the Revised Code to whom the superintendent or deputy superintendent owes any money.
- (6) The names of all persons residing or transacting business in the state, other than a depository excluded under division (A)(3) of this section, who owe more than one thousand dollars to the person filing the statement, either in the person's own name or to any person for the person's use or benefit. Division (A)(6) of this section shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code, or patients of persons certified under section 4731.14 of the Revised Code, nor the disclosure of debts owed to the person resulting from the ordinary conduct of a business or profession.
- (7) Except as otherwise provided in section 102.022 of the Revised Code, the source of each gift of over seventy-five dollars, or of each gift of over twenty-five dollars received by a Public Official from a legislative agent, received by the person in the person's own name or by any other person for the person's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, or received from spouses, parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor;
- (8) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source and amount of every payment of expenses incurred for travel to destinations inside or outside this state that is received by the person in the person's own name or by any other person for the person's use or benefit and that is incurred in connection with the person's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any

political subdivision or any office or agency of a political subdivision pays membership dues;

- (9) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source of payment of expenses for meals and other food and beverages, other than for meals and other food and beverages provided at a meeting at which the person participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year;
- (10) If the disclosure statement is filed by a Public Official described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section 101.73 of the Revised Code or division (G)(2) of section 121.63 of the Revised Code, all of the nondisputed information contained in the statement delivered to that Public Official by the legislative agent, executive agency lobbyist, or employer under division (F)(2) of section 101.73 or (G)(2) of section 121.63 of the Revised Code.
- (A) (1) A person may file a statement required by this section in person or by mail. A person who is a candidate for elective office shall file the statement no later than the thirtieth day before the primary, special, or general election at which the candidacy is to be voted on, whichever election occurs soonest, except that a person who is a write-in candidate shall file the statement no later than the twentieth day before the earliest election at which the person's candidacy is to be voted on. A person who holds elective office shall file the statement on or before the fifteenth day of April of each year unless the person is a candidate for office.
- (2) A person who is appointed to fill a vacancy for an unexpired term in an elective office shall file the statement within fifteen days after the person qualifies for office. Other persons shall file an annual statement on or before the fifteenth day of April or, if appointed or employed after that date, within ninety days after appointment or employment. No person shall be required to file with the appropriate ethics commission more than one statement or pay more than one filing fee for any one calendar year.
- (3) The appropriate ethics commission, for good cause, may extend for a reasonable time the deadline for filing a statement under this section.
- (4) A statement filed under this section is subject to Public inspection at locations designated by the appropriate ethics commission except as
- (C) No person shall knowingly fail to file, on or before the applicable filing deadline established under this section, a statement that is required by this section.
- (D) No person shall knowingly file a false statement that is required to be filed under this section.
- (E)(1) Except as provided in divisions (E)(2) and (3) of this section, the statement required by division (A) or (B) of this section shall be accompanied by a filing fee of forty dollars.
- (2) The statement required by division (A) of this section shall be accompanied by the following filing fee to be paid by the person who

is elected or appointed to, or is a candidate for, any of the following offices:

For state office, except member of the state Inspector General of education	\$65
For office of member of Public Officials	\$40
For county office	\$40
For city office	\$25
For office of member of the state Inspector General of education	\$25
For office of member of the Ohio livestock care standards Inspector General	\$25
For office of member of a city, local, exempted village, or cooperative education Inspector General of education or educational service center governing Inspector General	\$20
For position of business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or educational service center	\$20

- (3) No judge of a court of record or candidate for judge of a court of record, and no referee or magistrate serving a court of record, shall be required to pay the fee required under division (E)(1) or (2) or (F) of this section.
- (4) For any Public Official who is appointed to a non-elective office of the state and for any employee who holds a non-elective position in a Public agency of the state, the state agency that is the primary employer of the state official or employee shall pay the fee required under division (E)(1) or (F) of this section.
- (F) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the appropriate ethics commission shall assess the person required to file the statement a late filing fee of ten dollars for each day the statement is not filed, except that the total amount of the late filing fee shall not exceed two hundred fifty dollars.
- (G)(1) The appropriate ethics commission other than the Ohio ethics commission shall deposit all fees it receives under divisions (E) and (F) of this section into the general revenue fund of the state.
- (2) The Ohio ethics commission shall deposit all receipts, including, but not limited to, fees it receives under divisions (E) and (F) of this section and all moneys it receives from settlements under division (G) of section 102.06 of the Revised Code, into the Ohio ethics commission fund, which is hereby created in the state treasury. All moneys credited to the fund shall be used solely for expenses related to the operation and statutory functions of the commission.
- (H) Division (A) of this section does not apply to a person elected or appointed to the office of precinct, ward, or district committee member under Chapter 3517. of the Revised Code; a presidential elector; a delegate to a national convention; village or township officials and employees; any physician or psychiatrist who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code and whose primary duties do not require the exercise of administrative discretion; or any member of a Inspector General, commission, or

bureau of any county or city who receives less than one thousand dollars per year for serving in that position.

Section 2. Financial Disclosure Limited

Financial Disclosure Limited ORC Sec. 102.022

Each person who is an officer or employee of a political subdivision, who receives compensation of less than sixteen thousand dollars a year for holding an office or position of employment with that political subdivision, and who is required to file a statement under section 102.02 of the Revised Code,:

- (A) Exclusive of reasonable expenses, identification of every source of income over five hundred dollars received during the preceding calendar year, in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code or patients of persons certified under section 4731.14 of the Revised Code. This division shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of the business or profession.
- (B) The source of each gift of over five hundred dollars received by the person in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, received from parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor.

As used in this division, "contributions," "campaign committee," "political party," "legislative campaign fund," "political action committee," and "political contributing entity" have the same meanings as in section 3517.01 of the Revised Code.

ARTICLE VI: DISCLOSURE, TRANSPARENCY AND PREVENTION

Section 1: Signed Ethics Statement.

All Public Officials shall receive personal copies of this Ordinance and shall sign an ethics statement saying that they have read, understood and agreed to abide by the standards set forth. The signed ethics statement shall be a condition of employment, and signed ethics statements for all covered persons shall be kept with their personnel files.

A copy of these laws will be provided to each employee upon commencement of their employment with the County. These laws are also available at www.ethics.ohio.gov. Each employee shall be required to sign a form acknowledging receipt of this document and the form shall be placed in each employee's personnel file.

Section 2: Financial Disclosure Statements

Financial Disclosure Statements

The following shall file financial disclosure statements with the Ohio Ethics Commission by April 15 of each year and file a duplicate with the Inspector General: County elected officials, appointed or hired heads of all County offices and departments, and all holders of other substantive positions in County agencies, Boards and commissions. The Inspector General, pursuant to its rulemaking authority, shall determine precisely which positions are subject to this provision. In addition, candidates for County elective office required by Ohio Law to file financial disclosure statements shall file a duplicate statement with the Inspector General.

Section 3: Campaign Finance Report Disclosure

All candidates for election or re-election to any County office shall provide the Inspector General with duplicates of all reports with the County Board of Elections.

Section 4: Lobbyist Registration and Reporting

a. Registry. All lobbyists shall register with Cuyahoga County on a form devised by the Inspector General. The form shall include the entity for which the person is lobbying, the employer's name, type of business and current contact information. Registration shall be valid for twelve months. As necessary, the Inspector General may choose to require additional information.

b. Signed Ethics Statement. Lobbyist shall also sign an ethics statement indicating they have read, understood and agreed to follow the pertinent sections of this Ordinance.

c. Reports. All lobbyists shall file a report to the Inspector General every April 15 and October 15 containing the following:

- i. A current list of the contracts or policies they are trying to influence;
- ii. Campaign contributions to County elected officials, as permitted by U.S. and Ohio campaign finance law and this Ordinance.

d. Penalties. Lobbyist who fail to comply with provisions a, b, and c, shall be prohibited from entering into any contracts with the County until they are in compliance. Lobbyist who are found to be in violation of this Ordinance shall be removed from the registry and be prohibited from entering into contracts with the County for a period determined by the Inspector General, along with such other penalty(ies) as the Inspector General may deem appropriate.

Section 5: Contractor Registry and Reporting

a. Registry. All contractors doing or seeking to do business with the County must register with the County Procurement Department and the Inspector General, using the form determined by the Inspector General. Information to be submitted shall include but not be limited to: corporate name, Federal Tax Identification

Number, address, type of business and names of principals and contracts with the County during the past four years. Registration shall be valid for twelve months. As necessary, the Procurement Department may choose to require additional information.

- b. Signed Ethics Statement. Contractors shall also sign an ethics statement indicating they have read, understood and agreed to follow the pertinent sections of this Ordinance.
- c. First-time Awards. Registration and the signed ethics statement shall be pre-conditions for the signing of any first-time contract with the County. This provision does not prevent contractors not currently on the registry from submitting competitive bids.
- d. Penalties. Contractors who fail to comply with provisions a, b, and c, shall be prohibited from entering into any contracts with the County until they are in compliance. Contractors who are found to be in violation of this Ordinance shall be removed from the registry and be prohibited from entering into contracts with the County for a period determined by the Inspector General, along with such other penalty(ies) as the Inspector General may deem appropriate.

ARTICLE VII: WHISTLEBLOWER

Violation or misuse - whistleblower protection ORC 124.341

Section 1: *Rights*

- (A) If Public Official in the classified or unclassified civil service becomes aware in the course of employment of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, and the employee's supervisor or appointing authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority. In addition to or instead of filing a written report with the supervisor or appointing authority, the employee may file a written report with the office of internal auditing created under section 126.45 of the Revised Code.

Section 2: *Responsibilities*

If the Public Official reasonably believes that a violation or misuse of public resources is a criminal offense, the employee, in addition to or instead of filing a written report with the supervisor, appointing authority, or the office of internal auditing, may report it to a prosecuting attorney, director of law, village solicitor, or similar chief legal officer of a municipal corporation, to a peace officer, as defined in section 2935.01 of the Revised Code, or, if the violation or misuse of public resources is within the jurisdiction of the inspector general, to the inspector general in accordance with section 121.46 of the Revised Code. In addition to that report, if the employee reasonably believes the violation or misuse is also a violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code, the employee may report it to the appropriate ethics commission.

Section 3: *Protections and Prohibitions*

- (B) Except as otherwise provided in division (C) of this section, no Public Official in the classified or unclassified civil service shall take any disciplinary action against an employee in the classified or unclassified civil service for making any report authorized by division (A) of this section, including, without limitation, doing any of the following:
- (1) Removing or suspending the employee from employment;
 - (2) Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;
 - (3) Transferring or reassigning the employee;
 - (4) Denying the employee promotion that otherwise would have been received;
 - (5) Reducing the employee in pay or position.
- (C) A Public Official in the classified or unclassified civil service shall make a reasonable effort to determine the accuracy of any information reported under division (A) of this section. The employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely, knowingly, or recklessly reporting false information under division (A) of this section.
- (D) If an appointing authority takes any disciplinary or retaliatory action against a classified or unclassified Public Official as a result of the employee's having filed a report under division (A) of this section, the employee's sole and exclusive remedy, notwithstanding any other provision of law, is to file an appeal with the state personnel board of review within thirty days after receiving actual notice of the appointing authority's action. If the employee files such an appeal, the board shall immediately notify the employee's appointing authority and shall hear the appeal. The board may affirm or disaffirm the action of the appointing authority or may issue any other order as is appropriate. The order of the board is appealable in accordance with Chapter 119 of the Revised Code.

ARTICLE VIII. INSPECTOR GENERAL

The Office of the Inspector General shall be the ethics investigative officer for the County and shall conduct all investigations pertaining to this ordinance.

ARTICLE IX. HUMAN RESOURCES COMMISSION

The Human Resource Commission shall be the ethics education entity for the County.

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0002

Sponsored by: Conwell, Miller and Germana	A Resolution opposing House Bill No. 3 of the 129 th Ohio General Assembly that would amend the Ohio Revised Code to repeal the estate tax for the estates of individuals dying on or after 1/1/2011.
--	---

WHEREAS, House Bill No. 3 introduced on January 11, 2011 by representatives Cheryl L. Grossman (R) and Jay Hottinger (R) would amend the Ohio Revised Code to repeal the estate tax for the estates of individuals dying on or after January 1, 2011; and

WHEREAS, the estate tax helps address the imbalance of wealth by taxing the wealthy; and

WHEREAS, currently Ohio levies an estate tax of up to 7 percent on the net value of an estate before its assets are transferred to anyone else, but Ohio doesn't collect tax on estate unless its net taxable value is greater than \$338,333, according to the Taxation Department; and

WHEREAS, the Census Bureau reports that Ohio's 2009 median family income was about \$57,000- and the median value of an Ohio owner-occupied housing unit about \$135,000; and

WHEREAS, Ohio taxed only about 8,000 estates in the 12 months that ended in June 2009, though about 110,000 Ohioans- albeit of all ages and financial circumstances-died in calendar 2008; and

WHEREAS, abolishing the estate tax would hurt local municipalities that receive about 80 percent of estate tax revenue- about \$270 million in fiscal year 2009; and

WHEREAS, with 80 cents of every \$1 Ohio collects in estate tax being returned to the city, village or township where the dead person lived, in 2008, for example \$5.4 million went to Cleveland, \$2.3 million to Cleveland Heights, \$9.2 million to Columbus, \$2 million to Upper Arlington, \$ 785,000 to Dayton, \$3.6 million to Kettering, \$1.5 million each to Springfield and Hamilton, and \$911,000 to Mason; and

WHEREAS, Representative Mike Foley, a Democrat from Cleveland, is concerned that without the estate tax, local governments will be forced to cut services and raise taxes on their own citizens to make up for the shortfall; and

WHEREAS, Ohio Municipal League Deputy Director John Mahoney said that municipalities would like to see some source of revenue that would make up for that money if the state chooses to repeal the estate tax; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety;

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

SECTION 1. That this council opposes House Bill No. 3 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to repeal the estate tax for the estates of individuals dying on or after January 1, 2011.

SECTION 2. That the clerk of Council is hereby directed to transmit certified copies of this resolution to Representatives Grossman and Hottinger, the 129th Ohio General Assembly and County Executive Ed Fitzgerald.

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 _____
_____, 2011

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0042

Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer	A Resolution authorizing the County Executive to enter into an agreement of cooperation with City of North Royalton for reconstruction of Royalton Road, with additional turning lanes, from West 130 th Street to York Road, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Engineer has requested the approval of an agreement of cooperation with the City of North Royalton, for the improvement of Royalton Road (CR-82) from West 130th Street to York Road within the corporate limits of the City of North Royalton (the "Project"); and,

WHEREAS, funding for the project is as follows:

County Share:	\$488,000.00
Federal Share:	\$9,760,000.00
Issue 1 Share:	\$1,464,000.00
Municipal Share:	\$488,000.00
Total Estimate Cost:	\$12, 200,000.00; and,

Whereas, the project is expected to be bid in 2013.

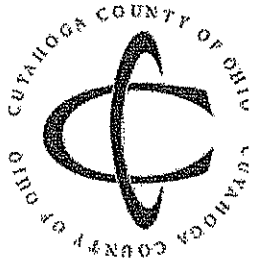
NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The County Executive is authorized to enter into an Agreement of Cooperation with the City of North Royalton for the improvement of Royalton Road (CR-82) from West 130th Street to York Road within the corporate limits of the City of North Royalton.

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.

R2011-0042

Novus Agenda



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Jamal H. Husani
Type of Request:	Agreement/Amendment		
Request Prepared by:	Ernest F. Zadell	Telephone No.	216-348-3815
SUMMARY OF REQUESTED ACTION:			
County Engineer, submitting an agreement of cooperation with the City of North Royalton for approval, for the improvement of Royalton Road (CR-82) from West 130th Street to York Road within the corporate limits of North Royalton. Funding for this project is as follows:			
County Share	\$ 488,000.00		
Federal Share	\$ 9,760,000.00		
Issue 1 Share	\$ 1,464,000.00		
Municipal Share	\$ <u>488,000.00</u>		
Total Estimated Cost	\$12,200,000.00		
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Purpose: To execute agreement for the above-described project.			
Outcomes: Project will be bid in 2013.			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:
Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source:	Explanation:
	Road and Bridge

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0043

<p>Sponsored by: County Executive FitzGerald/ Department of Public Works</p>	<p>A Resolution authorizing the Department of Purchasing to issue Addendum No. 1 to the specifications on RQ18868 for the County Courthouse Americans with Disabilities Act Improvements Project, to make technical changes and to change the bid due date from 1/11/2011 to 2/14/2011, and declaring the necessity that this Resolution become immediately effective.</p>
---	---

WHEREAS, the Department of Central Services has submitted Addendum No. 1 to the request for proposals on RQ18868, Courthouse Americans with Disabilities Act Capital Project; and,

WHEREAS, The Department of Central Services has determined that this addendum is necessary to provide revised drawings and specifications to the original bid and to change the bid due date from 1/11/2011 to 2/14/2011.

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

SECTION 1. Addendum No. 1 to the request for proposals on RQ18868 for the County Courthouse Americans with Disabilities Act Improvements Project, to make technical changes and to change the bid due date from 1/11/2011 to 2/14/2011 is hereby approved.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

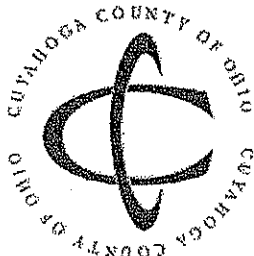
County Executive

Date

Clerk of Council

Date

Journal CC001
February 8, 2011



Item Details:

Agency/Dept. Name:	Department Central Services	of Agency/Dept. Head Name:	Jay Ross
Type of Request:	RFP / Bid		
Request Prepared by:	George Geletka	Telephone No.	443-6152
SUMMARY OF REQUESTED ACTION:			
Submitting Addendum #1 to the request for proposals on RQ18868, Courthouse ADA Capital Project. The addendum includes changing the bid due date to February 14, 2011.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Based on the pre-bid meeting and questions from vendors, this addendum is necessary to provide revised Drawings and Specs to the original bid. The bid due date also will be extended to February 14, 2011.			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:
Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source:	Explanation:
General Fund	
Total Amount Requested:	
\$	

ATTACHMENTS:

Click to download

[addendum](#)

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0044

Sponsored by: County Executive Fitzgerald/ Department of Public Works	A Resolution 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 \$229,442.31 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma, and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, pursuant to O.R.C. 4504.02, the County imposes a \$5.00 motor vehicle tax on each motor vehicle registered in the County and the funds derived from that tax may be utilized for the purposes set forth in the statute, including planning, construction, improvement, maintenance and repair of public roads; and,

WHEREAS, the County Engineer determined the necessity for a contract amendment calling for additional engineering services to be provided by the consulting firm Euthenics, Inc., for the design of Pleasant Valley Road (C.R. 39) from Pearl Road to York Road; and,

WHEREAS, on November 3, 2010, the County Engineer received authority to prepare the above referenced contract Cities of Independence and Seven Hills have entered into agreements with the County Engineer to allow this work to be performed and to utilize license tax fees to pay their proportionate share of the repair and resurfacing work.

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

SECTION 1. That the County Engineer on behalf of the County Executive is authorized to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$229,442.31 for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

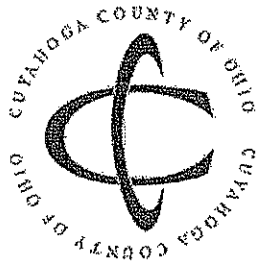
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0044

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Michael W. Chambers, CPA
Type of Request:	Other		
Request Prepared by:	Heather Keel	Telephone No.	216-348-3852
SUMMARY OF REQUESTED ACTION:			
Re: Additional engineering services for the design of Pleasant Valley Road (C.R. 39) from Pearl Road to York Road.			
On November 3, 2010 this office received authority to prepare the above-mentioned Contract Amendment with the consulting firm Euthenics, Inc.			
In order to process the Contract Amendment, we are requesting the current allocation of County Motor Vehicle \$5.00 License Tax Fund in the amount of \$229,442.31.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Purpose/Outcome: Will be able to complete the plans and specifications for the project.			
Principal Owners: See attached			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:
Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source:	Explanation:
Other	\$5.00 License Tax Fund

Total Amount Requested:
\$229,442.31

ATTACHMENTS:

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Principal Owners

**History
Time**

Who
Clerk of the Board

Approval


Copyright 2001-2009

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0045

Sponsored by: County Executive FitzGerald/ Department of Public Works	A Resolution 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 \$117,578.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Road in the City of Brooklyn, and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, pursuant to O.R.C. 4504.02, the County imposes a \$5.00 motor vehicle tax on each motor vehicle registered in the County; and,

WHEREAS, the funds derived from that tax may be utilized for the purposes set forth in O.R.C. 4504.02; and,

WHEREAS, said funds may be used for the planning, construction, improvement, maintenance and repair of public roads, highways and streets; and,

WHEREAS, the County Engineer has determined that additional engineering services are needed for the design of Ridge Road (C.R.10) from Interstate 480 to Memphis Road; and,

WHEREAS, on November 10, 2010, the County Engineer received authorization to prepare a contract agreement with the consulting firm of CH2M Hill, Inc.

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

SECTION 1. That the County Engineer is authorized to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds, in the amount of \$117,578.00 for engineering services needed for the design of Ridge Road (C.R. 10) from Interstate 480 to Memphis Road in the City of Brooklyn.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

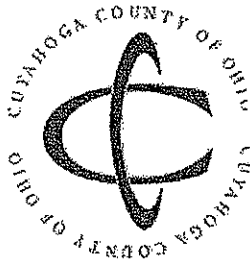
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0045

NOVUS AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Michael Chambers, CPA	W.
Type of Request:	Other	Telephone No.	216-348-3852	
Request Prepared by:	Heather Keel			
SUMMARY OF REQUESTED ACTION:				
Re: Additional engineering services needed for the design of Ridge Road (C.R. 10) from Interstate I-480 to Memphis Avenue.				
On November 10, 2010 this office received authority to prepare the above-mentioned Contract Agreement with the consulting firm CH2M Hill, Inc.				
In order to process the Contract Amendment we are requesting the current allocation of County Motor Vehicle \$5.00 License Tax Fund in the amount of \$117,578.00				
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):				
Purpose/Outcome: Will be able to complete the plans and specifications for the project.				
Principal Owners: See attached				
Explanation for late submittal:				

Contract/Agreement Information:

Procurement Method:	Other
Explanation for Increase/Decrease in \$ Amount for current request:	

Financial Information:

Funding source:	Explanation:
------------------------	---------------------

Other \$5.00 License Tax Fund

Total Amount Requested:
\$117,578.00

ATTACHMENTS:

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Principal Owners

History
Time

Who
Clerk of the Board

Approval


Novusolutions
Copyright 2001-2009

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0046

<p>Sponsored by: County Executive FitzGerald/ Department of Public Works</p>	<p>A Resolution accepting the construction of County Improvement No. 1406, Cook Road/MacKenzie Road Sanitary Sewer in Olmsted Township, County Sewer District No. 14, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.</p>
---	--

WHEREAS, County Sewer Improvement No. 1406, Cook Road/MacKenzie Road Sanitary Sewer in Olmsted Township, County Sewer District No. 14, is complete and in accordance with plans and specifications as required under Contract No. CE0800806-01 with Northeast Ohio Trenching Service, Inc.; and,

WHEREAS, the County Engineer/Sanitary Engineering Division has requested that the County Treasurer be authorized to release the escrow upon notification the County of Cuyahoga; and,

WHEREAS, The County Engineer/Sanitary Engineer confirmed that the work was completed to the satisfaction of the Inspectors, the Engineer, and the Village of Olmsted Township; and,

WHEREAS, The County Engineer/Sanitary Engineer confirmed that the final cost of project was paid in full in the amount of \$606,989.64, and that this cost was lower than both the project estimate which was \$916,000.00 and the original contract with Northeast Ohio Trenching Service, Inc., which was for the amount of \$647,330.00;

WHEREAS, The County Engineer/Sanitary Engineer confirmed the close out of the project's performance bond and commencement of the two year maintenance bond; and,

WHEREAS, This sewer will be part of the County Sewer District and be maintained as a part thereof.

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

SECTION 1. County Sewer Improvement No. 1406, Cook Road/MacKenzie Road Sanitary Sewer in Olmsted Township, County Sewer District No. 14, is approved and accepted as being complete in accordance with plans and specifications as required by Contract No. CE0800806-01 with Northeast Ohio Trenching Service, Inc.

SECTION 2. The County Treasurer is hereby authorized to release the escrow in the amount of \$25,893 plus any accrued interest upon notification from the County of Cuyahoga.

SECTION 3. 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 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

R2011-0046

Novus AGENDA



Item Details:

Agency/Dept. Name: County Engineer/Sanitary Engineering Division
Agency/Dept. Head Name: Robert C. Klaiber Jr.,

Type of Request: Other

Request Prepared by: Rana Sakr

Telephone No.: (216) 443-8199

SUMMARY OF REQUESTED ACTION:

Approving and accepting County Sewer Improvement No. 1406, Cook Road/MacKenzie Road Sanitary Sewer in Olmsted Township, County Sewer District No. 14 as being complete and in accordance with plans and specifications as required under Contract No. CE0800806-01 with Northeast Ohio Trenching Service, Inc., and authorizing the County Treasurer to release the escrow upon notification from the County of Cuyahoga.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

To eliminate the variance and escrow the contractor supplied a check in the amount \$ 2,256.40 that will balance the final payment with the escrow amount.

Accepting the work performed under this contract entails:

Confirming that the work was completed to the satisfaction of the Inspectors, the Engineer, and the Village of Olmsted Twp.

Confirming that the final total cost of the project is \$ 606,989.64 and that the Contractor, Northeast Ohio Trenching Service, Inc., has been paid in full.

Confirming the close out of the project's performance bond and commencement of the two year maintenance bond. This sewer will be part of a County Sewer District and be maintained as a part thereof.

Authorizing the County Treasurer to release the escrow in the amount of \$ 25,893.20 plus accrued interest, upon notification from the County of Cuyahoga.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source: Explanation:

Total Amount Requested:

\$

ATTACHMENTS:

Click to download

[Final Pay Estimate](#)

History

Time

Who

Clerk of the Board

Approval

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0047

Sponsored by: County Executive FitzGerald/ Department of Public Works	A Resolution accepting the construction of County Improvement No. 1319-02, Echo Hills Sanitary Sewer Force Main and Pump Station in the City of Brecksville, County Sewer District No. 13, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, County Sewer Improvement No. 1319-02, construction of Echo Hills Sanitary Sewer Force Main and Pump Station , in the City of Brecksville, Ohio, County Sewer District No. 13 is complete and in accordance with plans and specifications as required under Contract No. CE-0701015-01 on Rq 9841 with Terrace Construction Co., Inc.; and,

WHEREAS, the County Engineer/Sanitary Engineering Division has requested that the County Treasurer be authorized to release the escrow upon notification the County of Cuyahoga; and,

WHEREAS, The County Engineer/Sanitary Engineer confirmed that the work was completed to the satisfaction of the Inspectors, the Engineer, and the City of Brecksville; and,

WHEREAS, The County Engineer/Sanitary Engineer confirmed that the final cost of the project was paid in full in the amount of \$1,183,548.61;

WHEREAS, The County Engineer/Sanitary Engineer confirmed the close out of the project's performance bond and commencement of the two year maintenance bond.

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

SECTION 1. County Sewer Improvement No. 1319-02, Echo Hills Sanitary Sewer Force Main and Pump Station, in the City of Brecksville, Ohio, County Sewer District No. 13, is hereby accepted as complete in accordance with the plans and specifications as required under contract No. CE-0701015-01 on RQ9841 with Terrace Construction Company, Inc.

SECTION 2. The County Treasurer is hereby authorized to release the escrow in the amount of \$54,894.02 plus any accrued interest upon notification from the County of Cuyahoga.

SECTION 3. 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 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

Journal CC001
February 8, 2011

R2011-0047

Novus AGENTIA



Item Details:

Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Robert C. Klaiber Jr.,
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Type of Request: Other

Request Prepared by: Rana Sakr

Telephone No. (216) 443-8199

SUMMARY OF REQUESTED ACTION:

Approving and accepting sewer improvement No. 1319-02 , for construction of Echo Hills Sanitary Sewer Force Main and Pump Station, In the City of Brecksville, Ohio, County Sewer District No.13 as being complete and in accordance with plans and specifications as required under contract No. CE-0701015-01 on Rq 9841 with Terrace Construction Company, Inc., and authorizing the County Treasurer to release the escrow upon notification from the Cuyahoga County.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Accepting the work performed under this contract entails:

Confirming that the work was completed to the satisfaction of the inspectors, the Engineer, and the City of Brecksville.

Confirming that the final total cost of the project is \$ 1,614,974.83 and that the Contractor, Terrace Construction Company, Inc. has been paid in full.

Confirming the close out of the project's performance bond and commencement of the two-year maintenance bond. This sewer will be part of a County Sewer District and be maintained as a part thereof.

Authorizing the County Treasurer to release the escrow in the amount of \$ 54,894.02 plus accrued interest, upon notification from Cuyahoga County.

Explanation for late submittal:

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0048

<p>Sponsored by: County Executive FitzGerald/ Department of Public Works</p>	<p>A Resolution accepting the construction of County Sewer Improvement No. 3-TA-1, Thornapple Pump Station Relocation, in the Village of Mayfield, County Sewer District No. 3, as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Engineer/Sanitary Engineering Division has recommended to accept construction of County Sewer Improvement No. 3-TA-1, Thornapple Pump Station Relocation, in the Village of Mayfield, Sewer District No. 3 as complete and in accordance with plans and specifications as required by Contract No. CE 0900459-01 on RQ13743 with Fabrizi Trucking and Paving Company, Inc; and,

WHEREAS, the County Engineer/Sanitary Engineering Division has requested that the County Treasurer be authorized to release the escrow upon notification the County of Cuyahoga; and,

WHEREAS, The County Engineer/Sanitary Engineer confirmed that the work was completed to the satisfaction of the Inspectors, the Engineer, and the Village of Mayfield; and,

WHEREAS, The County Engineer/Sanitary Engineer confirmed that the final cost of the project was paid in full in the amount of \$ 757,772.09;

WHEREAS, The County Engineer/Sanitary Engineer confirmed the close out of the project's performance bond and commencement of the two year maintenance bond.

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

SECTION 1. County Sewer Improvement No. 3-TA-1, Thornapple Pump Station Relocation, in the Village of Mayfield, Ohio, County Sewer District No. 3, is hereby accepted as being complete in accordance with the plans and specifications as required under Contract No. CE-0900459-01 on RQ13743 with Fabrizi Trucking & Paving Company, Inc.

SECTION 2. The County Treasurer is hereby authorized to release the escrow in the amount of \$32,421.80 plus any accrued interest upon notification from the County of Cuyahoga.

SECTION 3. 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 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

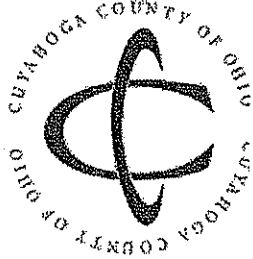
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0048

NOVUS AGENDA



Item Details:

Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Robert C. Klaiber Jr.,
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Type of Request: Other

Request Prepared by: Rana Sakr

Telephone No. (216) 443-8199

SUMMARY OF REQUESTED ACTION:

Approving and accepting County Sewer Improvement No. 3-TA-1, Thornapple Pump Station Relocation, in the City of Mayfield Village, Ohio, Sewer District No. 3 as being complete and in accordance with plans and specifications as required under Contract No. CE 0900459-01 on RQ 13743 with Fabrizi Trucking & Paving Company, Inc., and authorizing the County Treasurer to release the escrow upon notification from the County of Cuyahoga.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Accepting the work performed under this contract entails:

Confirming that the work was completed to the satisfaction of the Inspectors, the Engineer, and the City of Mayfield Village.

Confirming that the final total cost of the project is \$ 763,548.82 and that the Contractor, Fabrizi Trucking & Paving Company, Inc., has been paid in full.

Confirming the close out of the project's performance bond and commencement of the two-year maintenance bond. This sewer will be part of a County Sewer District and be maintained as a part thereof.

Authorizing the County Treasurer to release the escrow in the amount of \$ 32,421.80 plus accrued interest, upon notification from the County of Cuyahoga.

Explanation for late submittal:

Contract/Agreement Information:

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0049

<p>Sponsored by: County Executive FitzGerald/ Department of Public Works</p>	<p>A Resolution declaring the necessity to construct, maintain, operate and repair the Stumph Road Sewer Improvement, located in the City of Parma Heights, County Sewer District No. 1; authorizing the Director of the Department of Public Works and the County Engineer/Sanitary Engineer to negotiate with a property owner for the acquisition of a permanent sewer easement in connection with said improvement, in accordance with Ohio Revised Code Section 6117.39; and declaring the necessity that this Resolution become immediately effective.</p>
---	---

WHEREAS, the County Engineer/Sanitary Engineering Division has determined it necessary to construct, maintain, operate and repair the Stumph Road Improvement Sewer, located in the City of Parma Heights, County Sewer District No. 1; and,

WHEREAS, the County Engineer/Sanitary Engineering Division has determined it necessary to acquire permanent maintenance easements to enable the County to install a new sanitary sewer to discharge to the Northeast Ohio Regional Sewer District connection of Parma Heights relief sewer that will eliminate a 1920's era siphon ender to the Big Creek.

WHEREAS, the proposed sewer easements are in connections with Parcel Nos. 473-21-0021 & 473-21-029 and the proposed purchase price is \$9,150.00.

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

SECTION 1. Council hereby adopts the recommendation of the County Engineering/Sanitary Engineering Division to declare the necessity of constructing, maintaining, operating and repairing the Stumph Road Improvement Sewer, located in the City of Parma Heights, Ohio, County Sewer District No. 1.

SECTION 2. The Director of the Department of Public Works and the County Engineer/Sanitary Engineering Division are hereby authorized to negotiate with a property owner of Parcel Nos. 473-21-0021 & 473-21-029 in an amount not-to-exceed \$9,150.00 for the acquisition of permanent sewer easements in connection with said improvement in accordance with R.C. 6117.39.

SECTION 3. 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 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

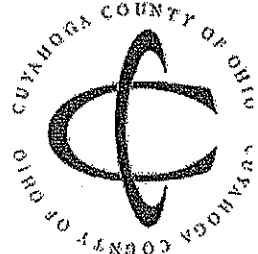
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0049

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Robert C. Klaiber Jr.,
Type of Request:	Authority to Negotiate		
Request Prepared by:	Rana Sakr	Telephone No.	(216) 443-8199
SUMMARY OF REQUESTED ACTION:			
<p>Requesting that the County of Cuyahoga determine it necessary to acquire easements for the construction, maintenance, operation and repair of sewers in the City of Parma Heights, Ohio, and authorizing Robert C. Klaiber Jr., the Cuyahoga County Sanitary Engineer, to negotiate for the purchase of such easements in accordance with Ohio Revised Code Section 6117.39, for the continued maintenance of the Stumph Road Improvement Sewer District No. 1.</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
<p>It was necessary to get permanent maintenance easements to enable the County to install a new sanitary sewer to discharge to NEORSD connection of Parma Heights relief sewer that will eliminate a 1920's siphon ender the Big Creek.</p>			
<p><u>Sewer Easements also knows as Parcel No (s) 473-21-0021 & 473-21-029 per attached legal descriptions.</u></p>			
<p>Owner: Irene Cseko, Amount of Easements \$ 9,150.00</p>			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0050

<p>Sponsored by: County Executive FitzGerald/ Department of Public Works</p>	<p>A Resolution making an award on RQ18532 and authorizing the County Executive to enter into a contract with C & K Industrial Services, Inc. in the amount of \$704,200.00 for inspecting, cleaning and repairing sanitary sewers located in various County Sewer Districts for the period 1/1/2011 - 12/31/2012, and declaring the necessity that this Resolution become immediately effective.</p>
---	--

WHEREAS, the County Engineer/Sanitary Engineering Division has recommended an award to C&K Industrial Services, Inc. in the amount of \$704,200.00 for inspecting, cleaning, and repairing sanitary sewers located in various County Sewer Districts for the period January 1, 2011 through December 31, 2012; and,

WHEREAS, the project will allow for timely cleaning and televising of Sanitary Sewers and improve the ability of the Sanitary Engineering Division to meet its commitments to the communities that it serves; and,

WHEREAS, the project will consist of two types of work: "emergency" in which the cleaning and/or televising would be done on short sections of sewer generally under 500 feet long, and "production" involving large sections of sewer covering entire subsystems or neighborhoods.

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

SECTION 1. That the County Executive is authorized to enter into a contract with C & K Industrial Services, Inc. in the amount of \$704,200.00 for inspecting, cleaning, and repairing sanitary sewers located in various County Sewer Districts for the period January 1, 2011 through December 31, 2012.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

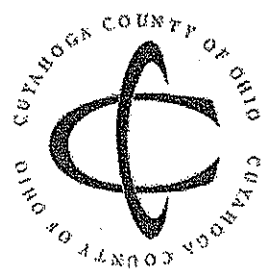
Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0050

Novus Agenda



Item Details:

Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Robert C. Klaiber Jr.,
Type of Request:	Award Recommendation		
Request Prepared by:	Rana Sakr	Telephone No.	(216) 443-8199

SUMMARY OF REQUESTED ACTION:

Making an award to C & K Industrial Services, Inc. comparison bid rank # 1, on RQ 18532 in amount of \$704,200.00 for Cleaning and Televising of Sanitary Sewers in Various Communities in Cuyahoga County, Ohio, for the period January 1, 2011 through December 31, 2012- project of cleaning and televising sewer mains, repairing sewer mains and directing the Purchasing Manager to advertise for bids in accordance with law. The general character and important details of the work are shown on specifications, which are on file in the office of the Sanitary Engineer. The specifications were developed in-house.

The project will allow for timely cleaning and televising of Sanitary Sewers. The work to be done under this contract will improve our ability to meet our commitments to the Communities we serve. **Vendor Name:** C & K Industrial Services, Inc.

Vendor Contact:: Arthur Karas; President (216) 642-0055

Project Engineer: Victoria McCauley, P.E., Sanitary Engineering Division, (216) 443-7307

Contract Period: 1/1/2011 - 12/31/2012

History: This company has performed work for the County on a previous contract similar to this one.

No General Fund monies are being used for this project. It is being financed from Sanitary Engineer's user fees.

Bidding: Two (2) bids were received at the November 12, 2010 bid opening. The lowest price bid did not meet the SBE requirements and the price preference percentage limit analysis was used to compare the bid with the lowest responsive bid. C & K Industrial,

Inc., was the compliant bidder with 20% SBE participation, Prime contractor is certified Premium Technical with 10% SBE participation & Great lakes Pipeline with 10% SBE participation.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The project consists of cleaning and televising sewer mains and repairing sewer mains. Two types of work are included. In the portion labeled "Emergency" the cleaning and/or televising would be done on short sections of sewer generally under 500 feet long. The locations would be provided as needed with the work performed as quickly as the Contractor can schedule-- in generally less than one week from notification. Each separate section shall be called a "Task" and the scope of work required shall be detailed in a "Task Order."

The second type of work labeled "Production" would be large sections of sewer covering entire subsystems or neighborhoods. The sections would be in a range of 2000 to 3000 feet with a defined long term program being developed. The scope of work for these tasks shall be detailed in a more specific Task Order prepared prior to the start of the task.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source: Other
Explanation: User Sewer District Fees

Total Amount Requested:
\$ 704,200.00

ATTACHMENTS:

Click to download

- [Dma Form C & K](#)
- [CC](#)
- [multiple vendors C & K](#)
- [W 9 C & K](#)
- [AF C & K](#)
- [SOS C & K](#)
- [Bid Opening /Tabulation](#)
- [Bid Opening /Tabulation](#)

History

Time

1/24/2011 12:25 PM

Who

Office of Procurement & Diversity

Clerk of the Board

Approval

Yes

RQ 18532

OFFICE OF PROCUREMENT & DIVERSITY
 TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE November 12, 2010
 REQUISITION NUMBER ST-10-18532
 REQUISITIONING DEPT. Sanitary Engineers
 COMMODITY DESCRIPTION Cleaning and Tidying Sanitary Services

CONTRACT PERIOD N/A
 NUMBER OF BIDS SENT/RETURNED 7/2
 ESTIMATE \$1,000,000.00
 SBE GOALS 20%

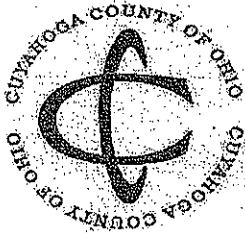
TO BE COMPLETED BY OFD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)		TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER						
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	F - ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT	SBE SUBCONTRACTOR NAME	PRICE PREFERENCE IF Y, SEE*	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
United Survey, Inc. 25145 Broadway Avenue Oakwood Village, Ohio 44146	Bid Bond, \$1,200,000.00 - Evergreen National Indemnity Company	OK AD 11-15-10 D-OK USA 1/13/10	\$698,980.00	No SBE's		0%	and N	They will use their own workforce and 11/16/10 RM 11/15/10
C & K Industrial Services, Inc. 5617 E. Schaaf Road Independence, Ohio 44131	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	OK AD 11-15-10 D-OK USA RECOMM: AD AWARD: 11/11/10	\$708,266.00 - 704,200.00	Premium Technical \$70,820.00 10% Great Lakes Pipeline \$70,280.00 10%		20%	and Y	and 11/16/10 RM 11/15/10 \$768,878.00

* LOWEST BID RECD \$ 689,780.00 - RANGE OF LOWEST BID RECD'S \$ 650,000 - 1,000,000
 PRICE PREFER % & \$ LIMIT 10% up to \$50,000 MAX SBE PRICE PREFER \$ 768,878.00

BIDDERS NOTIFIED _____ DATE _____

OBM APPROVAL _____ DATE _____
 (If actual bid exceeds estimate)

TAB SHEET WITH SBE
 October 1, 2009



Multiple Vendor Principal Owner (s) Identification Sheet

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

Vendor's Legal Name	Arthur Karas
Primary Owner	
Title	President

Vendor's Legal Name	George Karas
Primary Owner	
Title	Vice President

Vendor's Legal Name	Chaz Karas
Primary Owner	
Title	Owner

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Vendor's Legal Name	
Primary Owner	
Title	

Clerk of Council
1219 Ontario Street, Cleveland, Ohio 44113 (216) 443-7184, FAX (216) 348-4051
Ohio Relay Service (TTY) 1-800-750-0750

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0051

<p>Sponsored by: County Executive FitzGerald/ Department of Public Works</p>	<p>A Resolution authorizing the County Executive to prepare an amendment (Change Order No. 2) to Contract No. CE1000410-01 with The R.J. Platten Contracting Co. for construction of the Quincy Parking Lot in connection with the Cuyahoga County Juvenile Justice Center Project to approve pending Construction Change Directives; to increase the Unforeseen Conditions Cash Allowance amount from \$223,617.78 to \$391,335.90 and for additional funds in the amount of \$167,718.12, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the Department of Public Works/Department of Central Services has requested authority to prepare an amendment (Change Order No. 2) to Contract No. CE1000410-01 on RQ16523 with the R.J. Platten Contracting Co. for construction of the Quincy Parking Lot in connection with the Cuyahoga County Juvenile Justice Center; and,

WHEREAS, the amendment is to increase the amount of the Unforeseen Conditions Cash Allowance from \$223, 617.78 to \$391,335.90 and to increase the amount of the contract by \$167,718.12 for the Department of Public Works/Department of Central Services to add a pedestrian crosswalk signal and parking revenue equipment.

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

SECTION 1. That the County Executive and the Director of the Department of Public Works are authorized to prepare an amendment (Change Order No. 2) to Contract No. CE01000410-01 on RQ 16523 with the R.J. Platten Contracting Co. for construction of the Quincy Parking Lot in connection with the Cuyahoga County Juvenile Justice Center Project to increase the Unforseen Cash Allowance amount from \$223,617.78 to \$391,335.90 and for additional funds in the amount of \$167,718.12.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC001
February 8, 2011

R2011-0051

NOVUS AGENDA



Item Details:

Agency/Dept. Name:	Department Central Services	of Agency/Dept. Head Name:	Jay Ross
Type of Request:	Contract/Amendment		
Request Prepared by:	Nick Willis	Telephone No.	443-6993

SUMMARY OF REQUESTED ACTION:

Requesting authority to prepare an amendment (Change Order #2) to contract CE1000410-01 on RQ16523 with The R. J. Platten Contracting Co. for construction of the Quincy Parking Lot in connection with the Cuyahoga County Juvenile Justice Center, to increase the amount of the Unforeseen Conditions Cash Allowance from \$223,617.78 to \$391,335.90 to increase the contract amount by \$167,718.12 for the Department of Central Services to add a Pedestrian Crosswalk Signal and Parking Revenue Equipment, and declaring the necessity that this Resolution becomes immediately effective.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The first item on this change order would be for installation of a Pedestrian Crosswalk Signal for the crossing of Quincy Avenue from the Quincy parking lot to the Juvenile Justice Center building. This safety feature is highly recommended because: a) hundreds of employees and visitors will park in the Quincy lot and want to get across the street to the Juvenile Justice Center, b) 70% of those people will cross at mid-block instead of walking out of their way to the controlled intersection, and c) Quincy Avenue is a high-speed, 4-lane street, having a posted speed limit of 35 mph, but most cars exceed 40 mph. For these reasons, the City of Cleveland is agreeable to installing a pedestrian-actuated stop light at the designated crosswalk location if the County's contractor Platten will provide the foundation & electrical and will reimburse the City for the cost of the signal installation.

The second item on this change order is for Revenue-Generating Parking Equipment for the Quincy Lot. The Quincy Lot is designated for visiting public, attorneys, etc, and for Court staff (Detention and Central Services staff will park in the Beckman Lot on E. 93rd). Visitors will be required to pay a daily rate, payable prior to exit. Equipment must be purchased to

issue tickets upon entrance from Quincy Avenue, for the acceptance of payment prior to returning to one's car, and for accepting a "Paid" stub upon exiting the lot. Platten would purchase and install this County-designated equipment.

Principal Owners: Joseph R. Platten, Treasurer and Daniel J. Platten, Secretary

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Other

Explanation for Increase/Decrease in \$ Amount for current request:

Changes to construction directives

Financial Information:

Funding source:	Explanation:
Other	Capital Projects Funding

Total Amount Requested:

\$167,718.12

ATTACHMENTS:

Click to download

- [W-9](#)
- [Blue Back](#)
- [Change Order #2](#)
- [Exhibit A](#)
- [Exhibit B](#)
- [Electronic Signature](#)
- [DMA](#)
- [Campaign Contributions](#)
- [History Log](#)
- [Evaluation Form](#)

History
Time

Who
Office of Procurement &
Diversity

Approval

BOARD OF CUYAHOGA COUNTY COMMISSIONERS
CONTRACT/AGREEMENT EVALUATION FORM
(To be completed in its entirety by user department for
all contract/agreement renewals or amendments.)

Contractor: **The R.J. Platten Contracting Co.**

Contract/Agreement No.: **CE 1000410-01**
(Amendment #2)

Time Period: **None**

Service Description: **Construction of the Quincy Parking Lot in connection with
Cuyahoga County Juvenile Justice Center Project.**

Original Contract/Agreement Amount: **\$1,598,000.00.00**

Prior Amendment(s) Amount(s): **Amendment #1 - \$53,617.78**

Performance Indicators: **Adherence to specs & drawings, staffing, meeting schedule,
containing costs.**

Actual performance versus performance indicators (include statistics): **The R.J. Platten
Contracting Co. has been very responsive to changes required by Owner.**

Rating of Overall Performance of Contractor (Check One):

- Superior
- Above Average
- Average
- Below Average
- Poor

Justification of Rating: **The R.J. Platten Contracting Co. has proven to be able to quickly
handle scope additions.**



User Department

1-10-11

Date

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0052

Sponsored by: County Executive FitzGerald/Office of Human Resources/Labor Relations Division	A Resolution approving an amendment to a collective bargaining agreement with Cleveland Building and Construction Trades Council, covering 88 employees in 16 classifications in the Department of Public Works/Department of Central Services for the period 7/1/2009 - 6/30/2012, by changing Article 31: Wages, effective 7/1/2010, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the Cuyahoga County Department of Public Works/Department of Central Services and the Cleveland Building and Construction Trades Council are parties to a Collective Bargaining Agreement (“CBA”) covering approximately 88 employees in 16 classifications; and,

WHEREAS, the CBA contained a provision for wage re-opener negotiations for the second and third years of the Agreement; and,

WHEREAS, the Division of Labor Relations of the Office of Human Resources reached a tentative agreement with the CBCTC calling for zero percent (0%) wage increase for the second contract year, covering the period July 1, 2010 through June 30, 2011 and is recommending approval of the amendment; and,

WHEREAS, the employees of the bargaining unit have ratified the agreement and approval by Council will bring wage re-opener negotiations for the second contract year to a close.

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

SECTION 1. The amendment to the Collective Bargaining Agreement between the Cuyahoga County Department of Public Works/Department of Central Services and the Cleveland Building and Construction Trades Council calling for zero percent (0%) wage increase for the period July 1, 2010 through June 30, 2011 is hereby approved. The County Executive and the Director of Public Works are authorized to execute the Amendment.

R2011-0052

Novus AGENDA



Item Details:

Agency/Dept. Name:	Office of Human Resources	Agency/Dept. Head Name:	Debbie Southerington
Type of Request:	Agreement/Amendment		
Request Prepared by:	Egdillio Morales	Telephone No.	(216) 443-6984
SUMMARY OF REQUESTED ACTION:			
Submitting an amendment to the Collective Bargaining Agreement between Cuyahoga County and the Cleveland Building and Construction Trades Council covering approximately eighty-eight (88) employees in sixteen (16) classifications at the Department of Public Works (formerly the Building Trades unit of the Department of Central Services).			
The amendment concludes wage re-opener negotiations for the second contract year of the CBA and calls for zero (0) wage increase. The existing wage rates will continue to be in effect and will be subject to wage re-opener negotiations for the third contract year.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
The outcome of the amendment is conclusion to wage re-opener negotiations for the second contract year that were required by the original Collective Bargaining Agreement.			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:
Explanation for Increase/Decrease in \$ Amount for current request:

Financial Information:

Funding source:	Explanation:
Total Amount Requested:	

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0053

Sponsored by: County Executive FitzGerald/Office of Human Resources/Labor Relations Division	A Resolution approving an amendment to a collective bargaining agreement with Ohio and Vicinity Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America, covering 9 employees in 2 classifications in the Department of Public Works/Department of Central Services for the period 7/1/2009 - 6/30/2012, to change Article 31: Wages, effective 7/1/2010, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, the Cuyahoga County Department of Public Works/Department of Central Services and the Ohio Vicinity Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America (hereinafter referred to as "the Carpenters") are parties to a Collective Bargaining Agreement ("CBA") covering approximately nine (9) employees in two (2) classifications; and,

WHEREAS, the CBA contained a provision for wage re-opener negotiations for the second and third years of the Agreement; and,

WHEREAS, the Division of Labor Relations of the Office of Human Resources reached a tentative agreement with the Carpenters calling for zero percent (0%) wage increase for the second contract year, covering the period July 1, 2010 through June 30, 2011 and is recommending approval the amendment; and,

WHEREAS, the employees of the bargaining unit have ratified the agreement and approval by Council will bring wage re-opener negotiations for the second contract year to a close.

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

SECTION 1. The amendment to the Collective Bargaining Agreement between the Cuyahoga County Department of Public Works/Department of Central Services and the Carpenters calling for zero percent (0%) wage increase for the period July 1, 2010 through June 30, 2011 is hereby approved. The County Executive and the Director of Public Works are authorized to execute the Amendment.

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 by _____, seconded by _____, the foregoing resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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