



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, JUNE 25, 2013**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**5:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) June 11, 2013 Committee of the Whole Meeting (See Page 8)
  - b) June 11, 2013 Work Session (See Page 10)
  - c) June 11, 2013 Regular Meeting (See Page 12)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING**
  - a) M2013-0021: A Motion amending the Rules of the Cuyahoga County Council to establish the duties and authority of the Chief of Staff, and declaring the necessity that this Motion become immediately effective. (See Page 27)

Sponsors: Councilmembers Connally, Greenspan, Brady and Gallagher

**10. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND  
REFERRAL TO COMMITTEE**

- a) R2013-0125: A Resolution declaring the necessity of submitting to the electors of Cuyahoga County the question of an additional 3.0 mill Mental and Behavioral Health Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of six years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective. (See Page 31)

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

- b) R2013-0126: A Resolution establishing that the County's Non-Bargaining Classification Plan shall continue uninterrupted by Council's amendment of the procedures in which it will exercise its approval rights over the Classification Plan for purposes of codification, and declaring the necessity that this Resolution become immediately effective. (See Page 34)

Sponsor: Council President Connally/Clerk of Council and Director of Law

- c) R2013-0127: A Resolution directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective. (See Page 36)

Sponsor: Council President Connally

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

- a) O2013-0016: An Ordinance establishing the Council's approval of the County's Non-Bargaining Classification Plan, which shall be accomplished by Resolution and published on the Department of Human Resources' website; and declaring the necessity that this Ordinance become immediately effective. (See Page 39)

Sponsor: Council President Connally/Clerk of Council and Director of Law

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

- a) O2013-0013: An Ordinance establishing the Council's annual approval of the County's five-year economic development plans which shall be accomplished by Resolution and published on the County Council's website, and declaring the necessity that this Ordinance become immediately effective. (See Page 42)

Sponsor: Council President Connally/Clerk of Council and Director of Law

Committee Assignment and Chair: Economic Development & Planning – Schron

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

- a) R2013-0128: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective. (See Page 44)

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

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

- a) R2013-0129: A Resolution declaring that public convenience and welfare requires replacement of Warrensville Center Road Culvert 05.13 in the City of Shaker Heights; total estimated construction cost \$860,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 69)

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

- b) R2013-0130: A Resolution making an award on RQ26257 to Karpinski Engineering, Inc. in the amount not-to-exceed \$1,541,900.00 for architectural and engineering services and construction administration for the Cuyahoga County Data Center; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 74)

Sponsor: County Executive FitzGerald/Department of Public Works

- c) R2013-0131: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 80)

Sponsor: County Executive FitzGerald on behalf of Juvenile Court

## **15. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING**

- a) R2013-0090: A Resolution authorizing a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to 1717 East 9<sup>th</sup> LLC for acquisition, renovation, construction and conversion of the East Ohio Gas Building and parking garage to a mixed-use residential complex; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 85)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

- b) R2013-0093: A Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Taxable Economic Development Revenue Bonds, Series 2013 (Flats East Development, LLC Project) in a principal amount not-to-exceed \$17,000,000.00 for the purpose of assisting in financing the costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code, paying capitalized interest, funding a debt service reserve fund and paying costs of issuance; providing for a guaranty for the payment of such bonds;

authorizing the execution of various documents required in connection with said bond issuance and authorizing and approving related matters; and declaring the necessity that this Resolution become immediately effective. (See Page 87)

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Tucker Ellis LLP

Committee Assignment and Chair: Economic Development & Planning – Schron

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

- a) R2013-0091: A Resolution authorizing a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to Flats East Development, LLC for construction of residential and retail components of the Flats East Bank Neighborhood Project – Phase II; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 98)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

- b) R2013-0109: A Resolution making an award on RQ26349 to Frank Novak & Sons, Inc. in the amount not-to-exceed \$582,480.00 for interior painting at various County facilities for the period 6/1/2013 - 5/31/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 100)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- c) R2013-0119: A Resolution adopting the Annual Tax Budget, including the Cuyahoga County Library Budget, for the year 2014; and declaring the necessity that this Resolution become immediately effective. (See Page 102)

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

Committee Assignment and Chair: Finance & Budgeting – Miller

- d) R2013-0120: A Resolution authorizing an amendment to Contract No. CE0800365-01 with Puskarco, LTD for lease of office space located at 11699 Brookpark Road, Parma, for the Employment Connection One-Stop System for use by Department of Workforce Development for the period 6/1/2008 - 5/31/2013 to extend the time period to 5/31/2018 and for additional funds in the amount of \$1,831,060.10; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 104)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- e) R2013-0122: A Resolution authorizing an Economic Development Loan in the amount not-to-exceed \$650,000.00 to 4400 Carnegie, LLC for redevelopment of a manufacturing facility located at 4400 Carnegie Avenue, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 106)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

- f) R2013-0123: A Resolution authorizing an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 30033 Clemens Road LLC for renovation of a facility located at 30033 Clemens Road, Westlake; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 109)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

**17. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING**

- a) O2013-0014: An Ordinance establishing a required oath of office or affirmation for County officers, directors and other employees; setting the bonds for County officers, directors, employees and officials; and declaring the necessity that this Ordinance become immediately effective. (See Page 111)

Sponsor: County Executive FitzGerald/Director of Law

Committee Assignment and Chair: Council Operations & Intergovernmental Relations – Greenspan

**18. MISCELLANEOUS COMMITTEE REPORTS**

**19. MISCELLANEOUS BUSINESS**

**20. PUBLIC COMMENT UNRELATED TO AGENDA**

**21. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE WHOLE: TUESDAY, JULY 9, 2013  
3:00 PM / COUNCIL CHAMBERS

REGULAR MEETING: TUESDAY, JULY 9, 2013  
5:00 PM / COUNCIL CHAMBERS

COMMITTEE OF THE WHOLE: WEDNESDAY, JULY 10, 2013  
1:00 PM / COUNCIL CHAMBERS

COMMITTEE OF THE WHOLE: THURSDAY, JULY 11, 2013  
1:00 PM / COUNCIL CHAMBERS

\*In accordance with Ordinance No. O2011-0020, as amended, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING  
TUESDAY, JUNE 11, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
3:00 PM**

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

**The meeting was called to order by Council President Connally at 3:05 p.m.**

### **2. ROLL CALL**

**Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Schron, Conwell, Rogers, Greenspan, Miller, Brady, Germana, Gallagher and Connally were in attendance and a quorum was determined.**

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

**There was no public comment given related to the agenda.**

### **4. DISCUSSION / EXECUTIVE SESSION**

- a) Matters required to be kept confidential under federal or state law: privileged attorney-client communications, competitive advantage in purchase/sale of real estate, trade secrets, and R.C. 307.862(C).

**A motion was made by Mr. Gallagher, seconded by Ms. Conwell and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters required to be kept confidential under federal or state law: privileged attorney-client communications, competitive advantage in purchase/sale of real estate, trade secrets, and R.C. 307.862(C), and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 3:07 p.m. The following Councilmembers were present: Schron, Conwell, Rogers, Greenspan, Miller, Brady, Germana, Gallagher and Connally. Councilmembers Jones and Simon were in attendance shortly after roll call for Executive Session was taken. The following additional attendees were present: Director of Law Majeed Makhloof,**



**Assistant Director of Law Joseph Boatwright and Assistant Director of Law Lisa Averyhart; Director of Public Works Bonnie Teeuwen and Chief Deputy Engineer Stan Kosilesky; Brad Gellert, Todd Griffith and Ryan Jeffers representing URS; and Chief of Staff Joe Nanni, Legislative Budget Advisor Trevor McAleer and Senior Policy Advisor Joanne Gross. At 4:01 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the meeting.**

**5. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

**6. PUBLIC COMMENT UNRELATED TO AGENDA**

**There was no public comment given unrelated to the agenda.**

**7. ADJOURNMENT**

**With no further business to discuss, the meeting was adjourned at 4:02 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL WORK SESSION  
TUESDAY, JUNE 11, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
4:00 PM**

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

**The work session was called to order by Council President Connally at 4:09 p.m.**

### **2. ROLL CALL**

**Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Schron, Conwell, Jones, Simon, Greenspan, Miller, Brady, Germana, Gallagher and Connally were in attendance. Councilmember Rogers was in attendance shortly after roll call was taken.**

### **3. PRESENTATION**

#### **a) Update on County Administration Complex**

**Ms. Bonnie Teeuwen, Director of Public Works, addressed Council and gave a presentation regarding the tenant improvements budget and related budget items for the new County Administrative Headquarters. Councilmembers asked questions of Ms. Teeuwen, which she answered accordingly. Mr. Wade Steen, Fiscal Officer, was also asked questions by Councilmembers regarding the budget and related bonding issues, which he answered accordingly. Discussion ensued.**

### **4. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

5. PUBLIC COMMENT

**There were no public comments.**

6. ADJOURNMENT

**With no further business to discuss, the work session was adjourned by Council President Connally at 4:50 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, JUNE 11, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
5:00 PM**

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 5:02 p.m.**

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally requested a moment of silent meditation be dedicated to former South African President Nelson Mandela, who has been hospitalized several times due to his health.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**Ms. Lee Friedman, representing College Now Greater Cleveland, addressed Council regarding issues of concern to her in connection with Resolution No. R2013-0087, making an award for Component 2 of the Cuyahoga County Educational Assistance Program.**

6. APPROVAL OF MINUTES

- a) May 28, 2013 Work Session
- b) May 28, 2013 Regular Meeting
- c) June 4, 2013 Committee of the Whole Meeting

**A motion was made by Mr. Schron, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the May 28, 2013 work session and regular meeting and the June 4, 2013 Committee of the Whole meeting.**

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

**Council President Connally turned the floor over to Councilmember Rogers, who discussed and read a ceremonial resolution proclaiming June 9-15, 2013 as Arts Education Week in Cuyahoga County.**

**Council President Connally then indicated that Item #10 would be taken out of order after Item #12.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive FitzGerald reported the following:**

- A) He attended the Cleveland Gray's Armory Museum 175<sup>th</sup> Anniversary Celebration.**
- B) Approximately a hundred County employees recently toured the new Cleveland Convention Center; the ribbon-cutting ceremony will be held on Friday, June 14, 2013.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2013-0086.**

- a) R2013-0086: A Resolution determining the services and programs that shall be provided and funded from the Veterans Services Fund in 2013; approving an alternative procurement process; making awards to various providers in the total amount of \$758,306.00 for said services and programs for the period ending 6/30/2014; authorizing the County Executive to execute the agreements, contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Cuyahoga Community College in the amount of \$73,330.00.
- 2) Cleveland State University in the amount of \$73,330.00.
- 3) Cuyahoga County Office of Homeless Services in the total amount of \$242,500.00.
- 4) Cleveland Municipal Court in the amount of \$104,146.00.
- 5) Cuyahoga County Land Reutilization Corporation in the amount of \$100,000.00.
- 6) The Legal Aid Society of Cleveland in the amount of \$75,000.00
- 7) Cuyahoga County Department of Workforce Development in the amount of \$55,000.00.
- 8) Cuyahoga County Soldiers' and Sailors' Monument Commission in the amount of \$10,000.00.
- 9) Economic and Community Development Institute in the amount of \$25,000.00.

Sponsors: Councilmembers Connally, Greenspan, Simon, Rogers, Miller, Jones, Conwell **and Germana**

Committee Assignment and Chair: Finance & Budgeting – Miller

**On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2013-0086 was considered and adopted by unanimous vote.**

#### 10. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION

- a) R2013-0087: A Resolution making an award to College Now Greater Cleveland in the amount of \$380,000.00 from the Cuyahoga County Educational Assistance Fund for Component 2 of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Rogers and Miller

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

**[Note: This item was considered after Item #12.]**

**On a motion by Mr. Rogers with a second by Mr. Jones, Resolution No. R2013-0087 was considered and adopted by unanimous vote.**

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

- a) O2013-0013: An Ordinance establishing the Council's annual approval of the County's five-year economic development plans which shall be accomplished by Resolution and published on the County Council's website, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Connally/Clerk of Council and Director of Law

**Council President Connally referred Ordinance No. O2013-0013 to the Economic Development & Planning Committee.**

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

- a) O2013-0011: An Ordinance amending Ordinance No. O2012-0007 dated 7/10/2012, which established the Cuyahoga County Educational Assistance Program and the Cuyahoga County Educational Assistance Fund, to add additional components to the Program and to authorize an alternative procurement process; creating Chapter 710 and Section 804.01 to codify said Program and Fund; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Rogers and Miller

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

**[Note: This item was considered before Item #10.]**

**On a motion by Mr. Rogers with a second by Mr. Miller, Ordinance No. O2013-0011 was considered and adopted by unanimous vote.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2013-0118.**

- a) R2013-0118: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County

departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

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

**A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to amend Resolution No. R2013-0118 by replacing “Capital Outlays” with “Other Expenses” in Item “R.” located in Section 1.**

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2013-0118 was considered and adopted by unanimous vote, as amended.**

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

- a) R2013-0119: A Resolution adopting the Annual Tax Budget, including the Cuyahoga County Library Budget, for the year 2014; and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2013-0119 to the Finance & Budgeting Committee.**

- b) R2013-0120: A Resolution authorizing an amendment to Contract No. CE0800365-01 with Puskarco, LTD for lease of office space located at 11699 Brookpark Road, Parma, for the Employment Connection One-Stop System for use by Department of Workforce Development for the period 6/1/2008 - 5/31/2013 to extend the time period to 5/31/2018 and for additional funds in the amount of \$1,831,060.10; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2013-0120 to the Public Works, Procurement & Contracting Committee.**

- c) R2013-0121: A Resolution adopting the 2013 Economic Development Plan in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.



Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2013-0121 to the Economic Development & Planning Committee.**

- d) R2013-0122: A Resolution authorizing an Economic Development Loan in the amount not-to-exceed \$650,000.00 to 4400 Carnegie, LLC for redevelopment of a manufacturing facility located at 4400 Carnegie Avenue, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2013-0122 to the Economic Development & Planning Committee.**

- e) R2013-0123: A Resolution authorizing an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 30033 Clemens Road LLC for renovation of a facility located at 30033 Clemens Road, Westlake; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2013-0123 to the Economic Development & Planning Committee.**

- f) R2013-0124: A Resolution authorizing an amendment to Contract No. CE1200430-01 with Educational Service Center of Cuyahoga County for fiscal and administrative services for the Help Me Grow Bright Beginnings Program for the period 7/1/2012 - 6/30/2013 to extend the time period to 6/30/2014, to change the scope of services, effective 7/1/2013, and for additional funds in the amount of \$1,254,979.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2013-0124 to the Education, Environment & Sustainability Committee.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0102, R2013-0103, R2013-0104, R2013-0105, R2013-0106, R2013-0107, R2013-0108, R2013-0110, R2013-0111, R2013-0112, R2013-0113, R2013-0114, R2013-0115, R2013-0116 and R2013-0117.**

- a) R2013-0102: A Resolution declaring that public convenience and welfare requires resurfacing of Miller Road from Katherine Boulevard to Barr Road in the City of Brecksville; total estimated construction cost \$130,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and Councilmember Jones

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0102 was considered and adopted by unanimous vote.**

- b) R2013-0103: A Resolution declaring that public convenience and welfare requires resurfacing of Riverview Road from State Route 82 to approximately 1,500 feet south of Wiese Road in the City of Brecksville; total estimated construction cost \$191,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0103 was considered and adopted by unanimous vote.**

- c) R2013-0104: A Resolution declaring that public convenience and welfare requires resurfacing of West 130<sup>th</sup> Street from Brookpark Road to Lorain Road in the City of Cleveland; total estimated construction cost \$5,000,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and Councilmembers Miller and Brady

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0104 was considered and adopted by unanimous vote.**

- d) R2013-0105: A Resolution declaring that public convenience and welfare requires resurfacing of West Grace Avenue from Broadway Avenue to approximately 800 feet west of Oakwood Avenue in the City of Bedford; total estimated construction cost \$420,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0105 was considered and adopted by unanimous vote.**

- e) R2013-0106: A Resolution declaring that public convenience and welfare requires replacement of Bagley Road Bridge No. 03.45 in the City of Olmsted Falls; total estimated construction cost \$1,700,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and Councilmember Gallagher

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0106  
was considered and adopted by unanimous vote.**

- f) R2013-0107: A Resolution making an award on RQ26546 to Mr. Excavator, Inc. in the total amount not-to-exceed \$2,806,087.35 for the 2013 Operations Resurfacing Program Group 1; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:
- 1) Sprague Road from Marks Road to Prospect Street in the Cities of Berea and Strongsville.
  - 2) Riverview Road from Fitzwater Road to Brookside Road in the Cities of Brecksville and Independence.
  - 3) York Road from Bennett Road to Royalton Road in the City of North Royalton.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and Councilmember Gallagher

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0107  
was considered and adopted by unanimous vote.**

- g) R2013-0108: A Resolution making an award on RQ26597 to Terrace Construction Company, Inc. in the amount not-to-exceed \$2,744,044.50 for the Sewer and Lateral Repair Program for various County Sewer Districts; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2013-0108 was considered and adopted by unanimous vote.**

- h) R2013-0110: A Resolution making an award on RQ26232 to Coastal Quality Construction, Inc. in the amount not-to-exceed \$874,700.00 for the Juvenile Justice Center Public Defenders Relocation Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0110 was considered and adopted by unanimous vote.**

- i) R2013-0111: A Resolution making an award on RQ26692 to First Energy Services Corp. in the amount not-to-exceed \$8,370,821.00 for purchase of electric utility services for County-owned facilities for the period 10/1/2013 - 9/30/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

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

**On a motion by Mr. Rogers with a second by Mr. Germana, Resolution No. R2013-0111 was considered and adopted by unanimous vote.**

- j) R2013-0112: A Resolution authorizing an amendment to Contract No. CE0800492-01 with Cleveland Commerce Center, Inc. for lease of parking spaces located at East 40<sup>th</sup> Street and Perkins Avenue, Cleveland, for use by the Division of Children and Family Services for the period 5/1/2008 - 4/30/2013 to extend the time period to 4/30/2018 and for additional funds in the amount of \$327,120.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works and Councilmember Conwell

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0112 was considered and adopted by unanimous vote.**

- k) R2013-0113: A Resolution authorizing an amendment to Contract No. CE0800729-01 with Priemer Investment Co., LLC for lease of 128 parking spaces located at 4209, 4213 and 4415 Euclid Avenue, Cleveland, for use by the Division of Children and Family Services for the period 5/1/2008 - 4/30/2013 to extend the time period to 4/30/2018 and for additional funds in the amount of \$341,236.80; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works and Councilmember Conwell

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0113 was considered and adopted by unanimous vote.**

- l) R2013-0114: A Resolution making an award on RQ26333 to Catholic Charities Corporation in the amount not-to-exceed \$600,672.00 for pre-employment screening services for Ohio Works First applicants for the period 7/1/2013 - 6/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2013-0114 was considered and adopted by unanimous vote.**

m) R2013-0115: A Resolution authorizing amendments to contracts with various providers for Job Readiness, Job Search, Job Placement and Job Retention Services for the period 7/1/2012 - 6/30/2013 to extend the time period to 6/30/2014, to change the scope of services, effective 7/1/2013, and for additional funds in the total amount not-to-exceed \$1,105,716.28; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE1200421-01 with El Barrio Incorporated in the amount not-to-exceed \$579,293.00.
- 2) No. CE1200422-01 with LNE & Associates, LLP in the amount not-to-exceed \$526,423.28.

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

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

**On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2013-0115 was considered and adopted by unanimous vote.**

n) R2013-0116: A Resolution authorizing amendments to contracts with various providers for community wraparound care coordination and family/youth advocacy services for the period 4/1/2012 - 6/30/2013 to extend the time period to 3/31/2015 and for additional funds in the total amount not-to-exceed \$6,415,893.08; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE1200167-01 with Catholic Charities Corporation dba St. Martin de Porres Family in the amount of \$629,656.00.
- 2) No. CE1200168-01 with The East End Neighborhood House Association in the amount of \$665,002.00.
- 3) No. CE1200169-01 with University Settlement, Incorporated in the amount of \$525,895.00.
- 4) No. CE1200170-01 with West Side Community House in the amount of \$775,410.00.
- 5) No. CE1200171-01 with Applewood Centers, Inc. in the amount of \$793,467.10.
- 6) No. CE1200172-01 with Beech Brook in the amount of \$984,637.20.

- 7) No. CE1200173-01 with Catholic Charities Corporation dba Parmadale in the amount of \$1,320,012.39.
- 8) No. CE1200343 with The Cleveland Christian Home Incorporated in the amount of \$721,813.39.

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

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

**On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2013-0116 was considered and adopted by unanimous vote.**

- o) R2013-0117: A Resolution authorizing a contract with Sadler-NeCamp Financial Services, Inc. dba PROWARE in the amount of \$6,136,749.00 for maintenance and support services for the Criminal and Civil Justice Information System for the period 4/1/2013 - 1/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Councilmember Gallagher

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

**On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2013-0117 was considered and adopted by unanimous vote.**

#### 16. CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2013-0014: An Ordinance establishing a required oath of office or affirmation for County officers, directors and other employees; setting the bonds for County officers, directors, employees and officials; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Director of Law

**Council President Connally referred Ordinance No. O2013-0014 to the Council Operations & Intergovernmental Relations Committee.**

- b) O2013-0015: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.



Sponsor: County Executive FitzGerald/County Sheriff and Director of Law

**Council President Connally referred Ordinance No. O2013-0015 to the Public Safety & Justice Affairs Committee.**

17. CONSIDERATION OF ORDINANCES FOR THIRD READING ADOPTION

- a) O2013-0003: An Ordinance providing for modifications to and adoption of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Resources

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

**On a motion by Ms. Conwell with a second by Mr. Germana, Ordinance No. O2013-0003 was considered and adopted by unanimous vote.**

- b) O2013-0012: An Ordinance providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission

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

**On a motion by Ms. Conwell with a second by Mr. Germana, Ordinance No. O2013-0012 was considered and adopted by unanimous vote.**

18. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, June 17, 2013 at 9:00 a.m. Mr. Greenspan further reported that the Committee of the Whole will meet on the following dates to hear items referred from the Charter Review Committee:**

- 1) Tuesday, July 9<sup>th</sup> at 3:00 p.m.
- 2) Wednesday, July 10<sup>th</sup> at 1:00 p.m.
- 3) Thursday, July 11<sup>th</sup> at 1:00 p.m.

**Mr. Miller reported that the Finance & Budgeting Committee will on Monday, June 17, 2013 at 1:00 p.m.**

**Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, June 19, 2013 at 1:00 p.m. to discuss the potential of submitting to the electors of Cuyahoga County the question of a mental and behavioral health levy to supplement appropriations for health and human or social services.**

**Mr. Schron reported that the Economic Development & Planning Committee will meet on Monday, June 17, 2013 at 3:00 p.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, June 19, 2013 at 11:00 a.m.**

**19. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

**20. PUBLIC COMMENT UNRELATED TO AGENDA**

**No public comments were given.**

**21. ADJOURNMENT**

**With no further business to discuss, the meeting was adjourned by Council President Connally at 6:04 p.m., without objection.**

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0021

**Sponsored by: Councilmembers Connally, Greenspan, Brady and Gallagher**

**A Motion amending the Rules of the Cuyahoga County Council to establish the duties and authority of the Chief of Staff, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Cuyahoga County Charter in Article 3, Section 9, Subsection 1 authorizes the County Council “to appoint and provide for the compensation and duties of the Clerk of Council and such other assistants for the Council as a whole as the Council determines to be necessary for the efficient performance of its duties; and

WHEREAS, the Cuyahoga County Charter provides in Article 3, Section 10, Subsection 2 that the Cuyahoga County Council shall adopt its own rules; and

WHEREAS, Council has determined that it is necessary for the efficient performance of its duties that its staff be managed by a Chief of Staff, with designated duties and authority; and

WHEREAS, Council desires to retain initial hiring and setting of compensation authority for its staff, but desires to delegate some of its personnel authority to the Chief of Staff; and

WHEREAS, Council approved permanent rules on April 26, 2011 in Motion No. M2011-0007, as has subsequently amended the rules by Motion; and

WHEREAS, Council deems it necessary to amend the permanent Rules of Council in order to provide for the efficient management of Council staff and the timely operations of the Council;

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

**SECTION 1.** The Rules of Cuyahoga County Council, are hereby amended in part to read as follows (additions are bolded and underlined; deletions are stricken out):

Rule 3A: ~~Clerk of Council~~ **Chief of Staff**

**The Council shall appoint and set the compensation for a Chief of Staff, who shall have the following duties:**

- (1) Advise and assist Council on a broad range of initiatives, including organizational strategy, priorities, and efficiency and effectiveness of Council as well as all operations, providing leadership and strategy for staff and Council.**
- (2) Manage all Council operations, including policy, budget, constituent and other council services, communications and Clerk of Council**
- (3) Serve as primary liaison between administration and Council as well as external entities and coordinate all internal and external communication, at times acting as spokesperson for Council**
- (4) Supervise all Council staff, including the Clerk of Council, with authority to set duties and compensation after initial hire, and to evaluate and discipline staff, up to and including termination. The Chief of Staff shall notify Council of any changes in compensation and any decision to terminate a staff member. Council may override any decision by the Chief of Staff to change the compensation or terminate a staff member by Motion introduced within the next two Council meetings following the notification from the Chief of Staff.**
- (5) Any other duties as assigned by the Council President**

**The President of Council is authorized to evaluate and may discipline the Chief of Staff, up to but not including termination. Council may terminate the services of the Chief of Staff upon Motion.**

Rule 3B: ~~Other Council Personnel~~ **Clerk of Council**

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

- (1) Attend meetings of Council, determine quorums, record the proceedings and the votes of each Member, and keep the minutes of the proceedings;
- (2) Provide notices as required by the Charter, general law, and these Council Rules;
- (3) Accept, record, and compile proposed legislation for inclusion in the agenda of Council;
- (4) Deliver all adopted legislation to the Executive;
- (5) Deliver proposed legislation to the Committee Chairs;
- (6) Accept and provide to the President requests to address Council;
- (7) Publish all legislation as required by these Council Rules;
- (8) Publish the Record of Council;

(9) Conduct the election of the President of Council;

(10) Attend Council Committee meetings in person or by designee, determine quorums, record the proceedings and the votes of each member, keep the minutes of the proceedings, and accept and provide the Chairperson requests to address the Committee;

(11) Any other duties that the Council **or the Chief of Staff** determines are necessary for the performance of ~~its~~ **Council's** duties.

**Rule 3C: Other Council Personnel**

(1) The Council shall, by appropriate legislation, determine the **initial** job titles, ~~classifications~~, compensation and duties of full or part-time staff as are needed to properly perform the duties of Council as set forth in the Charter; and in so doing, Council shall reference the classification and salary administration system as established by ordinance and administered by the Human Resources Commission. **All Council personnel, including the Chief of Staff and Clerk of Council, shall be eligible to participate in cost of living increases and merit pay programs approved for nonbargaining employees of the County.**

(2) The Council **Chief of Staff** shall, ~~by appropriate legislation,~~ **be authorized to make recommendations to the appropriate contracting authority concerning** ~~determine~~ the compensation and duties of other personnel, such as contractors or professional experts or other consultants on a retainer or contract basis, as are needed to properly perform the duties of Council as set forth in the Charter.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: May 28, 2013

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Committee Report/Second Reading: June 25, 2013

Journal CC \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0125

Sponsored by: <b>Councilmembers Brady, Connally, Conwell, Germana, Jones, Miller and Rogers</b>	<b>A Resolution</b> declaring the necessity of submitting to the electors of Cuyahoga County the question of an additional 3.0 mill Mental and Behavioral Health Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of six years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Council requests the declaration of the necessity of submitting to the electors of Cuyahoga County the question of an additional levy of a 3.0 mill Mental and Behavioral Health Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of six years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and,

WHEREAS, the amount of taxes that may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirement of the County and it is necessary to levy this tax in excess of such limitation; and,

WHEREAS, such an additional levy constitutes a tax levy of three (3.0) mills for each one dollar of valuation, which amounts to thirty cents (\$0.30) for each one hundred dollars of valuation, to be in effect for a period of six years, beginning with the tax list and duplicate for the year 2013, the proceeds of which levy first would be available to the County in the calendar year 2014 and to be submitted to the electors of the County at the general election to be held in the County on November 5, 2013; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County.

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

**SECTION 1.** The County Council hereby declares the necessity of submitting to the electors of Cuyahoga County the question of an additional 3.0 mill Mental and Behavioral Health Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of six years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code.

**SECTION 2.** The Clerk of Council is authorized and directed to certify a copy of this Resolution to the Fiscal Officer for the certification of the total current tax valuation of the County and the dollar amount of revenue that would be generated by the 3.0 mill additional levy.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble and to meet the Board of Elections' deadlines. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



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

\_\_\_\_\_  
Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. O2013-0126

Sponsored by: <b>Council President Connally/Clerk of Council and Director of Law</b>	A <b>Resolution</b> establishing that the County's Non-Bargaining Classification Plan shall continue uninterrupted by Council's amendment of the procedures in which it will exercise its approval rights over the Classification Plan for purposes of codification, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, it is necessary for the Council to amend and replace Ordinance Nos. O2011-0038, O2011-0050, O2012-0009, O2012-0016, O2012-0023, O2012-0024 and O2013-0012, to enable the Clerk of Council to publish the Cuyahoga County Code in proper codified form;

WHEREAS, Council will be exercising its approval rights over the County's Non-Bargaining Classification Plan by resolution and the Department Human Resources will be mandated to publish and keep the most up-to-date Non-Bargaining Classification Plan on the Department's web site;

WHEREAS, Council wants to ensure that its amendment and replacement of the ordinances does not cause any disruption in the County's Non-Bargaining Classification Plan; and

WHEREAS, it is necessary that this Resolution become immediately effective to ensure that no interruption occurs in the County's employment practices.

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

**SECTION 1.** The County Council's amendment and replacement of Ordinance Nos. O2011-0038, O2011-0050, O2012-0009, O2012-0016, O2012-0023, O2012-0024 and O2013-0012 shall have no impact on the County's Non-Bargaining Classification Plan, which is approved by the Council and shall continue uninterrupted.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest

occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**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 enacted.

Yeas:

Nays:

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

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

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

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0127

Sponsored by: <b>Council President Connally</b>	<b>A Resolution</b> directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Department of Public Works' Rules and Regulations currently discourage ride sharing by limiting the use of parking passes to one employee; and

WHEREAS, the County substantially subsidizes the cost of employee parking at the Huntington Park Garage; and

WHEREAS, the County minimally subsidizes the cost of employee public transit passes; and

WHEREAS, Municipalities, Counties, and States throughout the Country subsidize public transportation for employees; and

WHEREAS, the Federal Government wholly subsidizes the cost of public transportation for employees; and

WHEREAS, free resources are available that facilitate individuals searching for others with whom to ride share; and

WHEREAS, Section 7.10 of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual, last approved by Council Ordinance No. O2013-0003, states that the County encourages all employees to seek opportunities to incorporate sustainable principles in work and home life, including using public transportation and fuel efficient vehicles; and

WHEREAS, it is necessary that this Resolution become immediately effective in order to maximize the economic and environmental benefits of improved transportation and parking policies and in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies.

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

**SECTION 1.** That the County Executive, acting through the appropriate department(s), propose transportation policies and procedures that include, at a minimum, the following:

- a) A public transportation subsidy of a percentage at least equal to the subsidy currently provided to employees parking at the Huntington Park Garage; and,
- b) A program whereby employee contributions to public transportation costs are paid with pre-tax dollars; and,
- c) Encouragement for employees to carpool/ride share.

**SECTION 2.** That the County Executive shall provide Council with the above-outlined proposal not later than sixty (60) days from the effective date of this Resolution.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0016

Sponsored by: <b>Council President Connally/Clerk of Council and Director of Law</b>	<b>An Ordinance</b> establishing the Council's approval of the County's Non-Bargaining Classification Plan, which shall be accomplished by Resolution and published on the Department of Human Resources' website; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Clerk of Council has been working diligently on the codification of the County's ordinances for publication of the Cuyahoga County Code;

WHEREAS, it is necessary to amend and replace Ordinance Nos. O2011-0038, O2011-0050, O2012-0009, O2012-0016, O2012-0023, O2012-0024 and O2013-0012, to enable the Clerk of Council to publish the Cuyahoga County Code in proper codified form;

WHEREAS, Council will be exercising its approval rights over the County's Non-Bargaining Classification Plan by resolution and the Department of Human Resources will be mandated to publish and keep the most up-to-date Non-Bargaining Classification Plan on the Department's web site;

WHEREAS, Council wants to ensure that its amendment and replacement of the ordinances does not cause any disruption in the County's Non-Bargaining Classification Plan and will be adopting a resolution concurrently herewith to ensure that no such interruption occurs; and

WHEREAS, it is necessary that this Resolution become immediately effective to ensure that no interruption occurs in the County's employment practices.

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

**SECTION 1.** Chapter 305 of the Cuyahoga County Code, which was enacted in Ordinance Nos. O2011-0038, O2011-0050, O2012-0009, O2012-0016, O2012-0023, O2012-0024 and O2013-0012, is hereby amended and replaced in its entirety to read as follows:

**CHAPTER 305: Cuyahoga County Non-Bargaining Classification Plan**

**Section 305.01 Approval of Cuyahoga County Non-Bargaining Classification Plan.** The County Council’s exercise of its approval rights over the County’s Non-Bargaining Classification Plan shall be accomplished by adoption of a Resolution.

**Section 305.02 Publication of Plan.** The Department of Human Resources shall publish and keep up-to-date the County’s complete Non-Bargaining Classification Plan on the Department’s website.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County, the preservation of public peace, health, or safety in the County, and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council 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 Ordinance was duly enacted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0013

Sponsored by: <b>Council President Connally/Clerk of Council and Director of Law</b>	<b>An Ordinance</b> establishing the Council's annual approval of the County's five-year economic development plans which shall be accomplished by Resolution and published on the County Council's website, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 7.05 of the Cuyahoga County Charter requires the Director of Development, in conjunction with the County Executive and in consultation with the Economic Development Commission, to prepare and present to the Council by the first day of June of each year a proposed five-year economic development plan for the County, for actions to be carried out by the County itself, and in cooperation with other public and private agencies and organizations, for the purpose of enhancing the prosperity and well-being of the County and its residents and communities; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can commence and continue on behalf of the various municipalities within the County's jurisdiction.

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

**SECTION 1.** Chapter 801 of the Cuyahoga County Code, which was enacted in Ordinance No. O2011-0026, as amended by Ordinance No. O2012-0018, is hereby amended and replaced to read as follows:

### **CHAPTER 801: Economic Development Plan**

**Section 801.01 Adoption of Five-Year Economic Development Plans.** The County Council's annual exercise of its approval rights over the County's five-year economic development plans under Section 7.05 of the Cuyahoga County Charter shall be accomplished by Resolution.

**Section 801.02 Publication of Economic Development Plan.** The Clerk of Council shall annually publish the five-year economic development plan adopted by County Council pursuant to Section 7.05 of the Cuyahoga County Charter on the County Council's website.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble.

Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council 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 Ordinance was duly enacted.

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: June 11, 2013  
Committee(s) Assigned: Economic Development & Planning

Journal CC010  
June 25, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0128

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on December 11, 2012, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2013 (Resolution No. R2012-0232) establishing the 2013 biennial budget update for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2013 to reflect budgetary funding increases, funding reductions, to transfer budget appropriations, and to transfer cash between budgetary funds, in order to accommodate the operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is further necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies.

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

**SECTION 1.** That the 2012/2013 Biennial Operating Budget for 2013 be amended to provide for the following additional appropriation increases and decreases:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 40A099 – Maintenance Projects	<b>BA1301726</b>
CC768218 – Building Improvements	
Personal Services \$ 10,850.00	
Other Expenses \$ 165,000.00	

Funding Source: Funding for maintenance projects will come from a variety of sources including the charges to inter-departmental agency budgets and past bond offering proceeds.

B1.	21A421 – Youth Services Subsidy JC753236 – Program Administration –FY12-000		<b>BA1302252</b>
	Other Expenses	\$	75,000.00
	Capital Outlay	\$	83,250.00
B2.	21A421 – Youth Services Subsidy JC753293 – Rest./Comm. Services FY12-117		
	Other Expenses	\$	3,000.00
	Capital Outlay	\$	45,000.00
B3.	21A421 – Youth Services Subsidy JC753251 – Probation – FY12-101		
	Personal Services	\$	8,100.33
B4	21A421 – Youth Services Subsidy JC753277 – Mental Health – FY12-111		
	Personal Services	\$	1,600.00
B5.	21A421 – Youth Services Subsidy JC753558 – Sex Offender Treatment FY12-13 2106		
	Other Expenses	\$	131,497.62
B6.	21A421 – Youth Services Subsidy JC753541 – Substance Abuse Treatment FY12-13 -2107		
	Other Expenses	\$	66,822.76
B7.	21A421 – Youth Services Subsidy JC753533 Clinical Assessment & SA FY12-2217		
	Other Expenses	\$	61,901.04
B8.	21A421 – Youth Services Subsidy JC753871 Program Admin –FY 12-201		
	Other Expenses	\$	724,100.00

Funding Source: Ohio Department of Youth Services.

C.	21A513 – CCA 407 Felony Program CO741553- CCA 407 Non-Support Specialist FY14		<b>BA1302238</b>
	Personal Services	\$	52,566.00
	Other Expenses	\$	50,750.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

D. 21A513 – CCA 407 Felony Program **BA1302239**  
 CO741546- Community Corrections Act II FY14  
 Personal Services \$ 2,600,799.00  
 Other Expenses \$ 947,294.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

E. 21A512 – CCA 407 Felony Program **BA1302240**  
 CO741595- Domestic Violence FY14  
 Other Expenses \$ 216,060.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

F. 21A512 – CCA 407 Felony Program **BA1302241**  
 CO741561- Jail Intensive Supervision Program FY14  
 Personal Services \$ 247,996.00  
 Other Expenses \$ 213,746.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

G. 21A512 – CCA 407 Felony Program **BA1302242**  
 CO741579- Jail Case Management FY14  
 Personal Services \$ 122,996.00  
 Other Expenses \$ 90,549.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

H. 21A513 – CCA 407 Felony Program **BA1302243**  
 CO741587- Pre-Sentencing Investigation Writer FY14  
 Personal Services \$ 495,000.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

I. 21A039 – CPC Felony Drug Court **BA1302265**  
 JA758102-CPC Felony Drug Court FFY2010-2010/2013  
 Other Expenses \$ 325,000.00

Funding Source: Funding is from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment for t Adult Treatment Drug Courts covering the budget period September 30, 2012 through September 29, 2013, project period September 30, 2010 through September 29, 2013. No cash match is required.

J. 21A579 – VAWA Administration Grant **BA1301716**  
 JA753889-FY2012 VAWA Admin Fund CY2013  
 Personal Services \$ 14,771.83  
 Other Expenses \$ 5,466.20

Funding Source: Funding is from the United States Department of Justice, Office of Violence Against Women passed through the Ohio Department of Public Safety, Office of Criminal Justice Services covering the period January 1, 2013 through December 31,.

K. 21A892 – Psychiatric Services-CBCF **BA1301719**  
 CO753905- Psychiatric Services-CBCF-CY2013  
 Personal Services \$ 75,000.00  
 Other Expenses \$ 4,000.00

Funding Source: Funding is from the Alcohol Drug Addiction Mental Health Services Board of Cuyahoga County covering the period February 27, 2013 through December 31, 2013. No cash match is required.

L. 21A060 – TASC ADAMHSB VRP3 **BA1301720**  
 CO753392- TASC ADAMHSB VRP3 FY11/12  
 Personal Services \$ (79,106.81)  
 Other Expenses \$ (273,218.48)

Funding Source: Funding is from the Alcohol Drug Addiction Mental Health Services Board (ADAMHSB) of Cuyahoga County covering the period April 1, 2011 through September 30, 2012.

M. 21A068 – HIDTA HIT Vehicle Grant **BA1301722**  
 SH350777- HITDA-HTT Vehicle Grant  
 Capital Outlays \$ 21,600.00

Funding Source: Funding is by the Executive Office of The President of the United States, Office of National Drug Control Policy passed through the Ohio High Intensity Drug Trafficking Area (HIDTA) Initiative through the Hotel Interdiction Team (HIT) administered by the fiscal agent, the City of Shaker Hits, Ohio covering the period March 1, 2013 through February 28, 2015. No cash match is required. The grant was approved by the Contracts and Purchasing Board on May 13, 2013, CPB2013-354.

N. 22A268 – Home Weatherization Assistance Program 2012 **BA1301730**  
 DV725325 – Home Weatherization Assistance Program United States  
 Department of Energy Health and Safety 2012  
 Other Expenses \$ 3,460.69

Funding Source: The funding source is the deposits from landlords for replacement of furnace and hot water tanks.

O.	20A059 – Veterans Services Fund	<b>BA1301317</b>
	VF491001- Veterans Services Fund	
	Other Expenses	\$ 758,306.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

P.	01A001 – General Fund	<b>BA1301318</b>
	SU513416- Veterans Services Fund Subsidy	
	Other Expenses	\$ 758,306.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

Q.	24A640 – FCFC Public Assistance	<b>BA1301326</b>
	FC451492 – Family and Children First Council	
	Other Expenses	\$ 380,000.00

Funding Source: Fund from General Fund reserves.

**SECTION 2.** That the 2012/2013 Biennial Operating Budget for 2013 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM:	<b>BA1301303</b>
	24A510 – Work and Training
	WT137463 – Virgil E Brown Building NFSC
	Other Expenses \$ 150,000.00
TO:	
	24A510 – Work and Training
	WT137109 – Administrative Operations
	Capital Outlay \$ 150,000.00

Funding Source: The agency is funded by Federal and State funds as well as the Health and Human Services Levy Fund.

B. FROM:	<b>BA1301301</b>
	21A512 – Jail Case Management FY13
	CO741496 – Jail Case Management FY13
	Other Expenses \$ 1.00
TO:	
	21A512 – Jail Case Management FY13
	CO741496 –Jail Case Management FY13
	Personal Services \$ 1.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction covering the period January 1, 2012 through June 30, 2013.



C. FROM:	21A342 – NEORFC-FY09 (SHSPLE) JA767996 – NEORFC-FY09 (SHSPLE) Personal Services	\$ 30,000.00	<b>BA1301724</b>
TO:	21A342 – NEORFC-FY09 (SHSPLE) JA767996 – NEORFC-FY09 (SHSPLE) Other Expenses	\$ 30,000.00	

Funding Source: Funding is from the United States Department of Homeland Security covering the period August 1, 2009 through March 31, 2014.

D. FROM:	21A182 – TASC Drug Court CO753624 – FY2013 TASC Drug Court Other Expenses	\$ 3,440.00	<b>BA1301731</b>
TO:	21A182 – TASC Drug Court CO753624 – FY2013 TASC Drug Court Capital Outlays	\$ 3,440.00	

Funding Source: Funding is from the Ohio Department of Alcohol and Drug Addiction Services covering the period July 1, 2012 through June 30, 2013.

E. FROM:	20A390 – Emergency Management JA100123 – Justice Services-Emergency Management Personal Services	\$ 2,500.00	<b>BA1301732</b>
TO:	20A390 – Emergency Management JA100123 – Justice Services-Emergency Management Other Expenses	\$ 2,500.00	

Funding Source: Funding is from grants and a General Fund subsidy covering the period January 1, 2013 through December 31, 2013.

F. FROM:	20A822 – Custody Mediation JA108118 – Custody Mediation Personal Services	\$ 5,000.00	<b>BA1301733</b>
TO:	20A822 – Custody Mediation JA108118 – Custody Mediation Other Expenses	\$ 5,000.00	

Funding Source: Funding is from agreements from the Domestic Relations and Juvenile Courts along with a General Fund subsidy covering the period January 1, 2013 through December 31, 2013.

G. FROM:	21A513 - CCA 407 Felony Program CO741454 – Community Correction Act II FY13 Other Expenses	\$ 6.00	<b>BA1301736</b>
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TO: 21A513 –CCA 407 Felony Program  
 CO741454 –Community Correction Act II FY13  
 Personal Services \$ 6.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Correction covering the Period July 1, 2012 through June 30, 2013.

**SECTION 3.** That the 2012/2013 Biennial Operating Budget for 2013 be amended to provide for the following cash transfers between County funds.

**Fund Nos. /Budget Accounts** **Journal Nos.**

A. FROM: 01A001 – General Fund **JT1305190**  
 JA302224 – Public Safety Grants Administration  
 Transfer Out \$ 5,059.51

TO: 21A579 – VAWA Administration Grant  
 JA753889-FY2012 VAWA Administration Fund CY2013  
 Revenue Transfer \$ 5,059.51

Funding Source: Funding is from the General Fund, Department of Public Safety and Justice Services, Public Safety Grants Administration unit covering the period January 1, 2013 through December 31, 2013.

B. FROM: 21A218 – State SHSG-Law Enforcement **JT1305191**  
 JA767913 – FFY10 State Homeland Security-Law Enforcement 10/13  
 Transfer Out \$ 50,846.25

TO: 21A342 – Northeast Ohio Regional Fusion Center FY09  
 JA767996-Northeast Ohio Regional Fusion Center –FY09 (SHSPLE)  
 Revenue Transfer \$ 50,846.25

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through March 31, 2013.

C1. FROM: 40A524 – Ohio Department of Public Works **JR1301703**  
 Integrating Committee  
 CE785170 – West Bridge Street Bridge # 256  
 Transfer Out \$ 80,797.74

TO: 26A650 – \$5.00 Road Capital Improvements  
 CE418053 – County Engineer \$5.00 License Tax Fund  
 Revenue Transfer \$ 80,797.74

C2. FROM: 40A526 – Ohio Department of Transportation Local  
 Project Administration  
 CE785006 – Ohio Department of Transportation Local  
 Project Administration  
 Transfer Out \$ 158,870.66

TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer                   \$                   158,870.66
C3. FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out                         \$                         0.01
TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer                   \$                         0.01
C4. FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out                         \$                         14,878.63
TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer                   \$                         14,878.63
C5. FROM:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Transfer Out                         \$                         6,085.11
TO:	40A524 – Ohio Department of Public Works Integrating Committee CE785188 – Old Mill Road Bridge #162 Revenue Transfer                   \$                         6,085.11
C6. FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out                         \$                         59,868.70
TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer                   \$                         59,868.70
C7. FROM:	40A524 – Ohio Department of Public Works Integrating Committee CE785162 – Pleasant Valley Road – Broadview to Breckview Transfer Out                         \$                         122,320.26
TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer                   \$                         122,320.26

C8. FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$ 177,577.93
TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$ 177,577.93
C9. FROM:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Transfer Out	\$ 618,620.20
TO:	40A524 – Ohio Department of Public Works Integrating Committee CE785121 – Royalton Road/West 130 <sup>th</sup> Street Revenue Transfer	\$ 618,620.20
C10.FROM:	40A524 – Ohio Department of Public Works Integrating Committee CE785212 – Snow Road Bridge #220 Transfer Out	\$ 23,055.80
TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer	\$ 23,055.80
C11.FROM:	40A526 – Ohio Department of Transportation Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$ 168,983.58
TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$ 168,983.58
C12.FROM:	40A524 – Ohio Department of Public Works Integrating Committee CE785147 – West 130 <sup>th</sup> Street – Snow to Brookpark Transfer Out	\$ 94,366.46
TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$ 94,366.46

Funding Source: Most projects are funded 80% from Federal Highway Administration dollars passed through ODOT and 20% from a combination of County Road and Bridge funds and municipal funds.

D. FROM:	01A001 – General Fund	<b>JT1305193</b>
	SU513416 – Veterans Services Fund Subsidy	
	Transfer Out	\$ 758,306.00
TO:	20A059 – Veterans Services Fund	
	VF491001 – Veterans Services Fund	
	Revenue Transfer	\$ 758,306.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC010  
June 25, 2013



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



June 18, 2013

Clerk of County Council

Dear Ms. Schmotzer:

A brief summary of the fiscal items that will be submitted for consideration for adoption on first reading at the regular County Council meeting scheduled for June 25, 2013, are presented below.

**Additional Appropriation Summary** – Additional appropriations are needed when there is a new or increased revenue source, or a revision to the original appropriation level that is required to cover expenditures that exceed the original estimate. A budget review document is provided for General Fund and Health & Human Services Levy Fund impact items.

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

\* Impact of fiscal item is included in the current projection and ending fund balance.

General Fund/Health & Human Services	Amount
Veterans Services Fund – To establish appropriations for the Veterans Services Fund as authorized by the County Council under Resolution R2013-0086. Funding is from the General Fund.	\$758,306.00
Veterans Services Fund/General Fund Subsidy – To establish appropriations to cover a cash transfer to the Veterans Services Fund as authorized by the County Council under Resolution R2012-0013. Funding is from the General Fund.	\$758,306.00
Family & Children First Council – To establish appropriations for component 2 of the Cuyahoga County Educational Assistance Program through General Fund reserves as authorized by the County Council under Resolution R2013-0087.	\$380,000.00
<b>TOTAL</b>	<b>\$1,896,612.00</b>

Grants/Projects	Amount
Capital Improvements – Additional appropriation to cover a space study to ensure accurate space maintenance charges to user agencies. Funding is from inter-departmental charges to agency budgets.	\$175,850.00
Juvenile Court – To appropriate additional grant funding from the Ohio Department of Youth Services to various RECLAIM Ohio grants.	\$1,200,271.75
Common Pleas Court – To appropriate grant funding from the Ohio Department of Rehabilitation and Corrections’ Bureau of Community Sanctions for the Probation Department Non Support Specialist FY2014 (\$103,316); Act 11 FY2014 (\$3,548,093); Domestic Violent Project (\$216,060); Jail Intensive Supervision Program (\$461,742); Jail Case Management Program FY2014 (\$213,545); and the Pre-Sentencing Investigation Writer FY2014 (495,000) grants.	5,037,756.00
Justice Services – To appropriate the Justice Services/Common Pleas Court Felony Drug Court FFY 2010 – 2010/2013 grant from the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration, Center.	\$325,000.00
Justice Services – To appropriate the FY2012 Violence Against Women Act (VAWA) Administration Fund CY2013 grant from the U.S. Department of Justice, Office of Violence Against Women.	\$20,238.03
Common Pleas Court – Additional appropriation for the Community Corrections Planning Board for psychiatric services and psychotropic medications from the Alcohol, Drug Addiction, and Mental Health Services Board (ADAMHSB) of Cuyahoga County.	\$79,000.00

Common Pleas Court – Reducing appropriation in the Treatment Alternatives to Street Crimes VRP3 FY11/12 grant in preparation of grant closure. Funding is from the ADAMHSB of Cuyahoga County.	-\$352,325.29
Sheriff – To appropriate the Ohio High Intensity Drug Trafficking Area (HIDTA) Initiative grant from the Executive Office of the President of the United States’ Office of National Drug Control Policy.	\$21,600.00
Development – Additional appropriation to record deposits made by landlords for furnace and hot water tank replacements.	\$3,460.69
<b>TOTAL</b>	<b>\$6,510,851.18</b>

<b>Total Additional Appropriations - All Funds</b>	<b>\$8,407,463.18</b>
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The following represents the overall changes made to the Annual Appropriation Measure for 2013 since its adoption on December 11, 2012 Resolution R2012-0232. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

**APPROPRIATION STATUS SUMMARY:**

	<u>06/25/2013 Agenda</u>	<u>Year to Date*</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 1,896,612.00	\$ 361,708,846.00	\$ 373,147,912.10
HHS Levy Impact	\$ 0.00	\$ 222,615,901.00	\$ 205,299,525.97
Other Fund Impact	\$ <u>6,510,851.18</u>	\$ <u>919,467,552.00</u>	\$ <u>986,595,592.68</u>
<b>Total Impact</b>	<b>\$ 8,407,463.18</b>	<b>\$ 1,503,792,299.00</b>	<b>\$ 1,565,043,030.75</b>

\* 2013 appropriation levels adopted by resolution R2012-0232 on December 11, 2012.

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

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Job & Family Services/Employment & Family Services – Realigning appropriation to cover the purchase of 5 scanners for use by the public. Funding is from Federal and State funds as well as the Health and Human Services Levy Fund.	\$150,000.00
<b>TOTAL</b>	<b>\$150,000.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Justice Services/Custody Mediation – Realigning appropriation to cover anticipated expenses. Funding is from agreements with Domestic Relation and Juvenile Court as well as a General Fund subsidy.	\$5,000.00
<b>TOTAL</b>	<b>\$5,000.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Common Pleas Court/Jail Case Management FY13 – Realigning appropriation to align budget to the final revisions. Funding is from the Ohio Department of Rehabilitation and Corrections.	\$1.00
Justice Services/Northeast Ohio Regional Fusion Center – Realigning appropriation for approved budget adjustments. Funding is from the U.S. Department of Homeland Security.	\$30,000.00
Common Pleas Court/Treatment Alternatives to Street Crimes (TASC) Drug Court – Realigning appropriation to cover the purchase of four (4) laptop computers. Funding is from the Ohio Department of Alcohol & Drug Addiction Services.	\$3,440.00
Justice Services/Emergency Management – Realigning appropriation to cover a contract with Gov-Delivery Mass Notification. Funding is from grant and a General Fund subsidy.	\$2,500.00
Common Pleas Court/Community Corrections Act II FY13 – Realigning appropriation to align budget to the final revisions. Funding is from the Ohio Department of Rehabilitation and Corrections.	\$6.00
<b>TOTAL</b>	<b>\$35,947.00</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$190,947.00</b>
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**Cash Transfer Summary** – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Justice Services – A cash transfer to cover the cash match for the FY2012 VAWA Administration Fund CY2013 grant from the U.S. Department of Justice, Office of Violence Against Women. Funding is from the General Fund, Department of Public Safety and Justice Services, Public Safety Grants Administration.	\$5,059.51
Veterans Services Fund – A cash transfer from the subsidy to the newly created Veterans Services Fund as authorized by the County Council under Resolution R2013-0086. Funding is from the General Fund.	\$758,306.00
<b>TOTAL</b>	<b>\$763,365.51</b>

<b>Grants/Projects</b>	<b>Amount</b>
Justice Services/State SHSG Law Enforcement – A cash transfer to the Northeast Ohio Regional Fusion Center FY09 to cover reported expenses through an approved intra agency agreement. Funding is from the U.S. Department of Homeland Security.	\$50,846.25

Public Works/Road & Bridge – Cash transfers to transfer road construction costs for various Ohio Department of Transportation, Local Projects Administration projects in order to close-out the completed projects. Funding for most projects are funded 80% from Federal Highway Administration dollars and 20% from a combination of County Road and Bridge funds and municipal funds.	\$1,525,425.08
<b>TOTAL</b>	<b>\$1,576,271.33</b>

<b>Total Cash Transfers - All Funds</b>	<b>\$2,339,636.84</b>
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Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino  
 Director, Office of Budget & Management  
[mrubino@cuyahogacounty.us](mailto:mrubino@cuyahogacounty.us)  
 (216) 443-7448  
 Fax: (216) 443-8193

## MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

FROM: Matthew Rubino, Director, Office of Budget & Management

DATE: June 18, 2013

RE: Agenda Items

The Office of Budget & Management is requesting that the following fiscal items be presented to the members of County Council for their consideration for approval on first reading at the meeting of June 25, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

### **Resolution: Additional Appropriations**

A.	40A099 – Maintenance Projects		<b>BA1301726</b>
	CC768218 – Building Improvements		
	Personal Services	\$	10,850.00
	Other Expenses	\$	165,000.00

Appropriation is requested in the maintenance projects – building improvements account to commission a space study to assist the County in conducting/documenting space occupied by various County agencies in various county-owned facilities to ensure most accurate space maintenance charges for users. Funding for maintenance projects will come from a variety of sources including the charges to inter-departmental agency budgets and past bond offering proceeds.

B1.	21A421 – Youth Services Subsidy		<b>BA1302252</b>
	JC753236 – Program Administration –FY12-000		
	Other Expenses	\$	75,000.00
	Capital Outlay	\$	83,250.00
B2.	21A421 – Youth Services Subsidy		
	JC753293 – Rest./Comm. Services FY12-117		
	Other Expenses	\$	3,000.00
	Capital Outlay	\$	45,000.00
B3.	21A421 – Youth Services Subsidy		
	JC753251 – Probation – FY12-101		
	Personal Services	\$	8,100.33

Fiscal Office  
Office of Budget & Management  
1219 Ontario Street, Cleveland, OH 44113, (216) 443-7220, FAX (216) 443-8193  
Ohio Relay Service (TTY) 711

B4.	21A421 – Youth Services Subsidy JC753277 – Mental Health – FY12-111	Personal Services	\$	1,600.00
B5.	21A421 – Youth Services Subsidy JC753558 – Sex Offender Treatment FY12-13 2106	Other Expenses	\$	131,497.62
B6.	21A421 – Youth Services Subsidy JC753541 – Substance Abuse Treatment FY12-13 -2107	Other Expenses	\$	66,822.76
B7.	21A421 – Youth Services Subsidy JC753533 Clinical Assessment & SA FY12-2217	Other Expenses	\$	61,901.04
B8.	21A421 – Youth Services Subsidy JC753871 Program Admin –FY 12-201	Other Expenses	\$	724,100.00

The Juvenile Court requests additional appropriation of the RECLAIM (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) Ohio grant funds administered through the Ohio Department of Youth Services. The additional grant funding became available because the State of Ohio revised the formula it uses to calculate the grant amounts for each county. The additional appropriation would be used for training, electronic monitoring services, client tracking, information technology, the purchase of a van to transport program participants, additional client services, and Placement Planning Day Report (724,100.00).

C.	21A513 – CCA 407 Felony Program CO741553- CCA 407 Non-Support Specialist FY14	Personal Services	\$	52,566.00	<b>BA1302238</b>
		Other Expenses	\$	50,750.00	

Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Probation Department Non-Support Specialist FY2014 grant. Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

D.	21A513 – CCA 407 Felony Program CO741546- Community Corrections Act II FY14	Personal Services	\$	2,600,799.00	<b>BA1302239</b>
		Other Expenses	\$	947,294.00	

Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Probation Department Community Corrections Act 11 FY2014 grant. Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

E.	21A512 – CCA 407 Felony Program CO741595- Domestic Violence FY14	Other Expenses	\$	216,060.00	<b>BA1302240</b>
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Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Probation Department Domestic Violence Project FY2014 grant. Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

F.	21A512 – CCA 407 Felony Program		<b>BA1302241</b>
	CO741561- Jail Intensive Supervision Program FY14		
	Personal Services	\$	247,996.00
	Other Expenses	\$	213,746.00

Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Probation Department Jail Intensive Supervision Program FY2014 grant. Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

G.	21A512 – CCA 407 Felony Program		<b>BA1302242</b>
	CO741579- Jail Case Management FY14		
	Personal Services	\$	122,996.00
	Other Expenses	\$	90,549.00

Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Probation Department Jail Case Management Program FY2014 grant. Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

H.	21A513 – CCA 407 Felony Program		<b>BA1302243</b>
	CO741587- Pre-Sentencing Investigation Writer FY14		
	Personal Services	\$	495,000.00

Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Probation Department Pre-Sentencing Investigation Writer FY2014 grant. Funding is from the Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions covering the period July 1, 2013 through June 30, 2014.

I.	21A039 – CPC Felony Drug Court		<b>BA1302265</b>
	JA758102-CPC Felony Drug Court FFY2010-2010/2013		
	Other Expenses	\$	325,000.00

Provide appropriations in the Justice Services Common Pleas Court Felony Drug Court FFY2010-2010/2013 grant for the third year of funding. Funding is from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment for t Adult Treatment Drug Courts covering the budget period September 30, 2012 through September 29, 2013, project period September 30, 2010 through September 29, 2013. No cash match is required.

J.	21A579 – VAWA Administration Grant		<b>BA1301716</b>
	JA753889-FY2012 VAWA Admin Fund CY2013		
	Personal Services	\$	14,771.83
	Other Expenses	\$	5,466.20

Provide appropriations in the Justice Services FY2012 Violence Against Women Act (VAWA) Administration Fund CY2013. Funding is from the United States Department of Justice, Office of

Violence Against Women passed through the Ohio Department of Public Safety, Office of Criminal Justice Services covering the period January 1, 2013 through December 31, 2013 in the amount of \$15,178.52 which requires a cash match of \$5, 059.51 (see document JT1305190, fiscal item A, on page 7) from the Cuyahoga County Department of Public Safety and Justice Services, Public Safety Grants Administration unit totaling \$20,238.03. The grant was accepted by the Board of Control on September 12, 2011, EA2011-1187.

K.	21A892 – Psychiatric Services-CBCF CO753905- Psychiatric Services-CBCF-CY2013	<b>BA1301719</b>
	Personal Services	\$ 75,000.00
	Other Expenses	\$ 4,000.00

Provide appropriations in the Common Pleas Court Community Corrections Planning Board for offenders placed in the Judge Nancy R. McDonnell Community Based Corrections Facility who are in need of psychiatric services and psychotropic medications. Funding is from the Alcohol Drug Addiction Mental Health Services Board of Cuyahoga County covering the period February 27, 2013 through December 31, 2013. No cash match is required.

L.	21A060 – TASC ADAMHSB VRP3 CO753392- TASC ADAMHSB VRP3 FY11/12	<b>BA1301720</b>
	Personal Services	\$ (79,106.81)
	Other Expenses	\$ (273,218.48)

Reduce appropriations in the Common Pleas Court Community Corrections Planning Board grant Treatment Alternatives to Street Crime VRP3 FY11/12 grant to close the grant which as expired. Funding is from the Alcohol Drug Addiction Mental Health Services Board (ADAMHSB) of Cuyahoga County covering the period April 1, 2011 through September 30, 2012.

M.	21A068 – HIDTA HIT Vehicle Grant SH350777- HITDA-HTT Vehicle Grant	<b>BA1301722</b>
	Capital Outlays	\$ 21,600.00

Provide appropriations in the newly awarded grant for the purchase of a vehicle amortized for reimbursement over a three year period. Funding is by the Executive Office of The President of the United States, Office of National Drug Control Policy passed through the Ohio High Intensity Drug Trafficking Area (HIDTA) Initiative through the Hotel Interdiction Team (HIT) administered by the fiscal agent, the City of Shaker Hits, Ohio covering the period March 1, 2013 through February 28, 2015. No cash match is required. The grant was approved by the Contracts and Purchasing Board on May 13, 2013, CPB2013-354.

N.	22A268 – Home Weatherization Assistance Program 2012 DV725325 – Home Weatherization Assistance Program United States Department of Energy Health and Safety 2012	<b>BA1301730</b>
	Other Expenses	\$ 3,460.69

Appropriation is requested for the payment of expenditures incurred for the Department of Development’s administration of the United States Department of Energy’s Home Weatherization Assistance Program (HWAP). Expenditures include commodities and contracts for the replacement of rental property furnaces. Landlord contributions are received when a non-owner occupied building is weatherized under the HWAP program. The funding source is deposits made by landlords for furnace and hot water tank replacements.

O.	20A059 – Veterans Services Fund VF491001- Veterans Services Fund Other Expenses	\$ 758,306.00	<b>BA1301317</b>
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Establish appropriations in the newly created Veterans Services Fund authorized by the County Council under Resolution R2013-0086 that identifies nine (9) specific activities. Funding is from the General Fund subsidy covering the period January 1, 2013 through December 31, 2013.

P.	01A001 – General Fund SU513416- Veterans Services Fund Subsidy Other Expenses	\$ 758,306.00	<b>BA1301318</b>
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Establish appropriations in the newly created Veterans Services Fund Subsidy to comply with funding the Veterans Services Fund established under County Council Ordinance O2012-0013 with the specific amount identified under Resolution R2013-0086, Section 1, paragraphs 1 through 9 for nine (9) specific activities. Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

Q.	24A640 – FCFC Public Assistance FC451492 – Family and Children First Council Other Expenses	\$ 380,000.00	<b>BA1301326</b>
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This appropriation is requested to provide additional appropriation to the Family and Children First Council in support of the Cuyahoga County Educational Assistance Program to provide scholarships, loans, grants and other forms of financial assistance for residents of the County that will enable them to participate in post secondary education, including vocational education and job training and retraining. The resolution (R2013-0087) was approved by the County Council on June, 11 2013.

**Resolution: Appropriation Transfers:**

A. FROM: 24A510 – Work and Training **BA1301303**  
WT137463 – Virgil E Brown Building NFSC  
Other Expenses \$ 150,000.00

TO: 24A510 – Work and Training  
WT137109 – Administrative Operations  
Capital Outlay \$ 150,000.00

The Department of HHS Job and Family Services requests a budget realignment to purchase 5 scanners for use by the public for food stamp and Medicaid assistance. The agency is funded by Federal and State funds as well as the Health and Human Services Levy Fund.

B. FROM: 21A512 – Jail Case Management FY13 **BA1301301**  
CO741496 – Jail Case Management FY13  
Other Expenses \$ 1.00

TO: 21A512 – Jail Case Management FY13  
CO741496 –Jail Case Management FY13  
Personal Services \$ 1.00

Transfer appropriations within the Common Pleas Court Jail Case Management FY13 grant to align budget to the final revisions. Funding is from the Ohio Department of Rehabilitation and Correction covering the period January 1, 2012 through June 30, 2013.

C. FROM: 21A342 – NEORFC-FY09 (SHSPLE) **BA1301724**  
JA767996 – NEORFC-FY09 (SHSPLE)  
Personal Services \$ 30,000.00

TO: 21A342 – NEORFC-FY09 (SHSPLE)  
JA767996 –NEORFC-FY09 (SHSPLE)  
Other Expenses \$ 30,000.00

Transfer appropriations within the Department of Public Safety and Justice Services Northeast Ohio Regional Fusion Center (NEORFC) FY09 State Homeland Security Program-Law Enforcement (SHSPLE) grant for approved budget adjustments. Funding is from the United States Department of Homeland Security covering the period August 1, 2009 through March 31, 2014.

D. FROM: 21A182 – TASC Drug Court **BA1301731**  
CO753624 – FY2013 TASC Drug Court  
Other Expenses \$ 3,440.00

TO: 21A182 –TASC Drug Court  
CO753624 –FY2013 TASC Drug Court  
Capital Outlays \$ 3,440.00

Transfer appropriations within the Common Pleas Court Treatment Alternatives to Street Crime (TASC) Drug Court grant for the purchase of four (4) laptop computers. Funding is from the Ohio Department of Alcohol and Drug Addiction Services covering the period July 1, 2012 through June 30, 2013.

E.	FROM:	20A390 – Emergency Management		<b>BA1301732</b>
		JA100123 – Justice Services-Emergency Management		
		Personal Services	\$	2,500.00

	TO:	20A390 –Emergency Management		
		JA100123 –Justice Services-Emergency Management		
		Other Expenses	\$	2,500.00

Transfer appropriations within the Department of Public Safety and Justice Services Emergency Management unit for Gov-Delivery Mass Notification contract. Funding is from grants and a General Fund subsidy covering the period January 1, 2013 through December 31, 2013.

F.	FROM:	20A822 – Custody Mediation		<b>BA1301733</b>
		JA108118 – Custody Mediation		
		Personal Services	\$	5,000.00

	TO:	20A822 –Custody Mediation		
		JA108118 –Custody Mediation		
		Other Expenses	\$	5,000.00

Transfer appropriations within the Department of Public Safety and Justice Services Custody Mediation office for anticipated copier, supplies and other expenses. Funding is from agreements from the Domestic Relations and Juvenile Courts along with a General Fund subsidy covering the period January 1, 2013 through December 31, 2013.

G.	FROM:	21A513 - CCA 407 Felony Program		<b>BA1301736</b>
		CO741454 – Community Correction Act II FY13		
		Other Expenses	\$	6.00

	TO:	21A513 –CCA 407 Felony Program		
		CO741454 –Community Correction Act II FY13		
		Personal Services	\$	6.00

Transfer appropriations within the Common Pleas Court, Community Corrections Planning Board for the Community Correction Act II FY13 grant for final budget realignments. Funding is from the Ohio Department of Rehabilitation and Correction covering the Period July 1, 2012 through June 30, 2013.



**Resolution: Cash Transfers:**

A. FROM: 01A001 – General Fund **JT1305190**  
JA302224 – Public Safety Grants Administration  
Transfer Out \$ 5,059.51

TO: 21A579 – VAWA Administration Grant  
JA753889-FY2012 VAWA Administration Fund CY2013  
Revenue Transfer \$ 5,059.51

To transfer the required cash match for the recently awarded FY2012 Violence Against Women (VAWA) Administration Fund CY2013 grant (see BA1301716, fiscal item J on page 3). Funding is from the General Fund, Department of Public Safety and Justice Services, Public Safety Grants Administration unit covering the period January 1, 2013 through December 31, 2013.

B. FROM: 21A218 – State SHSG-Law Enforcement **JT1305191**  
JA767913 – FFY10 State Homeland Security-Law Enforcement 10/13  
Transfer Out \$ 50,846.25

TO: 21A342 – Northeast Ohio Regional Fusion Center FY09  
JA767996-Northeast Ohio Regional Fusion Center –FY09 (SHSPLE)  
Revenue Transfer \$ 50,846.25

To reimburse expenses reported on the January through March 2013 financial reports for expenses through an approved intra agency agreement between Public Safety/Justice Services and the Cuyahoga County Sheriff's Office for the Northeast Ohio Regional Fusion Center-Law Enforcement grant. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through March 31, 2013.

C1. FROM: 40A524 – Ohio Department of Public Works **JR1301703**  
Integrating Committee  
CE785170 – West Bridge Street Bridge # 256  
Transfer Out \$ 80,797.74

TO: 26A650 – \$5.00 Road Capital Improvements  
CE418053 – County Engineer \$5.00 License Tax Fund  
Revenue Transfer \$ 80,797.74

C2. FROM: 40A526 – Ohio Department of Transportation Local  
Project Administration  
CE785006 – Ohio Department of Transportation Local  
Project Administration  
Transfer Out \$ 158,870.66

TO: 26A650 – \$5.00 Road Capital Improvements  
CE418053 – County Engineer \$5.00 License Tax Fund  
Revenue Transfer \$ 158,870.66

C3.	FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$ 0.01
	TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer	\$ 0.01
C4.	FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$ 14,878.63
	TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer	\$ 14,878.63
C5.	FROM:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Transfer Out	\$ 6,085.11
	TO:	40A524 – Ohio Department of Public Works Integrating Committee CE785188 – Old Mill Road Bridge #162 Revenue Transfer	\$ 6,085.11
C6.	FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$ 59,868.70
	TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$ 59,868.70
C7.	FROM:	40A524 – Ohio Department of Public Works Integrating Committee CE785162 – Pleasant Valley Road – Broadview to Breckview Transfer Out	\$ 122,320.26
	TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer	\$ 122,320.26
C8.	FROM:	40A526 – Ohio Department of Transportation Local Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$ 177,577.93

	TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$	177,577.93
C9.	FROM:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Transfer Out	\$	618,620.20
	TO:	40A524 – Ohio Department of Public Works Integrating Committee CE785121 – Royalton Road/West 130 <sup>th</sup> Street Revenue Transfer	\$	618,620.20
C10.	FROM:	40A524 – Ohio Department of Public Works Integrating Committee CE785212 – Snow Road Bridge #220 Transfer Out	\$	23,055.80
	TO:	26A651 – \$7.50 Road and Bridge Registration Tax CE417477 – \$7.50 License Tax Fund Capital Improvement Revenue Transfer	\$	23,055.80
C11.	FROM:	40A526 – Ohio Department of Transportation Project Administration CE785006 – Ohio Department of Transportation Local Project Administration Transfer Out	\$	168,983.58
	TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$	168,983.58
C12.	FROM:	40A524 – Ohio Department of Public Works Integrating Committee CE785147 – West 130 <sup>th</sup> Street – Snow to Brookpark Transfer Out	\$	94,366.46
	TO:	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5.00 License Tax Fund Revenue Transfer	\$	94,366.46

Cash transfers are requested from various ODOT Local Projects Administration road projects to the engineer operating accounts in order to close out the completed projects. Most projects are funded 80% from Federal Highway Administration dollars passed through ODOT and 20% from a combination of County Road and Bridge funds and municipal funds.

D.	FROM:	01A001 – General Fund	<b>JT1305193</b>
		SU513416 – Veterans Services Fund Subsidy	
		Transfer Out	\$ 758,306.00
	TO:	20A059 – Veterans Services Fund	
		VF491001 – Veterans Services Fund	
		Revenue Transfer	\$ 758,306.00

Transfer cash from the Veterans Services Fund Subsidy to the Veterans Services Fund to comply with the funding of the Veterans Services Fund established under County Council Ordinance O2012-003 with the specific amount identified under County Council Resolution R2012-0013, Section 1, and paragraphs 1 through 9. Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0129

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires replacement of Warrensville Center Road Culvert 05.13 in the City of Shaker Heights; total estimated construction cost \$860,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the replacement of Warrensville Center Road Culvert 05.13 in the City of Shaker Heights; and

WHEREAS, the anticipated construction cost for this improvement is \$860,000.00 of which \$80,000.00 is for the design work; and

WHEREAS, that special assessments are not to be levied nor collected to pay for any part of the County's costs of this improvement; and

WHEREAS, this project will be funded as follows: (a) 60% from the County's Road and Bridge Fund and 40% from the City of Shaker Heights for the design cost, and (b) 80% from the County's Road and Bridge Fund and 20% from the City of Shaker Heights for construction, and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure for which the County is responsible; and

WHEREAS, this project is located at Warrensville Center Road Culvert 05.13 in the City of Shaker Heights, Council District 9; and

WHEREAS, the anticipated start date for construction of this project is 2015; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires the replacement of Warrensville Center Road Culvert 05.13 in the City of Shaker Heights.

**SECTION 2.** That special assessments are not to be levied nor collected to pay for any part of the County's cost of this improvement.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute an agreement of cooperation and any other documents with the City of Shaker Heights in connection with this project.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Nichole English	<b>Telephone No.</b>	216-348-3861

**SUMMARY OF REQUESTED ACTION:**

The request for Council action does not involve a contract.

**A. Scope of Work Summary**

1. Department of Public Works requesting that Council find: a) that the public convenience and welfare requires the replacement of Warrensville Center Road Culvert 05.13 in the City of Shaker Heights  
 b) that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements  
 c) authorize the County Executive to enter into and execute the necessary agreement of cooperation with the appropriate municipality.  
 The anticipated construction costs for this improvement is \$860,000 (\$80,000 for design, \$780,000 for construction). The project is to be funded 60% with County Road and Bridge Fund and 40% from City of Shaker Heights for design and 80% with County Road and Bridge Fund and 20% from City of Shaker Heights for construction. The anticipated start date for construction is 2015.
2. The primary goal of this request is to begin the process of Council review and approval of this project. The primary goal of the project itself is to properly maintain the County's infrastructure.
3. N/A

**B. Procurement - N/A**

**C. Contractor and Project Information**

1. N/A
2. N/A
- 3a. The location of the project is Warrensville Center Road Culvert 05.13 in the City of Shaker Heights
- 3b. The project is located in Council District 9.



**D. Project Status and Planning**

1. The project is new to the County.
2. N/A
3. N/A
4. N/A
5. N/A

**E. Funding**

1. The project is to be funded 60% with County Road and Bridge Fund and 40% from City of Shaker Heights for design and 80% with County Road and Bridge Fund and 20% from City of Shaker Heights for construction.
2. N/A
3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
Other	Road and Bridge and Shaker Heights
<b>Total Amount Requested:</b>	
\$	

**ATTACHMENTS:**

Click to download

- [Project Sheet](#)
- [Inspection Report](#)
- [Structure File](#)

**History**

**Time**

**Who**

**Approval**

Office of Procurement & Diversity



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0130

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ26257 to Karpinski Engineering, Inc. in the amount not-to-exceed \$1,541,900.00 for architectural and engineering services and construction administration for the Cuyahoga County Data Center; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended an award on RQ26257 to Karpinski Engineering, Inc. in the amount not-to-exceed \$1,541,900.00 for architectural and engineering services and construction administration for the Cuyahoga County Data Center; and,

WHEREAS, the primary goal of the project is to provide architectural and engineering services and construction administration to renovate the second floor of the Medical Examiner's Building and upgrade building systems to house the Cuyahoga County Data Center; and,

WHEREAS, this project is anticipated to begin June of 2013 and to be completed December of 2015; and,

WHEREAS, funding for this project is 100% from the General Fund; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ26257 to Karpinski Engineering, Inc. in the amount not-to-exceed \$1,541,900.00 for architectural and engineering services and construction administration for the Cuyahoga County Data Center.

**SECTION 2.** That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.





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**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	Nichole English	<b>Telephone No.</b>	216-348-3861

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work Summary**

1. Department of Public Works requesting award and approval of a contract with Karpinski Engineering, Inc. for the not-to-exceed cost of \$1,541,900.00. The anticipated start-completion dates are June 2013 - December 2015, but should not be referenced in the agreements since this is an engineering services agreement.
2. The primary goal of the project is to provide architectural and engineering services and construction administration to renovate the 2nd floor of the Medical Examiner's Building and upgrade building systems to house the Cuyahoga County Data Center.
3. N/A

**B. Procurement**

1. The procurement method for this project was RFQ. The total value of the RFQ is \$1,541,900.00
2. The RFQ was closed on January 24, 2013. There is a 30% SBE goal on this RFQ.
3. There were 7 proposals submitted for review, 1 proposal approved.

**C. Contractor and Project Information**

1. The address of the vendor is:  
Karpinski Engineering, Inc.  
3135 Euclid Avenue  
Cleveland, OH 44115  
Council District 7
2. A listing of the board of directors for Karpinski Engineering is included as an attachment.
3. a. The location of the project is:  
Cuyahoga County Medical Examiner's Building, 11001 Cedar Avenue, Cleveland, Ohio

3. b. The project is located in Council District 7.

**D. Project Status and Planning**

- 1. The project is new to the County.
- 2. N/A
- 3. N/A
- 4. N/A
- 5. N/A

**E. Funding**

- 1. The project is funded 100% from the General Fund
- 2. The schedule of payments is by invoice.
- 3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

**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:**

\$1,541,900.00

**ATTACHMENTS:**

Click to download

- [Contract](#)
- [W-9](#)
- [Signature Authority](#)
- [Owner Listing](#)
- [Insurance](#)
- [Workers Compensation Certificate](#)
- [Secretary of State](#)
- [Auditor Finding](#)
- [Karpinski Proposal](#)
- [Tab Sheet](#)
- [RFQ](#)
- [Karpinski Qualifications](#)
- [Evaluation of Proposals](#)
- [Department Acknowledgement Form](#)
- [Award Letter](#)
- [Cover TAB](#)
- [Voucher](#)

Date sent to Dept: 1-30-13  
 Date Received from Dept: \_\_\_\_\_  
 (OPD Use Only)



**CUYAHOGA COUNTY**  
**TABULATION OF QUALIFICATIONS RECEIVED**

DEPARTMENT NAME: Public Works - Central Services QUALIFICATIONS DUE January 24, 2013

RFQ TITLE: Architectural Engineering Services & Construction Administration for the County Data Center RFQ #: CT - 13 - 26257 SBE: 30%

TO BE COMPLETED BY OPD		TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER						USER DEPT.
VENDOR NAME & ADDRESS	IG/ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	AWARD Y/N	
DILZ 614 West Superior Avenue Suite 1000 Cleveland, Ohio 44113	VER 1-25-13 AP	The Osborn Engineering 40% Regency Construction 2.5%		42.5%	Y	Dollar amts. TBD AMG 1/29/13 mm 1/29/13	N	
Hoch Associates, P.C. 111 West Berry Street Suite 200 Fort Wayne, Indiana 46802	NER 1-25-13 AP	McGuinness Unlimited 3.5% Kabil Assoc., Inc 5.8% R. Engineering 45.50%		50%	Y	McGuinness did not sign the SBE-2 AMG 1/29/13 mm 1/29/13	N	
Irie Kynyk Goss Architects, Inc. 2216 Lee Road Cleveland, Ohio 44118	VER 1-25-13 AP	Barber + Hoffman \$15,000.00 4.4% R. Engineering 37.7% Regency Construction \$12,000.00 3.5%		55.6%	Y	AMG 1/29/13 mm 1/29/13	N	
Karpinski Engineering 3135 Euclid Avenue Cleveland, Ohio 44115	NER 1-25-13 AP	Regency Construction 1% Sundhar Assoc., Inc. 26% Barber Hoffman 1.5% Robert P. Madison 3.5%		37%	Y	Dollar amts TBD AMG 1/29/13 mm 1/29/13	Y	
Moody Nolan 4415 Euclid Avenue Suite 100 Cleveland, Ohio 44103	NER 1-25-13 AP				N	Did not submit the required documents AMG 1/29/13 mm 1/29/13	N	

JAMAL HUSANI  
 Department Director Name  
 Department Director Signature of Approval \_\_\_\_\_ Date 3/28/13

Date sent to Dept: 1-30-13  
 Date Received from Dept: \_\_\_\_\_  
 (OPD Use Only)



**CUYAHOGA COUNTY**  
**TABULATION OF QUALIFICATIONS RECEIVED**

**DEPARTMENT NAME:** Public Works - Central Services **QUALIFICATIONS DUE** January 24, 2013

**RFQ TITLE:** Architectural Engineering Services & Construction Administration for the County Data Center **RFQ #:** CT - 13 - 26257 **SBE:** 30%

TO BE COMPLETED BY OPD		TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER						USER DEPT.
VENDOR NAME & ADDRESS	IG/ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	AWARD Y/N	
RTKL Associates, Inc. 901 South Bond Street Baltimore, Maryland 21231	NER 1-25-13 (AP)	mb/kam Architecture 30% McGwinness Unlimited. 30%		60%	Y	any 1/29/13 mm 1/29/13	N	
Sigma 7 Design Group 261 Madison Avenue 16 <sup>th</sup> Floor New York, New York 10016	NER 1-25-13 (AP)	Heagerty, Steff, Boyko Architects 10-15% TEC Communications 5-10% Kubik Assoc. 5-10%		20% 35%	Y*	any 1/29/13 *Contingent upon achieving 30% SBE Participation mm 1/29/13	N	

JAMAL HUSANI  
 Department Director Name

Department Director Signature of Approval 1/31/28/13 Date

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0131

<p>Sponsored by: <b>County Executive FitzGerald on behalf of Juvenile Court</b></p>	<p><b>A Resolution</b> authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Juvenile Court has recommended an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 – 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; and,

WHEREAS, this project is funded 100% from the RECLAIM Ohio Grant Funds; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the Cuyahoga County Council authorizes an amendment with to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 – 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20.

**SECTION 2.** That the County Executive is authorized to execute an amendment and all documents consistent with this Resolution.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health,







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**Item Details:**

<b>Agency/Dept. Name:</b>	Juvenile Court	<b>Agency/Dept.Head Name:</b>	Marita Kavalec
<b>Type of Request:</b>		<b>Telephone No.</b>	443-8268
<b>Request Prepared by:</b>	Sarah Baker		

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work Summary** 1. Juvenile Court is requesting approval of a contract amendment for the Placement Planning Day Report Contract with Applewood Centers, Inc for the period of June 1, 2012 to June 30, 2013, to extend the time period of the contract to June 30, 2014, and to increase the funds in the amount of \$731,455.20 for a new not-to-exceed amount of \$1,631,455.20.

2. The primary goal of the project is to provide a day report center for Court-involved youth as an alternative to secure Detention.

**3. N/A B. Procurement**

1. The procurement method for this project was an RFP process (RFP #22544). The total value of the RFP was \$2,252.852.00.

2. The procurement method was closed on February 28, 2012. There was no SBE goal.

3. Three (3) vendors submitted responses to this RFP: one (1) for Shelter Care services only, one (1) for both Shelter Care and Placement Planning Day Report, and one (1) for Placement Planning Day Report only. All submitted proposals were considered and reviewed, and all three (3) vendors were awarded services. Two (2) vendors were awarded Shelter Care Services contracts. **C. Contractor and Project Information**

1. The address(es) of all vendors and/or contractors is:

Applewood Centers, Inc.  
10427 Detroit Avenue  
Cleveland, Ohio 44102  
Council District: 3

2. Executive Director of Applewood Centers, Inc. is Melanie Falls

3.a The address or location of the project is:

Applewood Centers, Inc.  
10427 Detroit Avenue

Cleveland, Ohio 44102

3.b. The project is located in Council District 3 **D. Project Status and Planning**

1. The project reoccurs annually.
2. N/A
3. N/A
4. N/A
5. N/A **E. Funding**

1. The original contract funding was 100% RECLAIM funded (\$100,000.00). The funding for the amendment amount is funded 100% by Title IV-E Revenue Funds (\$800,000.00). The current request is being 100% funded by RECLAIM Ohio Grant Funds.

2. The schedule of payments is monthly by invoice.

3. This is the second amendment to the contract. This amendment will extend the time period of the contract through June 30, 2014 and will increase the funds in the amount of \$731,455.20 for a new not-to-exceed amount of \$1,631,455.20. The first amendment to this contract occurred in 2012 and it increased the funds in the amount of \$800,000.00 and decreased the time frame of the contract from May 31, 2014 to June 30, 2013.

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

The primary goal of the project is to provide a day report center for Court-involved youth as an alternative to secure Detention.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

RFP (Request for Proposal)

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

**Financial Information:**

**Funding source:**

Other

**Explanation:**

100% RECLAIM Ohio Grant Funds

**Total Amount Requested:**

\$731,455.20

**ATTACHMENTS:**

Click to download

- [PPDR Justification](#)
- [Justification Approval](#)
- [PPDR Department Acknowledgement](#)
- [PPDR Contract Cover TAB](#)
- [PPDR Contract \(Part1of1\) TAB](#)
- [PPDR Signature Authorization](#)
- [PPDR Liability Insurance](#)
- [PPDR Worker's Compensation Certificate](#)
- [PPDR W9](#)
- [PPDR Auditor of State](#)
- [PPDR Contract History](#)

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

**Contractor:** Applewood Centers, Inc.

**Contract/Agreement No.:** CE1200346      **Time Period:** 6.1.12 – 6.30.13

**Service Description:** The primary goal of this project is to provide a Day Report Center for Court-involved youth as an alternative to Secure Detention.

**Original Contract/Agreement Amount:** \$100,000.00

**Prior Amendment(s) Amount(s):** The first amendment to this contract increased the funds by \$800,000.00 and decreased the time frame of the contract.

**Performance Indicators:**

1. 75% of adjudicated youth admitted to the program during the contract period will successfully complete the program.
2. 100% of the youth's families will be contacted within twenty four (24) hours of youth's admission to the program.
3. 95% of the youth will not have new charged filed while assigned to the program.

**Actual performance versus performance indicators (include statistics):** During the time frame of the contract, there has been fifty six (56) youth terminated from the program. Out of those youth, there were twenty nine (29) successful terminations, twenty six (26) unsuccessful terminations, and one (1) neutral discharge. Seventeen (17) of the youth that successfully completed the program remained in the community. The other thirty nine (39) youth that completed the program went on to residential placements.

**Rating of Overall Performance of Contractor (Check One):**

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

**Justification of Rating:** The vendor has provided positive services during the contract time frame and has abided by their contract terms.

Sarah Bates      3.21.13  
User Department      Date

s: evaluation

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0090

<p>Sponsored by: <b>County Executive FitzGerald/Department of Development</b></p>	<p><b>A Resolution</b> authorizing a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to 1717 East 9<sup>th</sup> LLC for acquisition, renovation, construction and conversion of the East Ohio Gas Building and parking garage to a mixed-use residential complex; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to 1717 East 9<sup>th</sup> LLC for acquisition, renovation, construction and conversion of the East Ohio Gas Building and parking garage to a mixed-use residential complex; and

WHEREAS, this project will be funded in part by Casino Tax Revenue Funds; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

**SECTION 1.** That the Cuyahoga County Council authorizes a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to 1717 East 9<sup>th</sup> LLC for acquisition, renovation, construction and conversion of the East Ohio Gas Building and parking garage to a mixed-use residential complex.

**SECTION 2.** That the Deputy Chief of Staff of Development or the Director of Development is authorized to execute all documents required in connection with said loan agreement on behalf of the County Executive.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0093

Sponsored by: <b>County Executive FitzGerald/ Department of Development</b>	<b>A Resolution</b> authorizing the issuance and sale of County of Cuyahoga, Ohio Taxable Economic Development Revenue Bonds, Series 2013 (Flats East Development, LLC Project) in a principal amount not-to-exceed \$17,000,000.00 for the purpose of assisting in financing the costs of a “Project” within the meaning of Chapter 165, Ohio Revised Code, paying capitalized interest, funding a debt service reserve fund and paying costs of issuance; providing for a guaranty for the payment of such bonds; authorizing the execution of various documents required in connection with said bond issuance and authorizing and approving related matters; and declaring the necessity that this Resolution become immediately effective.
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**WHEREAS**, the County of Cuyahoga, Ohio (the “Issuer”), a county and political subdivision duly organized and validly existing under the laws of the State of Ohio, by virtue of the laws of the State of Ohio (the “State”), including Article VIII, Section 13 of the Constitution of the State and Chapter 165 of the Ohio Revised Code, as amended (the “Act”), is authorized and empowered among other things (a) to issue its Taxable Economic Development Revenue Bonds, Series 2013 (Flats East Bank Phase II Project) in an aggregate principal amount not to exceed \$17,000,000 (the “Bonds”), and loaning the proceeds of the Bonds to Flats East Development LLC, an Ohio limited liability company (“Borrower”), to (i) finance a portion of the costs of acquiring, constructing, equipping, furnishing and improving a “project”, as defined in Section 165.01, as amended, Ohio Revised Code, including but not limited to commercial facilities constituting approximately 235,000 square feet of new market rate residential rental units and approximately 80,000 square feet of ground level retail and restaurant space, (ii) pay capitalized interest, (iii) fund a debt service reserve fund and (iv) pay costs of issuance (collectively, the “Series 2013 Project”); (b) to guaranty the payment of the Bonds; and (c) to enact this Bond Resolution (the “Bond Resolution”) and execute and deliver the agreements and instruments hereinafter identified; and

**WHEREAS**, the Cuyahoga County Community Improvement Corporation (“CCCIC”) approved the issuance of the Bonds in the maximum aggregate amount of \$17,000,000 and the related Issuer guaranty (the “Guaranty”) at its annual meeting on March 20, 2013; and

**WHEREAS**, this Council of the County of Cuyahoga, Ohio (this “Council”), pursuant to the foregoing authority and at the request of, and based upon the representations of the Borrower, has determined that it is willing to authorize the issuance and sale of the Bonds in the aggregate maximum principal amount of \$17,000,000 to assist in the financing of the Project, and in connection with that issuance and sale, to adopt this Bond Resolution, to enter into the Issuer Documents (as hereinafter defined) and to execute and deliver certain other statements, documents and instruments upon the terms set forth in this Bond Resolution and those documents and instruments; and

**WHEREAS**, the Bonds will be issued pursuant to the provisions of the Act and a Trust Agreement (the “Trust Agreement”), by and between the Issuer and The Huntington National Bank, as trustee (the “Trustee”); and

**WHEREAS**, neither the Bonds nor the Guaranty shall represent or constitute a general obligation, debt or bonded indebtedness, or a pledge of moneys raised by taxation or the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders of the Bonds shall not be given and shall not have any right to have excises or taxes levied by this Council or the Issuer, or the State or the taxing authority of any political subdivision thereof, for the payment of bond service charges, and the Bonds will be payable solely from Revenues (as defined in the Trust Agreement) and other monies available to the Borrower; and

**WHEREAS**, amounts due under the Guaranty shall be payable by the Issuer from Nontax Revenues, subject to appropriation by this Council;

**WHEREAS**, the Act provides, among other things, that, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is in the public interest and a proper public purpose for the State or its political subdivisions, including the Issuer, to guarantee loans to provide moneys for the acquisition, construction, enlargement, improvement, or equipping of property, structures, equipment, and facilities within the State for commerce; and

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

**SECTION 1. Definitions.**

(a) As used herein, the following capitalized words and terms shall have the following definitions, unless the context or use indicates another or different meaning or intent:

(i) “County Executive” means the Cuyahoga County Executive.



(ii) “Fiscal Officer” means the Cuyahoga County Fiscal Officer.

(iii) “Guaranteed Bond Service Charges” means any interest on or scheduled principal (including mandatory sinking fund installments) of the Bonds payable during a Guaranty Period.

(iv) “Guaranty” means the Guaranty Agreement between the Issuer, Borrower, and the Trustee, to be dated as of the same date as the Bonds, as authorized pursuant to Section 10 hereof and as the same may be modified, amended or supplemented from time to time in accordance with its terms.

(v) “Guaranty Period” means, as the case may be, the Initial Guaranty Period or any Subsequent Guaranty Period.

(vi) “Initial Guaranty Period” means the calendar year 2013.

(vii) “Nontax Revenues” shall include all money of the Issuer that is not money raised by taxation, to the extent lawfully available, including, but not limited to the following: (a) grants from the United States of America and the State, (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures that are deposited in the Issuer’s General Fund; (d) fees deposited in the Issuer’s General Fund from properly imposed licenses and permits; (e) investment earnings on the Issuer’s General Fund and that are credited or transferred to the Issuer’s General Fund; (f) investment earnings of other funds of the Issuer that are credited to the Issuer’s General Fund; (g) proceeds from the sale of assets that are deposited in the Issuer’s General Fund; (h) rental income that is deposited in the Issuer’s General Fund; (i) gifts and donations that are received and deposited in the Issuer’s General Fund; and (j) charges for services and payments received in reimbursement for services that are deposited in the Issuer’s General Fund.

(viii) “Payment Date” means any Interest Payment Date or any date on which a scheduled payment of principal or of a mandatory sinking fund installment of the Bonds is due.

(ix) “Subsequent Guaranty Period” means any calendar year subsequent to the Initial Guaranty Period during which any Bonds remain outstanding and for which all conditions precedent to the renewal of the Guaranty for such year set forth in Section 8 hereof have been met.

(b) All other capitalized terms used herein and those not otherwise defined herein shall have the respective meanings given to them in the Trust Agreement with respect to the Bonds.

(c) Any reference herein to the Issuer, or to any officers or members thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

(d) Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms “hereof,” “hereby,” “hereto,” “hereunder,” and similar terms, mean this Bond Resolution.

**SECTION 2. Determination of Issuer.** This Council hereby finds and determines, based on the information and representations provided by the Borrower and Bond Counsel, that the issuance of the Bonds for the purpose of financing the Series 2013 Project and execution of the Guaranty, in accordance with the terms set forth herein, is consistent with the purposes of the Constitution of the State and the Act and will benefit the people of the Issuer by creating or preserving jobs and employment opportunities and promoting the industrial, commercial and economic development of the Issuer and the State. Provision of the loan to assist in the financing of the Series 2013 Project will require the issuance, sale and delivery of the Bonds.

**SECTION 3. Authorization of Bonds.** It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided herein and pursuant to the authority of the Act, the Bonds, all in accordance with the provisions of the Loan Agreement between the Issuer and the Borrower (the “Loan Agreement”). The Bonds shall be designated “Taxable Economic Development Revenue Bonds, Series 2013 (Flats East Bank Phase II Project).”

**SECTION 4. Terms and Execution of the Bonds.** The Bonds shall be issued in the form and denominations, shall be numbered, dated and payable as provided in the Trust Agreement. The Bonds shall mature no later than June 1, 2038, and have such terms, and be subject to mandatory and optional redemption as provided in the Trust Agreement. This Board hereby determines that the interest rate on the Bonds shall be a variable rate that shall be determined in the manner and pursuant to the provisions of the Trust Agreement. The Bonds shall be executed on behalf of the Issuer by the manual or facsimile signature of the County Executive. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until after that time.

The form of the Bonds substantially in the form set forth in Exhibit A to the Trust Agreement, subject to appropriate revisions in order to comply with the provisions of the Trust Agreement, is hereby approved, and when the same shall

be executed on behalf of the Issuer by the appropriate officer thereof in the manner contemplated hereby and by the Trust Agreement, in an aggregate principal amount of up to \$17,000,000, shall represent the approved form of the Bonds.

The Bonds initially shall be issued only in fully registered form as described in the Trust Agreement.

**SECTION 5. Authorization of Trust Agreement, Loan Agreement, Guaranty, Bond Purchase Agreement, and All Other Documents to be Executed by the Issuer.** To provide for the issuance and sale of the Bonds, and to better secure the payment of the principal of, and premium, if any, and interest on, the Bonds as the same shall become due and payable, the County Executive and the County Executive's Chief of Staff as the County Executive's designee pursuant to Executive Order No. 02011-0002, and each of them, is hereby authorized and directed to execute, acknowledge and deliver in the name and on behalf of the Issuer, the Trust Agreement, the Guaranty, the Loan Agreement and the Bond Purchase Agreement (collectively, the "Issuer Documents") in substantially the forms on file with the Clerk of this Council, which are hereby approved, with such changes requested and approved by the County Prosecutor's office and Issuer's Counsel, and any changes not materially inconsistent with this Bond Resolution and not adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer. The approval of such changes by said officer, and that such are not adverse to the Issuer, shall be conclusively evidenced by the execution and delivery of such Issuer Documents by such officer.

The County Executive, the Chief of Staff as authorized designee of the County Executive, the Fiscal Officer and the Clerk of this Council are each hereby separately authorized to take any and all actions and to execute such financing statements, assignments, certificates and other documents and instruments that may be necessary or appropriate in the opinion of Bond Counsel and Issuer's Counsel, in order to effect the issuance of the Bonds and the intent of this Bond Resolution, including taking all actions necessary to complete the sale of the Bonds under the "blue sky" laws of any jurisdiction; provided that the Issuer shall not be required to submit to service of process in connection with any such "blue sky" action in any state except the State. The Clerk of this Council, or other appropriate officer of the Issuer, shall certify a true transcript of all proceedings had with respect to the issuance of the Bonds, along with such information from the records of the Issuer as is necessary to determine the regularity and validity of the issuance of the Bonds.

**SECTION 6. Sale of Bonds.** The Bonds are to be sold and awarded to the original purchaser thereof (the "Original Purchaser") identified in accordance with the Trust Agreement, the Loan Agreement and the Bond Purchase Agreement, at a purchase price of not less than 96% of the aggregate par amount of the Bonds.

The County Executive, the Chief of Staff as authorized designee of the County Executive, the Clerk of this Council and the Fiscal Officer are each hereby authorized and directed to make the necessary arrangements with the Original Purchaser to establish the date, location, procedure and conditions for delivery of the Bonds to the Original Purchaser and to take all steps necessary to effect due execution, authentication and delivery to the Original Purchaser of the Bonds under the conditions of this Bond Resolution and the Trust Agreement.

It is determined by this Council that the price for and the terms of the Bonds, and the sale thereof, all as provided in this Bond Resolution, the Bond Purchase Agreement, the Loan Agreement and the Trust Agreement, are in compliance with all legal requirements.

**SECTION 7. Covenants of Issuer.** In addition to other covenants of the Issuer in this Bond Resolution, the Loan Agreement and the Trust Agreement, the Issuer further covenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will, solely from the Revenues received under the Loan Agreement or sources otherwise provided herein and in the Trust Agreement, pay or cause to be paid the principal of, premium, if any, and interest on the Bonds on the dates, at the places and in the manner provided herein, in the Trust Agreement and in the Bonds.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Issuer Documents, and in all proceedings of the Issuer pertaining to the Bonds. The Issuer warrants and covenants based upon opinion of Bond Counsel and representations of the Borrower that the Issuer is, and upon delivery of the Bonds will be, duly authorized by the laws of the State of Ohio, including particularly and without limitation the Act, to issue the Bonds and to execute the Issuer Documents, and all other documents to be executed by it, to provide for the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein and in the Trust Agreement set forth; that all actions on its part for the issuance of the Bonds and execution and delivery of the Issuer Documents, and all other documents to be executed by the Issuer in connection with the issuance of the Bonds, are binding upon each officer of the Issuer in his or her official capacity as may from time to time have the authority under the law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty, specifically enjoined by law and resulting from an office, trust or station within the meaning of Section 2731.01 of the Ohio Revised Code, providing for enforcement by writ of mandamus.

**SECTION 8. Guaranty.**

(a) During the Initial Guaranty Period and any

Subsequent Guaranty Period, the Issuer absolutely and unconditionally guarantees to the Trustee for the benefit of the holders of the Bonds the full and timely payment of Guaranteed Bond Service Charges.

The Guaranty shall become effective as of its date, and the Initial Guaranty Period shall commence on the effective date of the Guaranty. The Initial Guaranty Period and the Guaranty shall terminate on December 31, 2013, unless renewed as set forth below. The amount of the appropriation required for the Guaranty during the Initial Guaranty Period shall be equal to the Guaranteed Bond Service Charges payable during such Guaranty Period. The Guaranty may be renewed in accordance with the terms and conditions set forth herein for Subsequent Guaranty Periods. If the right to renew is exercised, the Guaranty shall be a new Guaranty, and each such new Guaranty shall terminate on the termination date of the applicable Subsequent Guaranty Period unless it terminates at an earlier date as hereinafter provided in this Section 8. If the Guaranty shall not have terminated previously, then the Guaranty shall terminate at such time as all Guaranteed Bond Service Charges are paid in full by Borrower or any other party on behalf of Borrower.

The Issuer shall be deemed to have exercised its right of renewal for each succeeding Subsequent Guaranty Period if, at or prior to the expiration of the then current Guaranty Period, the Issuer lawfully appropriates sufficient funds to permit the payment of all Guaranteed Bond Service Charges due during the next Subsequent Guaranty Period. The Fiscal Officer shall promptly certify each such appropriation to the Trustee, but no failure to make such certification shall negate the effect of a lawful and sufficient appropriation for the purpose of renewal of the Guaranty.

The Issuer hereby agrees and covenants that the Fiscal Officer shall include an appropriation of sufficient funds to permit the payment of all Guaranteed Bond Service Charges due within the next subsequent Guaranty Period in each biennial budget or annual update to such appropriations ordinance, as applicable.

The Issuer currently has no reason to believe that legally available funds in an amount sufficient to pay Guaranteed Bond Service Charges due during each Guaranty Period cannot be appropriated and obtained.

In the event no funds or insufficient funds are lawfully appropriated to permit the payment of Guaranteed Bond Service Charges due during a Guaranty Period, then the Issuer will immediately notify the Trustee of such occurrence. On the first day following the Payment Date on which the last Guaranteed Bond Service Charges could be paid in full from lawfully appropriated funds, the Guaranty shall terminate without penalty or expense to the Issuer of any kind whatsoever, except as to the portions of Guaranteed Bond Service Charges for Guaranty Periods in which sufficient funds had been lawfully

appropriated, but subject to the provision of this Section 8 for reinstatement and renewal of the Guaranty.

If during any Guaranty Period, the Issuer lawfully appropriates sufficient funds to permit the payment of all Guaranteed Bond Service Charges due within a period less than the full term of a subsequent Guaranty Period, the Guaranty shall be deemed renewed for such shorter period and can be successively renewed for periods shorter than the full term of a Subsequent Guaranty Period. The Issuer shall be deemed to have exercised its right to renew for such a period shorter than a Subsequent Guaranty Period of, at or prior to the termination of the current Guaranty Period, there are lawfully appropriated funds enabling the payment of Guaranteed Bond Service Charges for such shorter period. If the Guaranty is renewed for any period shorter than a Subsequent Guaranty Period, such shorter period shall terminate on the first day of the month following the last Payment Date on which there were funds lawfully appropriated to permit the payment of the Guaranteed Bond Service Charges then due in full.

If a Guaranty Period terminates without a renewal of the Guaranty for a succeeding Guaranty Period and if within thirty (30) days after such date of termination (a) there are lawfully appropriated funds which would have caused the Guaranty to be renewed if the appropriation had occurred prior to the termination of the Guaranty Period; and (b) the Fiscal Officer certifies that there is a balance in the appropriations, which balance is not obligated to pay existing obligations and is available to pay Guaranteed Bond Service Charges during the period for which funds have been lawfully appropriated for the payment thereof, then the Guaranty shall be reinstated and deemed renewed as of the day following the date of termination of the preceding Guaranty Period. If a Payment Date occurs during the period between the date of termination and date of reinstatement of the Guaranty, any Guaranty payment that would have been due on such Payment Date if the Guaranty had not been terminated shall become immediately due on the date the Guaranty is reinstated and shall be payable as soon thereafter as it is practicable for the Issuer to process payment.

(b) In consideration for the Issuer's execution and delivery of the Guaranty, Borrower shall pay the Issuer a fee of \$25,000 plus ten basis points of the amount of the issuance, simultaneously with the issuance and sale of the Bonds.

(c) The Borrower shall agree under the Loan Agreement to repay or cause to be repaid to the Issuer from Borrower's future excess revenues any moneys paid to the Trustee pursuant to the Guaranty with interest and on such other terms and in such form as are consistent with Borrower's obligations under the Loan Agreement and the other related agreements securing the Bonds.

(d) The Trust Agreement shall provide that the Revenues received under the Loan Agreement pledged to payment of the Bonds shall be

applied to the following purposes in the following order: (i) to the payment of bond service charges on the Bonds; (ii) to the replenishment of the debt service reserve fund established under the Trust Agreement securing the Bonds if such replenishment is necessary after a draw on such fund to restore its balance to the minimum amount required under that Trust Agreement; (iii) to the repayment to the Issuer of any amounts paid by the Issuer under the Guaranty not previously reimbursed to the Issuer; and (iv) to such other purposes in such priority as shall be set forth in or pursuant to the Trust Agreement.

(e) The Guaranty shall include the Issuer's representation and warranty that:

(i) The Issuer has full power and authority to deliver, and to execute and perform its obligations under, the Guaranty and to enter into and carry out the transactions contemplated therein;

(ii) such execution, delivery and performance are not in contravention of any resolution of this Council, or any indenture, agreement or undertaking to which the Issuer is a party or by which it or any of its property is bound; and

(iii) the Guaranty has, by proper Council action, been duly authorized, executed and delivered by the Issuer, and all steps necessary have been taken to constitute the Guaranty, when executed and delivered, a valid and binding obligation of the Issuer enforceable in accordance with its terms.

**SECTION 9. No Personal Liability.** No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Resolution, or in any Bond, or in the Issuer Documents, or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer or employee as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of any Bond, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer or employee, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of any Bond, or otherwise of any sum that may remain due and unpaid upon any Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Issuer Documents and the issuance of the Bonds.

**SECTION 10. No Debt or Tax Pledge.** Anything in this Bond Resolution, the Trust Agreement, the Guaranty, the Bonds or any other agreement

or instrument to the contrary notwithstanding, neither this Bond Resolution, the Bonds, the Trust Agreement, the Guaranty, the Loan Agreement, nor the Bond Purchase Agreement shall represent or constitute a debt or pledge of the faith and credit of or the taxing power of the Issuer, and each Bond shall contain on the face thereof a statement to that effect and to the effect that the Bonds shall be paid solely from the Revenues received pursuant to the Loan Agreement and otherwise in accordance with the Trust Agreement.

**SECTION 11. Severability.** If any section, paragraph or provision of this Bond Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Resolution.

**SECTION 12. Open Meeting.** This Council hereby finds and determines that all formal actions relative to the adoption of this Bond Resolution, and that all deliberations of this Council and of its committees, if any, which resulted in those formal actions were in meetings open to the public, in full compliance with the law, including Section 121.22, Ohio Revised Code.

**SECTION 13. Effective Date.** It is necessary that this Bond Resolution become immediately effective for the usual daily operation of the Issuer and the reasons set forth in the preamble. Provided that this Bond Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: May 28, 2013

Committee(s) Assigned: Economic Development & Planning

Committee Report/Second Reading: June 25, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0091

<p>Sponsored by: <b>County Executive FitzGerald/Department of Development</b></p>	<p><b>A Resolution</b> authorizing a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to Flats East Development, LLC for construction of residential and retail components of the Flats East Bank Neighborhood Project – Phase II; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to Flats East Development, LLC for construction of residential and retail components of the Flats East Bank Neighborhood Project – Phase II; and

WHEREAS, this project is anticipated to create two hundred (200) full-time equivalent jobs; and

WHEREAS, the total estimated cost of this project is \$133,000,000.00 of which the County will loan \$1,500,000.00 with a term of seven (7) years at a fixed interest rate of three percent (3%); and

WHEREAS, this project will be funded by the Gross Casino Tax Revenue Funds, and the schedule of payments will be quarterly; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

**SECTION 1.** That the Cuyahoga County Council authorizes a Casino Revenue Fund Loan in the amount not-to-exceed \$1,500,000.00 to Flats East Development, LLC for construction of residential and retail components of the Flats East Bank Neighborhood Project – Phase II.

**SECTION 2.** That the Deputy Chief of Staff of Development or the Director of Development is authorized to execute all documents required in connection with said loan agreement on behalf of the County Executive.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: May 14, 2013  
 Committee(s) Assigned: Economic Development & Planning

Journal CC010  
 June 25, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0109

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ26349 to Frank Novak & Sons, Inc. in the amount not-to-exceed \$582,480.00 for interior painting at various County facilities for the period 6/1/2013 - 5/31/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended an award on RQ26349 to Frank Novak & Sons, Inc. in the amount not-to-exceed \$582,480.00 for interior painting at various County facilities for the period 6/1/2013 - 5/31/2015; and

WHEREAS, this contract is for a two (2) year period and includes the flooring in various County buildings on an as need basis (7/1/2013 to 6/30/2015); and

WHEREAS, the project will be funded from the Capital Project Future Debt Issue; and

WHEREAS, the work on this project will commence as soon as the contract is executed; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual daily operation of the County.

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ26349 to Frank Novak & Sons, Inc. in the amount not-to-exceed \$582,480.00 for interior painting at various County facilities for the period 6/1/2013 - 5/31/2015.

**SECTION 2.** That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble.

Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: May 28, 2013  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC010  
June 25, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0119

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> adopting the Annual Tax Budget, including the Cuyahoga County Library Budget, for the year 2014; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, O.R.C. 5705.28(A)(2) requires that Council, as the taxing authority of Cuyahoga County, adopt a tax budget for the next succeeding fiscal year on or before the fifteenth day of July; and,

WHEREAS, the purpose of the Tax Budget is to demonstrate the need for property taxes levied by the County and to establish the next succeeding fiscal year's revenue estimates; and,

WHEREAS, the Tax Budget establishes tax rates and provides the basis for the Official Certificate of Estimated Resources, the legal document that establishes the legal limitations within which the County must abide when setting appropriations; and,

WHEREAS, the Office of Budget and Management has submitted and recommended approval of the Annual County Tax Budget, including the Cuyahoga County Library Tax Budget, for the year 2014; and,

WHEREAS, the County Operating Tax Budget for 2014 is \$1,475,901,632.00, and the County Library Tax Budget for 2014 is \$63,946,500.00 and,

WHEREAS, after due consideration of the Tax Budget, it is deemed advisable by the Council of Cuyahoga County to adopt said County Tax Budget, including the Cuyahoga County Library Tax Budget, for the year 2014.

WHEREAS, it is necessary that this Resolution become immediately effective in order to meet the provisions of Ohio Revised Code 5705.28(A)(2).

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

**SECTION 1.** The year 2014 Annual Tax Budget for the County of Cuyahoga, including Cuyahoga County Library Tax Budget, as prepared in accordance with O.R.C. 5705.28, is hereby approved.

**SECTION 2.** It is necessary that this Resolution become immediately effective for the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: June 11, 2013

Committee(s) Assigned: Finance & Budgeting

Journal CC010

June 25, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0120

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing an amendment to Contract No. CE0800365-01 with Puskarco, LTD for lease of office space located at 11699 Brookpark Road, Parma, for the Employment Connection One-Stop System for use by Department of Workforce Development for the period 6/1/2008 - 5/31/2013 to extend the time period to 5/31/2018 and for additional funds in the amount of \$1,831,060.10; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to Contract No. CE0800365-01 with Puskarco, LTD for lease of office space located at 11699 Brookpark Road, Parma, for the Employment Connection One-Stop System for use by the Department of Workforce Development for the period 6/1/2008 – 5/31/2013 to extend the time period to 5/31/2018 and for additional funds in the amount of \$1,831,060.10; and,

WHEREAS, this project is funded 100% from Federal funds; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the Cuyahoga County Council authorizes an amendment with to Contract No. CE0800365-01 with Puskarco, LTD for lease of office space located at 11699 Brookpark Road, Parma, for the Employment Connection One-Stop System for use by the Department of Workforce Development for the period 6/1/2008 – 5/31/2013 to extend the time period to 5/31/2018 and for additional funds in the amount of \$1,831,060.10.

**SECTION 2.** That the County Executive is authorized to execute an amendment and all documents consistent with this Resolution.





# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0122

<p>Sponsored by: <b>County Executive FitzGerald/Department of Development</b></p>	<p><b>A Resolution</b> authorizing an Economic Development Loan in the amount not-to-exceed \$650,000.00 to 4400 Carnegie, LLC for redevelopment of a manufacturing facility located at 4400 Carnegie Avenue, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended an Economic Development Loan in the amount not-to-exceed \$650,000.00 to 4400 Carnegie, LLC for the redevelopment of a manufacturing facility located at 4400 Carnegie Avenue; and

WHEREAS, the primary goal of this project is to assist 4400 Carnegie, LLC redevelop a 49,335 square foot manufacturing facility located at 4400 Carnegie, Cleveland, Ohio, which will be the new headquarters for Mace Security International, Inc.; and

WHEREAS, this project will create 47 new manufacturing jobs; and

WHEREAS, the total cost of this project is \$2,124,000.00 of which the County will loan \$650,000 with a term of ten (10) years at a fixed interest rate of two (2%); and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

**SECTION 1.** That the Cuyahoga County Council authorizes an Economic Development Loan in the amount not-to-exceed \$650,000.00 to 4400 Carnegie, LLC for the redevelopment of a manufacturing facility located at 4400 Carnegie Avenue.

**SECTION 2.** That the Deputy Chief of Staff of Development or the Director of Development is authorized to execute all documents required in connection with said loan agreement on behalf of the County Executive.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**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 enacted.

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: June 11, 2013  
Committee(s) Assigned: Economic Development & Planning

Journal CC010  
June 25, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0123

<p>Sponsored by: <b>County Executive FitzGerald/Department of Development</b></p>	<p><b>A Resolution</b> authorizing an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 30033 Clemens Road LLC for renovation of a facility located at 30033 Clemens Road, Westlake; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 30033 Clemens Road LLC for the renovation of a facility located at 30033 Clemens Road, Westlake; and

WHEREAS, the primary goals of this project is to renovate the former Cleveland Clinic Building located at 30033 Clemens Road LLC in Westlake for reuse as a location for the Equity Trust Company; and

WHEREAS, through relocations and continued expansion of the business, this project is anticipated to create 300 full-time equivalent jobs within three (3) years of project completion and these jobs must be maintained for ten (10) years; and

WHEREAS, the total project costs are estimated at \$17,050,000.00 and the County will loan \$3,000,000.00 with an initial fixed interest rate of 0% for two years, and a fixed interest rate of 2% thereafter, and the loan must be repaid within fifteen (15) years; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

**SECTION 1.** That the Cuyahoga County Council authorizes an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 30033 Clemens Road LLC for the renovation of a facility located at 30033 Clemens Road, Westlake.

**SECTION 2.** That the Deputy Chief of Staff of Development or the Director of Development is authorized to execute all documents required in connection with said loan agreement on behalf of the County Executive.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: June 11, 2013  
Committee(s) Assigned: Economic Development & Planning

Journal CC010  
June 25, 2013

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0014

Sponsored by: <b>County Executive FitzGerald/Department of Law</b>	<b>An Ordinance</b> establishing a required oath of office or affirmation for County officers, directors and other employees; setting the bonds for County officers, directors, employees and officials; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 3.09(6) of the Cuyahoga County Charter empowers the County Council to “determine which officers and employees shall give bond and to fix the amount and form thereof”;

WHEREAS, Council has determined it necessary to determine which officers and employees of the County shall give bond and to fix the amount and form thereof;

WHEREAS, Council has determined that it is also necessary to determine which officers, employees, and other persons should be required to give an oath of office or affirmation upon entering their positions with the County; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can commence and continue on behalf of the various municipalities within the County’s jurisdiction.

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

**SECTION 1.** Chapter 107 of the Cuyahoga County Code, which was enacted in Ordinance O2011-0001, is hereby amended and replaced to read as follows:

### **CHAPTER 107: Oaths of Office, Affirmations and Bonds**

#### **Section 107.01: Required Oath or Affirmation**

##### **A. Persons Required to Take an Oath or Affirmation**

Each of the following County Officers, Directors, and Members of Boards, Commissions, or other Authorities of the County shall, before assuming their respective positions take and subscribe to an oath or affirmation, to be filed and kept in the office of the Clerk of the Council:

1. The Executive;

2. Council Members and Clerk of Council;
3. All County Officers under the County Charter;
4. All Directors and Deputy Directors of Departments established by the County Charter or pursuant to the Cuyahoga County Code;
5. Members of the Human Resource Commission; Council Districting Commission; and Charter Review Commission;
6. The Internal Auditor;
7. The Inspector General;
8. All Employees of the Department of Law, Department of Internal Auditing, and Agency of Inspector General;
9. Employees authorized by the County Sheriff to carry firearms or other weapons;
10. Employees in any County department, office, board, commission, or any other authority of the County whose duties involve the handling of money belonging to the County, as determined by the Internal Auditor; and the Internal Auditor shall submit the initial list required herein to the Department of Human Resources and Clerk of Council no later than September 3, 2013.
11. Any person serving in an interim or acting capacity in any of the positions listed in Section 107.01(A) of the Cuyahoga County Code.

**B. Form of the Oath or Affirmation**

1. The oath or affirmation taken by each person required to take an oath or affirmation under Chapter 107 of the Cuyahoga County Code shall be in substantially the following form:

“I, \_\_\_\_\_, do solemnly swear [or affirm], that I will support, uphold, and defend the Constitution of the United States, the Constitution of the State of Ohio, and the Charter and laws of the County of Cuyahoga, Ohio; that I will faithfully, honestly, diligently, and impartially perform and discharge all of the powers and duties incumbent upon me as \_\_\_\_\_ in and for the County of Cuyahoga, State of Ohio, according to the best of my ability and understanding.”



Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_,  
\_\_\_\_\_ in the City of \_\_\_\_\_, County of Cuyahoga,  
Ohio.”

2. Each person taking an oath may add customarily accepted language at the end of the oath, such as “so help me God.”

**C. Persons Entitled to Administer the Oath or Affirmation**

The oath or affirmation prescribed in Chapter 107 of the Cuyahoga County Code may be administered by the County Executive, a Council Member or the Clerk of Council, a County Officer under the County Charter, the Director of any Department, or by any notary public authorized to administer oaths in the State of Ohio.

**D. Prospective Application**

Any person required to take an oath or affirmation under Chapter 107 of the Cuyahoga County Code who has not taken an oath or affirmation upon assuming their respective positions shall take the oath or affirmation required under this Chapter and have it submitted to the Clerk of Council no later than December 31, 2013.

**Section 107.02: Required Bonds**

- A.** Before assuming their respective positions, each of the following County Officers shall give a bond guaranteeing the faithful performance of his or her duties of office, in a form approved by the Director of Law, each in the amount as set forth below, which bonds shall be filed with the County Treasurer:

1. The Executive: \$25,000.00;
2. Council Members: \$25,000.00;
3. Prosecutor:
  - a. Official Bond: \$100,000.00; and
  - b. Furtherance of Justice Bond: Not less than official salary;
4. Director of Law: \$10,000.00;
5. Sheriff:
  - a. Official Bond: \$50,000.00 ; and
  - b. Furtherance of Justice Bond: Not less than official salary;
6. Fiscal Officer: \$20,000.00;
7. Treasurer: \$2,000,000.00;
8. Medical Examiner: \$50,000.00;
9. Clerk of Courts: \$40,000.00; and
10. Director of Public Works: \$10,000.00.

**B.** Before assuming their respective positions, each of the following County Directors shall be required to give a bond guaranteeing the faithful performance of his or her duties of office, in a form approved by the Director of Law, each in the amount as set forth below, which bonds shall be filed with the County Treasurer:

1. Director of Health and Human Services: \$10,000.00;
2. Director of Internal Auditing: \$20,000.00; and
3. All directors of county departments established pursuant to the Cuyahoga County Code: \$2,000.00.

**C.** Before assuming their respective positions, each of the following County employees and officials shall be required to give a bond guaranteeing the faithful performance of his or her duties of office, in a form approved by the Director of Law, each in the amount as set forth below, which bonds shall be filed with the County Treasurer:

1. Dog Wardens and their Deputies: \$2,000.00;
2. Engineer: \$10,000.00;
3. Probate Judge: \$5,000.00;
4. County Juvenile Rehabilitation Facility Superintendent: \$10,000.00;
5. Executive Director of County Children Services
  - a. Official Bond: \$5,000.00; and
  - b. Bond to Probate Court: \$5,000.00;
6. County Bridge Commissioner: \$5,000.00;
7. Any other employees as determined by the Director of Law and in the amounts established by the Department of Law.

**D. Cost.** The expense of all bonds required under Chapter 107 of the Cuyahoga County Code shall be paid from the general fund of Cuyahoga County.

### **Section 107.03: Requirements for Oaths of Office, Affirmations and Bonds**

Chapter 107 of the Cuyahoga County Code shall govern all requirements for oaths of office, affirmations, and the giving of bonds by all Cuyahoga County officials, officers, directors, employees, and members of boards, commissions, committees, or other authorities of the County, and shall supersede any other practices in the County before its enactment or any other requirements under general law.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section

3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council 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 Ordinance was duly enacted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: June 11, 2013

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Committee Report/Second Reading: June 25, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0014

Sponsored by: <b>County Executive FitzGerald/Department of Law</b>	<b>An Ordinance</b> establishing a required oath of office or affirmation for County officers, directors and other employees; setting the bonds for County officers, directors, employees and officials; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 3.09(6) of the Cuyahoga County Charter empowers the County Council to “determine which officers and employees shall give bond and to fix the amount and form thereof”;

WHEREAS, Council has determined it necessary to determine which officers and employees of the County shall give bond and to fix the amount and form thereof;

WHEREAS, Council has determined that it is also necessary to determine which officers, employees, and other persons should be required to give an oath of office or affirmation upon entering their positions with the County; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can commence and continue on behalf of the various municipalities within the County’s jurisdiction.

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

**SECTION 1.** Chapter 107 of the Cuyahoga County Code, which was enacted in Ordinance O2011-0001, is hereby amended and replaced to read as follows:

### **CHAPTER 107: Oaths of Office, Affirmations and Bonds**

#### **Section 107.01: Required Oath or Affirmation**

##### **A. Persons Required to Take an Oath or Affirmation**

Each of the following County Officers, Directors, and Members of Boards, Commissions, or other Authorities of the County shall, before assuming their respective positions take and subscribe to an oath or affirmation, to be filed and kept in the Office of the Clerk of Council:

1. The Executive;

2. Council Members and Clerk of Council;
3. All County Officers under the County Charter;
4. All Directors of Departments established by the County Charter or pursuant to the Cuyahoga County Code;
5. Members of the Human Resource Commission; Council Districting Commission; and Charter Review Commission;
6. The Internal Auditor;
7. The Inspector General;
8. All Employees of the Department of Law, Department of Internal Auditing, and Agency of Inspector General;
9. Employees authorized by the County Sheriff to carry firearms or other weapons;
10. Employees in any County department, office, board, commission, or any other authority of the County whose duties involve the handling of money belonging to the County, as determined by the Department of Law, Division of Risk Management. The Department of Law shall submit the initial list required herein to the Department of Human Resources and Clerk of Council no later than September 3, 2013.
11. Any person serving in an interim or acting capacity in any of the positions listed in Section 107.01(A) of the Cuyahoga County Code.

**B. Form of the Oath or Affirmation**

1. The oath or affirmation taken by each person required to take an oath or affirmation under Chapter 107 of the Cuyahoga County Code shall be in substantially the following form:

“I, \_\_\_\_\_, do solemnly swear [or affirm], that I will support, uphold, and defend the Constitution of the United States, the Constitution of the State of Ohio, and the Charter and laws of the County of Cuyahoga, Ohio; that I will faithfully, honestly, diligently, and impartially perform and discharge all of the powers and duties incumbent upon me as \_\_\_\_\_ in and for the County of Cuyahoga, State of Ohio, according to the best of my ability and understanding.”

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_ in the City of \_\_\_\_\_, County of Cuyahoga,  
Ohio.”

2. Each person taking an oath may add customarily accepted language at the end of the oath, such as “so help me God.”

**C. Persons Entitled to Administer the Oath or Affirmation**

The oath or affirmation prescribed in Chapter 107 of the Cuyahoga County Code may be administered by the County Executive, a Council Member or the Clerk of Council, a County Officer under the County Charter, the Director of any Department, or by any notary public authorized to administer oaths in the State of Ohio.

**D. Prospective Application**

Any person required to take an oath or affirmation under Chapter 107 of the Cuyahoga County Code who has not taken an oath or affirmation upon assuming their respective positions shall take the oath or affirmation required under this Chapter and have it submitted to the Clerk of Council no later than December 31, 2013.

**Section 107.02: Required Bonds**

- A.** Before assuming their respective positions, each of the following County Officers shall give a bond guaranteeing the faithful performance of his or her duties of office, in a form approved by the Director of Law, each in the amount as set forth below, which bonds shall be filed with the County Treasurer:

1. The Executive: \$25,000.00;
2. Council Members: \$25,000.00;
3. Prosecutor:
  - a. Official Bond: \$100,000.00; and
  - b. Furtherance of Justice Bond: Not less than official salary;
4. Director of Law: \$10,000.00;
5. Sheriff:
  - a. Official Bond: \$50,000.00 ; and
  - b. Furtherance of Justice Bond: Not less than official salary;
6. Fiscal Officer: \$20,000.00;
7. Treasurer: \$2,000,000.00;
8. Medical Examiner: \$50,000.00;
9. Clerk of Courts: \$40,000.00; and
10. Director of Public Works: \$10,000.00.

**B.** Before assuming their respective positions, each of the following County Directors shall be required to give a bond guaranteeing the faithful performance of his or her duties of office, in a form approved by the Director of Law, each in the amount as set forth below, which bonds shall be filed with the County Treasurer:

1. Director of Health and Human Services: \$10,000.00;
2. Director of Internal Auditing: \$20,000.00; and
3. All directors of county departments established pursuant to the Cuyahoga County Code: \$2,000.00.

**C.** Before assuming their respective positions, each of the following County employees and officials shall be required to give a bond guaranteeing the faithful performance of his or her duties of office, in a form approved by the Director of Law, each in the amount as set forth below, which bonds shall be filed with the County Treasurer:

1. Dog Wardens and their Deputies: \$2,000.00;
2. County Engineer: \$10,000.00;
3. Probate Judge: \$5,000.00;
4. County Juvenile Rehabilitation Facility Superintendent: \$10,000.00;
5. Administrator of the Division of Children and Family Services
  - a. Official Bond: \$5,000.00; and
  - b. Bond to Probate Court: \$5,000.00;
6. Any other employees as determined by the Director of Law and in the amounts established by the Department of Law.

**D. Cost.** The expense of all bonds required under Chapter 107 of the Cuyahoga County Code shall be paid from the general fund of Cuyahoga County.

**Section 107.03:** The Department of Law, through its Division of Risk Management, shall establish procedures and coordinate with the Department of Human Resources and the Clerk of Council to ensure that the requirements of Chapter 107 are satisfied.

**Section 107.04: Requirements for Oaths of Office, Affirmations and Bonds**

Chapter 107 of the Cuyahoga County Code shall govern all requirements for oaths of office, affirmations, and the giving of bonds by all Cuyahoga County officials, officers, directors, employees, and members of boards, commissions, committees, or other authorities of the County, and shall supersede any other practices in the County before its enactment or any other requirements under general law.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through

signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council 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 Ordinance was duly enacted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: June 11, 2013

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Committee Report/Second Reading: June 25, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_