



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, JULY 9, 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 25, 2013 Committee of the Whole Meeting (See Page 13)
  - b) June 25, 2013 Regular Meeting (See Page 15)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
  - a) Contracts executed by County Executive (attachment) (See Page 25)
- 9. RECEPTION OF REPORTS SUBMITTED TO COUNCIL**
  - a) Cuyahoga County Charter Review Commission Final Report (See Page 43)
  - b) Cuyahoga County Veterans Service Commission 2014 Tax Budget (See Page 88)

## 10. CONSIDERATION OF A MOTION OF COUNCIL FOR THIRD READING ADOPTION

- 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 99)

Sponsors: Councilmembers Connally, Greenspan, Brady and Gallagher

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

- a) R2013-0132: A Resolution determining to proceed with submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective. (See Page 103)

Sponsors: Councilmembers Brady and Jones

- b) R2013-0133: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective. (See Page 107)

Sponsors: Council President Connally on behalf of Charter Review Commission

- c) R2013-0134: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective. (See Page 110)

Sponsors: Council President Connally on behalf of Charter Review Commission

- d) R2013-0135: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to

appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective. (See Page 113)

Sponsors: Council President Connally on behalf of Charter Review Commission

- e) R2013-0136: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution becomes immediately effective. (See Page 116)

Sponsors: Council President Connally on behalf of Charter Review Commission

- f) R2013-0137: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective. (See Page 120)

Sponsors: Council President Connally on behalf of Charter Review Commission

- g) R2013-0138: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective. (See Page 124)

Sponsors: Council President Connally on behalf of Charter Review Commission

- h) R2013-0139: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective. (See Page 128)

Sponsors: Council President Connally on behalf of Charter Review Commission

- i) R2013-0140: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the

Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective. (See Page 131)

Sponsors: Council President Connally on behalf of Charter Review Commission

- j) R2013-0141: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective. (See Page 134)

Sponsors: Council President Connally on behalf of Charter Review Commission

- k) R2013-0142: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective. (See Page 137)

Sponsors: Council President Connally on behalf of Charter Review Commission

- l) R2013-0143: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in case of a vacancy; and declaring the necessity that this Resolution becomes immediately effective. (See Page 140)

Sponsors: Council President Connally on behalf of Charter Review Commission

- m) R2013-0144: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective. (See Page 143)

Sponsors: Council President Connally on behalf of Charter Review Commission

- n) R2013-0145: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective. (See Page 146)

Sponsors: Council President Connally on behalf of Charter Review Commission

- o) R2013-0146: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective. (See Page 149)

Sponsors: Council President Connally on behalf of Charter Review Commission

- p) R2013-0147: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective. (See Page 152)

Sponsors: Council President Connally on behalf of Charter Review Commission

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

- a) R2013-0125: A Resolution declaring the necessity of submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective. (See Page 158)

Sponsors: Councilmembers Brady and Jones

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

- 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 161)

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

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

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

- 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 163)

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

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

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

- a) R2013-0148: 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 166)

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

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

- a) R2013-0149: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5010 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hills; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective: (See Page 183)

- 1) Parcel No(s): 2-WD & T  
Permanent Parcel No.: 736-28-060  
Owner: Cleveland I Limited Partnership, a Maryland Limited Partnership  
Approved Appraisal (Fair Market Value Estimate): \$641,750.00

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

- b) R2013-0150: A Resolution making an award on RQ27640 to Specialized Construction Incorporated in the amount not-to-exceed \$1,598,608.15 for resurfacing Solon Road from Maple Street to Solon North Corporation Line in the Villages of Bentleyville and Chagrin Falls; 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 \$5.00 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective. (See Page 189)

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

- c) R2013-0151: A Resolution making an award on RQ26659 to United Labor Agency, Inc. in the amount not-to-exceed \$1,339,500.00 for Employer Services 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. (See Page 204)

Sponsor: County Executive FitzGerald/Department of Workforce Development

- d) R2013-0152: A Resolution making awards on RQ26661 to various providers in the total amount not-to-exceed \$2,641,737.00 for Employment Connection One-Stop Operation and Services to Job Seekers for the period 7/1/2013 - 6/30/2014; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 215)
- 1) Mature Services, Incorporated in the amount not-to-exceed \$262,237.00.
  - 2) United Labor Agency, Inc. in the amount not-to-exceed \$2,379,500.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

- e) R2013-0153: A Resolution authorizing the County Executive to accept, on behalf of the County, the donation of four cemetery lots within the Crown Hill Cemetery, Twinsburg, Ohio, from Charles A. Suhay, valued at approximately \$4,000.00, for the purpose of accommodating indigent burials; authorizing the County Executive to execute all documents that are necessary to effectuate such transfer; and declaring the necessity that this Resolution become immediately effective. (See Page 224)

Sponsor: County Executive FitzGerald/Medical Examiner

- f) R2013-0154: A Resolution authorizing an amendment to Contract No. CE1100151-02 with Guidestone fka Berea Children's Home for Community-based Treatment Center Management Services for the period 1/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$1,153,828.80; 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. (See Page 227)

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

- g) R2013-0155: A Resolution making an award on RQ26143 to Emergency CallWorks, Inc. in the amount not-to-exceed \$11,612,184.00 for Vendor-hosted Next Generation 9-1-1 Services for the period 9/1/2013 -



12/31/2025; 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 232)

Sponsor: County Executive FitzGerald/Department of Public Safety and Justice Services

- h) R2013-0156: A Resolution authorizing a revenue generating agreement with Warrensville Heights City School District in the amount not-to-exceed \$2.00 for lease of space at the Green Road Services Center, located at 4329 Green Road, Highland Hills, for operation of special education and early childhood programs for the period 8/1/2013 - 7/1/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 237)

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities

- i) R2013-0157: A Resolution authorizing various revenue generating agreements with Educational Service Center of Cuyahoga County, each in the amount not-to-exceed \$2.00, for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Help Me Grow Programs for the period 9/15/2013 - 9/14/2015; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 241)

1) Green Road Services Center, located at 4329 Green Road, Highland Hills.

2) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities

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

- a) 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. (See Page 246)

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

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

- b) 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 248)

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

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

- c) 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 251)

Sponsor: County Executive FitzGerald/Department of Public Works

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

## **17. CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION**

- a) 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 253)

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Tucker Ellis LLP

## **18. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION**

- 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 264)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

- b) 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 266)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

**19. CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION**

- 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 269)

Sponsor: County Executive FitzGerald/Director of Law

**20. MISCELLANEOUS COMMITTEE REPORTS**

**21. MISCELLANEOUS BUSINESS**

**22. PUBLIC COMMENT UNRELATED TO AGENDA**

**23. ADJOURNMENT**

NEXT MEETING

REGULAR MEETING:

TUESDAY, JULY 23, 2013  
5:00 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 25, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
4:00 PM**

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 4:12 p.m.**

**2. ROLL CALL**

**Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Schron 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. Germana, seconded by Mr. Rogers 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 4:14 p.m. The following Councilmembers were present: Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Schron and Connally. Councilmember Gallagher was in attendance sometime after roll call for Executive Session was taken. The following additional attendees were present: Director of Law Majeed Makhlof and**

**Assistant Director of Law Joseph Boatwright; Director of Public Works Bonnie Teeuwen; Ryan Jeffers representing URS; Chief of Staff Joe Nanni, Legislative Budget Advisor Trevor McAleer, Senior Policy Advisor Joanne Gross and Research & Policy Analyst Kahlil Seren; and Jeffrey Appelbaum. At 5:05 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 5:06 p.m., without objection.**



## **MINUTES**

**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**

**The meeting was called to order by Council President Connally at 5:14 p.m.**

**2. ROLL CALL**

**Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron 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 personal reflections.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

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

**6. APPROVAL OF MINUTES**

- a) June 11, 2013 Committee of the Whole Meeting
- b) June 11, 2013 Work Session
- c) June 11, 2013 Regular Meeting

**A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the June 11, 2013 Committee of the Whole meeting, work session and regular meeting.**

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

**There were no announcements from the Council President.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive FitzGerald reported that he met with Mayors and Finance Directors in suburban communities in Cuyahoga County regarding a pilot project to make investments for infrastructure projects in these suburban communities.**

**Mr. David Merriman, Deputy Chief of Staff for Health & Human Services, introduced Ms. Melinda “Lindy” Burt, a new Special Assistant to County Executive FitzGerald, who will now Clerk for the Board of Control and Contracts and Purchasing Board.**

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.

Sponsors: Councilmembers Connally, Greenspan, Brady and Gallagher

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

**Clerk Schmotzer read Motion No. M2013-0021 into the record.**

**This item will move to the July 9, 2013 Council meeting agenda for consideration for third reading adoption.**

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.



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

**Council President Connally referred Resolution No. R2013-0125 to the Health, Human Services & Aging Committee.**

- 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.

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

**Council President Connally referred Resolution No. R2013-0126 to the Human Resources, Appointments & Equity Committee.**

- 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.

Sponsor: Council President Connally

**Council President Connally referred Resolution No. R2013-0127 to the Education, Environment & Sustainability Committee.**

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.

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

**Council President Connally referred Ordinance No. O2013-0016 to the Human Resources, Appointments & Equity Committee.**

12. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE 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 Ordinance No. O2013-0013.**

- 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

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Mr. Greenspan, Ordinance No. O2013-0013 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. R2013-0128.**

- 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.

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

**A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2013-0128 by replacing "CCA 407 Felony Program" with "CCA 408 Jail/Misdemeanant" in Items "G." and "H." located in Section 1.**

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2013-0128 was considered and adopted by unanimous vote, as amended.**

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.

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

**Council President Connally referred Resolution No. R2013-0129 to the Public Works, Procurement & Contracting Committee.**

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2013-0130 to the Public Works, Procurement & Contracting Committee.**

- 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.

Sponsor: County Executive FitzGerald on behalf of Juvenile Court

**Council President Connally referred Resolution No. R2013-0131 to the Public Safety & Justice Affairs Committee.**

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.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

**At the request of the Chair of the Economic Development & Planning Committee, Council President Connally referred Resolution No. R2013-0090 to the Economic Development & Planning Committee.**

- 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.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Tucker Ellis LLP

Committee Assignment and Chair: Economic Development & Planning – Schron

**Clerk Schmotzer read Resolution No. R2013-0093 into the record.**

**This item will move to the July 9, 2013 Council meeting agenda for consideration for third reading adoption.**

16. 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. R2013-0109, R2013-0119, R2013-0120, R2013-0122 and R2013-0123.**

- 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.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

**At the request of the Chair of the Economic Development & Planning Committee, Council President Connally referred Resolution No. R2013-0091 to the Economic Development & Planning Committee.**

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

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

**On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2013-0109 was considered and adopted by unanimous vote.**

- 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.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

**On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2013-0119 was considered and adopted by unanimous vote.**

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

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

**On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2013-0120 was considered and adopted by unanimous vote.**

- e) R2013-0122: A Resolution authorizing an Economic Development Fund 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

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0122 was considered and adopted by unanimous vote.**

- f) R2013-0123: A Resolution authorizing an Economic Development Fund 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

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0123 was considered and adopted by unanimous vote.**

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.

Sponsor: County Executive FitzGerald/Director of Law

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

**Clerk Schmotzer read Ordinance No. O2013-0014 into the record.**

**Council President Connally introduced a proposed substitute on the floor. Discussion ensued. A motion was then made by Ms. Connally, seconded by Mr. Miller and approved by unanimous vote to accept the proposed substitute to Ordinance No. O2013-0014.**

**This item will move to the July 9, 2013 Council meeting agenda for consideration for third reading adoption, as substituted.**

18. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Greenspan reported that the Committee of the Whole will meet on the following dates to hear items referred from the Charter Review Commission:**

- 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 meet on Monday, July 8<sup>th</sup> and Monday, July 15<sup>th</sup> at 1:00 p.m.**

**Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, June 26, 2013 at 1:00 p.m.**

**Mr. Schron reported that the Economic Development & Planning Committee will schedule a meeting for the week of July 1<sup>st</sup>.**

**Ms. Conwell reported that the Human Resources, Appointments and Equity Committee will meet on Tuesday, July 2<sup>nd</sup> at 10:00 a.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, July 3, 2013 at 11:00 a.m.**

**Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, June 26, 2013 at 3:00 p.m.**

#### 19. MISCELLANEOUS BUSINESS

**Council President Connally announced that she appointed Councilmember Simon to the Dangerous Wild Animal Response Team, as established by the Ohio Dangerous Wild Animal Act.**

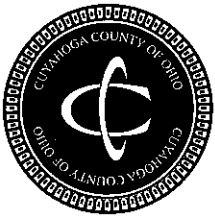
#### 20. PUBLIC COMMENT UNRELATED TO AGENDA

**Cleveland City Councilmember Zack Reed addressed Council regarding issues of concern to him relating to the new hotel to be built adjacent to the Convention Center being minority owned and operated.**

#### 21. ADJOURNMENT

**With no further business to discuss, the meeting was adjourned by Council President Connally at 6:02 p.m., without objection.**





**EDWARD FITZGERALD**  
Cuyahoga County Executive

July 1, 2013

C. Ellen Connally  
Council President  
County Administration Building  
1219 Ontario Street  
Cleveland, Ohio 44113

Dear Council President Connally,

The attached document lists the items that County Executive Edward FitzGerald approved and/or signed in May 2013. This list includes: the contracts, purchases or sales executed; all grants or loans made or received for more than \$50,000; and the change orders and amendments in which the total additions exceeds \$50,000.

Please contact me at (216) 263-4606 if you would like additional information on any of these contracts or items.

Respectfully submitted,

  
David Merriman

Department/Count, Summary
1. County Prosecutor, submitting a sole source exemption on RQ27058, which will result in an award recommendation to Access Data Group, LLC in the amount of \$12,610.00 for license renewal, maintenance and support of Forensic Tool Kit forensic recovery and examination software.
2. County Sheriff, recommending an award on RQ26129 and enter into a sole source contract with Intellitech Corporation in the amount of \$244,698.00 for IMACS V Jail Management system upgrade for the period 6/1/2013– 5/31/2014.
3. County Sheriff, submitting a grant award in the amount of \$21,600.00 from Ohio High Intensity Drug Trafficking Area for the purchase of a vehicle for the Hotel Interdiction task force team in connection with the Ohio High Intensity Drug Trafficking Area grant program for the period 3/1/2013 - 2/28/2015.
4. County Sheriff, submitting a sole source exemption on RQ27365, which will result in an award recommendation to Bi2 Technologies, LLC in the amount of \$52,794.00 for licensing and maintenance on the Inmate Recognition and Identification System (IRIS), and Sex Offender Registry and Identification System (SORIS) and Mobile Offender Registry and Identification System (MORIS).
5. Court of Appeals, recommending an award on RQ27148 and enter into a contract with InfoPro Computer Solutions, sole source, in the amount not-to-exceed \$255,000.00 for consultant services on the Buckeye Case Management and Computer Network Systems for the period 4/1/2013 - 3/31/2016.
6. Department of Development, A) Requesting approval of a contract with BDL General Contracting, Inc. for the anticipated cost of \$1,825.00 for Lead Remediation of property located at 23173 Gay Street, Euclid. The anticipated start-completion dates are May 20, 2013 - August 18, 2013. B) Requesting approval of a contract with BDL General Contracting, Inc. for the anticipated cost of 7,375.00 for Lead Remediation of property located at 4659 Burleigh Road C. Requesting approval of a contract with BDL General Contracting, Inc. for the anticipated cost of \$8,000.00 for Lead Remediation of property located at 19501 Monterey Avenue Euclid. The anticipated start-completion dates are May 20, 2013 - August 18, 2013. Garfield Heights. The anticipated start-completion dates are May 20, 2013 - August 18, 2013.
7. Department of Development, A) Requesting approval of an amendment to contract No. CE1200597 with American Building & Kitchen Products Inc. Case 172 Jones at 1742 Elsinore Avenue East Cleveland for the period 10/1/2012 - 11/30/2012 to extend the time period to 5/31/2013; no additional funds required. B) Requesting approval of an amendment to contract No. CE1200598 with American Building and Kitchen Products Inc. for lead remediation of property located at 25636 Brookdale Lane, Euclid for the period 10/1/2012 –11/30/2012 to extend the time period to 5/31/2013; no additional funds required. C) Requesting approval of an amendment to contract No. CE1200662 with American Building and Kitchen Products Inc. for Lead Remediation Case 228 Calaway at 1232 St. Charles Avenue Lakewood for the period 10/22/2012 – 12/ 21/2012 to extend the time period to 5/31/2013; no additional funds required. D) Requesting approval of an amendment to contract No. CE1200233 with American Building & Kitchen Products for Lead Remediation of property located at 13407 Shaw Avenue, East Cleveland, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 5/7/2012 - 7/6/2012 to extend the time period to 5/31/2013; no additional funds required. E) Requesting approval of amendment to contract No. CE1200624 with BDL General Contracting, Inc. for Lead Remediation

Case 203 Kesegich at 5511 Clement Avenue, Maple Heights for the period 10/22/2012 – 12/21/2012 to extend the time period to 5/31/2013; no additional funds required. F) Requesting approval of an amendment to Contract No. CE1200623 with BDL General Contracting, Inc. for Lead Remediation of property located at 1570 Clarence Avenue, Lakewood. 10/22/2012 – 12/21/2012 to extend the time period to 5/31/2013; no additional funds required. G) Requesting approval of an amendment to contract No. CE1200613 with C.B. Mullins Construction Company, Inc. for lead remediation of property located at 5010 Snow Road, Parma for the period 10/9/2012 –12/8/2012 to extend the time period to 5/31/2013; no additional funds required. H) Requesting approval of an amendment to Contract No. CE1100600 with C.B. Mullins Construction Company, Inc. for Lead Remediation for property located at 1623 Winchester Avenue, Lakewood, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 10/11/2011 - 12/10/2011 to extend the time period to 5/13/2013; no additional funds required. I) Requesting approval of an amendment to Contract No. CE1100676 with C.B. Mullins Construction Company, Inc. for Lead Remediation of property located at 19029 Scottsdale Boulevard, Shaker Heights, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 10/31/2011 - 05/31/2012 to extend the time period to 5/31/2013. J) Requesting approval of an amendment to Contract No. CE1200004 with C.B. Mullins Construction Company, Inc. for Lead Remediation of property located at 9426 Birchwood Road, Garfield Heights, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 1/3/2012 - 5/31/2012 to extend the time period to 5/31/2013; no additional funds required. K) Requesting approval of an amendment to contract CE1200579 with C.B. Mullins Construction Company, Inc. for Lead Remediation of property located at 1570 - 1572 Belmar, East Cleveland, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 9/17/2012 - 11/16/2012 to extend the time period to 5/31/2013; no additional funds required. L) Requesting approval of an amendment to Contract No. CE1200599 with C.B. Mullins Construction Company, Inc. for Lead Remediation of property located at 1359 East 139th Street, East Cleveland for the period 10/1/2012 –11/30/2012 to extend the time period to 5/31/2013; no additional funds required. M) requesting approval of an amendment to Contract No. CE1200600 with C.B. Mullins Construction Company, Inc. for Lead Remediation of property located at 4032 Charlton Road, South Euclid for the period 10/1/2012 - 11/30/ 2012 to extend the time period to 5/31/2013; no additional funds required. N) Requesting approval of an amendment to Contract No. CE1100427 with MAE Construction, LLC for Lead Remediation of property located at 5900 Lotusdale Drive, Parma Heights, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 8/3/2011 - 5/31/2012 to extend the time period to 5/31/2013; no additional funds required. O) Requesting approval of an amendment to contract No. CE1200572-01 with Paragon CMS for Lead Remediation of property located at 14929/14931 Delaware Avenue, Lakewood, for the period 9/10/2012 - 11/9/2012 to extend the time period to 5/31/2013; no additional funds required. P) Requesting approval of an amendment to Contract No. CE1200362 with Paragon CMS for Lead Remediation of property located at 14110-14112 Orinoco Avenue, (Units 1, 2 & 3), East Cleveland, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 6/25/2012 - 8/24/2012 to extend the time period to 5/31/2013; no additional funds required. Q) Requesting approval of an amendment to Contract No. CE1200414 with Paragon CMS for Lead Remediation of property located at 1894 Wadena Street, East Cleveland, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard

<p>Reduction Demonstration Grant Program for the period 7/9/2012 - 9/7/2012 to extend the time period to 5/31/2013; no additional funds required. R) Requesting approval of an amendment to Contract No. CE1200334 with Property Rejuvenation, Inc. for Lead Remediation of property located at 1745 Hayden Avenue (Units 1-4), East Cleveland, in connection with the FY2011 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 6/4/2012 - 8/3/2012 to extend the time period to 5/31/2013; no additional funds required. S) Requesting approval of an amendment to contract No. CE1200493 with Property Rejuvenation, Inc. for Lead Remediation of property located at 4035 Ellison Road, South Euclid, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 8/13/2012 - 10/12/2012 to extend the time period to 5/31/2013; no additional funds required</p>
<p>8. Department of Development, a. Requesting approval of a contract with C.B. Mullins Construction Company, Inc. for the anticipated cost of \$19,370.00 for Lead Remediation Cases 340-343 at 1493 &amp; 1495 Coutant Street Units 1 - 4 Lakewood. The anticipated start-completion dates are May 6, 2013 - August 4, 2013. b. Requesting approval of a contract with Green Home Solutions, LLC for the anticipated cost of \$8,000.00 for Lead Remediation Case 414 Hodge at 20204 Kings Highway Warrensville Heights. The anticipated start-completion dates are May 6, 2013 - August 4, 2013. C. Requesting approval of a contract with Berry Insulation Company Lead Remediation Case 425 Collins at 22470 Lakemont Avenue Euclid for the anticipated cost of \$3,960.00. The anticipated start-completion dates are May 6, 2013 - August 4, 2013. D. Requesting approval of a contract with Berry Insulation Company for the anticipated cost of \$11,450.00 for Lead Remediation Case 431 Siler at 14117 Ardenall Avenue East Cleveland. The anticipated start-completion dates are May 6, 2013 - August 4, 2013. E. Requesting approval of a contract with Berry Insulation Company Lead Remediation Case 425 Collins at 22470 Lakemont Avenue Euclid for the anticipated cost of \$3,960.00. The anticipated start-completion dates are May 6, 2013 - August 4, 2013. e. Requesting approval of a contract with Berry Insulation Company for the anticipated cost of \$11,450.00 for Lead Remediation Case 431 Siler at 14117 Ardenall Avenue East Cleveland. The anticipated start-completion dates are May 6, 2013 - August 4, 2013.</p>
<p>9. Department of Development, presenting voucher payments between 04/25/2013 to 04/30/2013.</p>
<p>10. Department of Development, presenting voucher payments between 05/01/2013 to 05/08/2013.</p>
<p>11. Department of Development, presenting voucher payments between 05/09/2013 to 05/15/2013.</p>
<p>12. Department of Development, presenting voucher payments between 05/16/2013 to 05/22/2013.</p>
<p>13. Department of Development, recommending a payment in the amount of \$175,000.00 to Greater Cleveland Sports Commission for operational support for various sporting events for the period 1/1/2013 - 12/31/2013.</p>
<p>14. Department of Development, recommending an award on RQ27652 and enter into a contract with Cleveland Housing Network for Foreclosure Prevention Services for Low and Moderate Income Urban County Residents, for the anticipated cost not to exceed \$20,600.00. The anticipated start and completion dates are 6/1/2013 - 12/31/2013.</p>
<p>15. Department of Development, requesting approval of a contract with Sonja Glen Premier Salon &amp; Spa Inc., for the anticipated cost of \$1,993.80 for exterior repairs and improvements to property located at 8833 Ridge Road, North Royalton. The anticipated start-completion dates are 05/20/2013 - 9/30/2013.</p>

16. Department of Development, requesting approval of a Subordination Agreement among Building 2, LLC dba eFuneral, JumpStart Inc. and Junior Note Holders in connection with a North Coast Opportunities Technology Fund Loan Intercreditor Agreement.
17. Department of Development, requesting approval of a United States Environmental Protection Agency (USEPA) Brownfield Revolving Loan Fund (BRLF) Subgrant agreement between Cuyahoga County, on behalf of the Department of Development, and 6202 St. Clair LLC for the environmental cleanup of property located at 6218-6220 St. Clair Avenue, Cleveland; in the amount not to exceed \$115,00.00. Authorizing the Director of the Department of Development to sign all necessary documents in relation to the Brownfield Revolving Loan Fund.
18. Department of Development, requesting approval of amendments to various Economic Development loans with Flats East Development LLC; authorizing the Director of Development to execute the loan documents, amendments, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the loan.
19. Department of Development, requesting approval of an alternative procurement process to authorize issuing work orders for Lead Remediation through the Buy Speed system. Start-completion dates and amounts will vary by job. (Ordinance No. 02011-0044, Section 4.4(b)(16)).
20. Department of Development, requesting approval of an Economic Development Loan to Oakport Management in the amount not-to-exceed \$172,000 and authorizing the Director of Development or Deputy Chief of Staff for Development to execute the documents, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the loan.
21. Department of Development, requesting approval of an Intercreditor Agreement among Zuga Medical, Inc. and JumpStart Inc. and the City of Cleveland in connection with a North Coast Opportunities Technology Fund Loan.
22. Department of Development, requesting approval to enter into an agreement with the City of Parma for HOME funded activities in the amount not-to-exceed \$109,355.00. Anticipated start - completion dates are 06/01/2013 - 12/31/2014.
23. Department of Development, requesting authority to apply for and accept a grant from the United States Environmental Protection Agency for up to \$500,000 in brownfield revolving loan funds. The anticipated start-completion dates are 10/01/2013- 09/30/2018.
24. Department of Development, submitting an amendment to Contract No. CE1200573 with Trademark Industries, LLC for Lead Remediation for property located at 1376 Bonnieview, Lakewood, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 9/10/2012 - 11/9/2012 to extend the time period to 5/31/2013; no additional funds required.
25. Department of Health and Human Services /Cuyahoga Job and Family Services, submitting an amendment to Contract No. CE1100370-01 with Early Childhood Options of University Circle for Neighborhood Family Service Centers child care drop-in-services for the period 7/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$112,845.00.
26. Department of Health and Human Services, A) Division of Senior and Adult Services, submitting an amendment to Contract No. CE1200261-01 with A-1 Health Care, Inc. for Homemaker services for the Cuyahoga OPTIONS for Elders Program for the period 7/1/2012 - 6/30/2014 for additional funds in the amount not-to-exceed \$35,524.00. B) Submitting an amendment Contract No. CE1200275-01 with Home Care Relief Inc. for Homemaker services for the Cuyahoga OPTIONS for Elders Program for the period 7/1/2012 - 6/30/2014 for additional funds

in the amount not-to-exceed \$58,259.00.
27. Department of Health and Human Services/Community initiatives Division/Office of Early Childhood, submitting an RFP exemption: A) Which will result in the submission of a grant application and acceptance of grant funds from the Cleveland Foundation in the amount of \$585,000.00. B) Which will result in an award recommendation to Case Western Reserve University for evaluation of the Invest in Children's programs and maintenance of the Childhood Integrated Longitudinal Data System (CHILD) for the period 7/1/2013 - 6/30/2015 .
28. Department of Health and Human Services/Community Initiatives Division/Office of Re-entry, submitting an amendment to Contract No. CE1200194-01 with Career Development and Placement Strategies Inc. for implementation of a Social Enterprise Initiative Program for formerly incarcerated individuals for the period 3/1/2012 - 8/31/2013 to extend the time period to 12/31/2013, to change the scope of services, effective 6/1/2013 and for additional funds in the amount of \$50,000.00.
29. Department of Health and Human Services/Community initiatives Division/Office of Early Childhood, submitting an RFP exemption: A) Which will result in the submission of a grant application and acceptance of grant funds from the Cleveland Foundation in the amount of \$585,000.00. B) Which will result in an award recommendation to Case Western Reserve University for evaluation of the Invest in Children's programs and maintenance of the Childhood Integrated Longitudinal Data System (CHILD) for the period 7/1/2013 – 6/30/2015.
30. Department of Health and Human Services/Community initiatives Division/Office of Early Childhood, submitting an RFP exemption: A) Which will result in the submission of a grant application and acceptance of grant funds from Saint Luke's Foundation in the amount of \$96,100.00 for the Networking for Engagement, Stability and Transformation (NEST) Project. B) Which will result in an award recommendation to Case Western Reserve University in the amount of \$10,000.00 for the period 7/1/2013 – 6/30/2014.
31. Department of Health and Human Services/Community Initiatives Division/Office of Early Childhood, submitting a grant award in the amount of \$75,000.00 from Sisters of Charity Foundation of Cleveland for evaluation services for the Networking for Engagement, Stability and Transformation (NEST) project for the period 4/1/2013 - 4/1/2014.
32. Department of Health and Human Services/Community Initiatives Division/Office of Early Childhood, submitting a grant award in the amount of \$30,000.00 from The What to Expect Foundation for the Cuyahoga County Baby Basics Lead Agency Health Literacy grant program for the period 6/1/2013 - 5/31/2014.
33. Department of Health and Human Services/Cuyahoga Job and Family Services, recommending an award on RQ27291 and enter into an agreement with Ohio Attorney General c/o Treasurer, State of Ohio/Bureau of Criminal Identification and Investigation in the amount not-to-exceed \$175,000.00 for access to the National WebCheck Program for criminal background checks on Ohio Workforce Work Experience participants for the period 6/1/2013 - 5/31/2014.
34. Department of Health and Human Services/Cuyahoga Job and Family Services, recommending an award on RQ27098 and enter into a contract with Opex Corporation, sole source, in the amount of \$11,840.00 for hardware and software maintenance on Opex Model 72/AS7200i scanning system and licensing fees on 1D Barcode, Data Matrix Barcode and Image Edge software for the period 4/6/2013 - 4/5/2014.
35. Department of Health and Human Services/Cuyahoga Job and Family Services, recommending an award on RQ27039 and enter into a contract with Unitronix Data Systems, Inc. in the amount not-to-exceed \$5,076.92 for licenses, maintenance and software support on the Automated

Budget and Calculation Update System for the period 4/1/2013 - 3/31/2014.
36. Department of Health and Human Services/Cuyahoga Job and Family Services, submitting an amendment to Contract No. CE1200217-01 with LexisNexis Risk Solutions FL Inc. for on-line Accurint for Government locate services for the period 5/1/2012 - 4/30/2013 to extend the time period to 9/30/2013 and for additional funds in the amount of \$24,000.00.
37. Department of Health and Human Services/Division of Children and Family Services, submitting amendments to various contracts and a memorandum of understanding, by changing the name of the provider from Catholic Charities Services Corporation to Catholic Charities Corporation: <u>Contracts A</u> ) No. CE1300041-01 for adoption services for the period 1/1/2013 - 12/13/2014. B) No. CE1100623-01 dba Parmadale for placement services for the period 10/1/2011 - 12/31/2013. C) No. CE1200167-01 dba St. Martin de Porres Family for Community Wraparound Care Coordination and Family Youth Advocacy Services for the period 4/1/2012 - 6/30/2013. D) No. CE1200173-01 dba Parmadale for Community Wraparound Care Coordination and Family Youth Advocacy Services for the period 4/1/2012 - 6/30/2013. E) No. CE1200188-01 dba Parmadale for Family to Family Neighborhood System of Care services 4/1/2012 - 6/30/2014. <u>Memorandum of Understanding F</u> ) dba St. Martin de Porres Family Center for Cuyahoga Tapestry System of Care Provider Services Network for the period 1/1/2013 - 12/31/2013.
38. Department of Health and Human Services/Division of Children and Family Services, submitting a sole source exemption on RQ27354, which will result in an award recommendation to Channing Bete in the amount of \$4,294.44 for Parenting/Caregiver resource pamphlets and booklets.
39. Department of Health and Human Services/Division of Children and Family Services, submitting a contract with Families First, Inc. in the amount of \$7,000.00 for adoption services for the period 6/1/2013 - 12/31/2014.
40. Department of Health and Human Services/Division of Senior and Adult Services A) Submitting an amendment to Contract No. CE1200263-01 with Absolute Home Health Care Agency, Inc. for Homemaker services for the Cuyahoga OPTIONS for Elders Program for the period 7/1/2012 - 6/30/2014 for additional funds in the amount not-to-exceed \$23,682.00. B) Submitting an amendment to Contract No. CE1200266-01 with B & B Launch, Inc. dba Home Instead Senior Care for Homemaker services for the Cuyahoga OPTIONS for Elders Program for the period 7/1/2012 - 6/30/2014 for additional funds in the amount not-to-exceed \$23,682.00.
41. Department of Health and Human Services/Division of Senior and Adult Services, recommending an award on RQ27079 and enter into a contract with Benjamin Rose Institute on Aging in the amount not-to-exceed \$5,250.00 for evaluation services for the Adult Protective Services Interdisciplinary Team for the period 5/15/2013 - 9/15/2013.
42. Department of Health and Human Services/Division of Senior and Adult Services, recommending an award on RQ26729 and enter into a contract with CareStar Learning, LLC in the amount not-to-exceed \$1,600.00 for online training for Home Health Aides for the period 3/1/2013 - 4/30/2015.
43. Department of Health and Human Services/Division of Senior and Adult Services Recommending a payment on RQ2779 in the amount of \$1,300.00 to purchase a banner commemorating Elder Abuse awareness month.
44. Department of Health and Human Services, Division of Children and Family Services, recommending an award on RQ27171 and enter into a contract with Crowne Plaza Cleveland South /Independence dba Rockside Hospitality, LLC in the amount not-to-exceed \$15,120.00

for rental space and related catering services for the Foster Parent Conference for the period 5/30/2013 - 6/2/2013.
45. Department of Information Technology A) Submitting an RFP exemption on RQ27211, which will result in an award recommendation to Kendall & Davis, Inc. in the amount not-to-exceed \$40,000.00 for computer operator services for the period 5/28/2013 - 10/31/2013. B) Recommending an award on RQ27211 and enter into a contract with Kendall & Davis, Inc. in the amount not-to-exceed \$40,000.00 for computer operator services for the period 5/28/2013 - 10/31/2013.
46. Department of Information Technology, recommending an award on RQ27696, and enter into a contract with AT&T Corp. in the amount of \$339,906.60 for Network Integration Services /Hoisted Exchange Mail Services for the period 7/1/2013 - 6/30/2016.
47. Department of Information Technology, recommending an award on RQ26072 and enter into a contract with Service Express, Inc., in the amount not-to-exceed \$392,290.00, for server maintenance county wide for the period of 3/1/2013 - 2/28/2018.
48. Department of Information Technology, recommending an award on RQ27455 and enter into a contract with Inmage LLC in the amount not-to-exceed \$2,097.20 for royalty free stock photography for the period 4/1/2013 - 3/31/2016.
49. Department of Information Technology, recommending an award on RQ27280 and enter into a contract with Main Sail, LLC in the amount not-to-exceed \$11,280.00 for a technical writer for the period <b>5/17/2013 – 6/28/2013</b> .
50. Department of Information Technology, recommending an award on RQ27210 and enter into a contract with AT&T Mobility National Accounts LLC, in the amount not-to-exceed \$11,997.00 for wireless iPad services for 25-ipads for use by Division of Children and Family Services for the period 4/1/2013 - 3/31/2014.
51. Department of Information Technology, recommending an award on RQ27213 and enter into a contract with International Business Machine Corporation in the amount of \$11,142.00 for maintenance on SPSS software for the period 4/1/2013- 3/31/2016.
52. Department of Information Technology, recommending to declare various computer equipment as surplus County property no longer needed for public use; recommending to sell said property to RET3 Job Corp. for a fee in the amount of \$1.00.
53. Department of Information Technology, recommending to declare various computer equipment as surplus County property no longer needed for public use; recommending to sell said property to RET3 Job Corp. for a fee in the amount of \$1.00.
54. Department of Information Technology, requesting approval of an alternative procurement process on RQ27696, which will result in an award recommendation to AT&T Corp. in the amount of \$339,906.60 for Network Integration Services /Hoisted Exchange Mail Services for the period 7/1/2013 - 6/30/2016. (Ordinance No. 2011-0044 Section 4.4(b)(16)).
55. Department of Information Technology, submitting a contract with Mythics, Inc. in the amount not-to-exceed \$423,550.20 for software support maintenance county wide for Oracle products for the period 6/1/13 - 5/31/14.
56. Department of Information Technology, submitting a sole source exemption on RQ27618, which will result in an award recommendation to Smart Solutions, Inc. in the amount not to exceed \$81,683.00 for purchase of 100 HP Elite Book Model 2170P Laptops and 100 HP Officejet Model 4620E Printers.
57. Department of Information Technology, submitting an amendment to Contract No. CE1200653-



22 with SHI International Corp. for Countywide maintenance on Novell software products for the period 7/1/2012 - 6/30/2013 for additional funds in the amount of \$1,634.93.
58. Department of Information Technology, submitting an amendment to Contract No. CE1200374-02 with Great Northern Consulting Services, Inc. for maintenance on Oracle Operating System Sun Microsystems server equipment for various County departments for the period 2/1/2012 - 7/31/2013 to change the scope of services, for additional funds in the amount not-to-exceed \$1,920.00.
59. Department of Information Technology, submitting an RFP exemption on RQ27433, which will result in an award recommendation to Integrated Precision Systems, Inc. in the amount of \$63,666.10 for the purchase of hardware and software for the installation of 20 security cameras.
60. Department of Information Technology, submitting an RFP exemption on RQ27513, which will result in an award recommendation to Mythics, Inc. in the amount of \$423,550.20 for Countywide Oracle software support for the period 6/1/2013 - 5/31/2014.
61. Department of Information Technology, submitting an RFP sole source exemption on RQ27419, which will result in an award recommendation to Infor Global Solutions in the amount not to exceed \$127,912.17 for maintenance and support on the E Series County Payroll System for the period 7/2/2013 - 7/1/2015.
62. Department of Information Technology, submitting an amendment to Contract No. CE1200329-01 with Northwoods Consulting Partners, Inc. for maintenance on the Electronic Document Management System for Division of Cuyahoga Job and Family Services for the period 7/1/2012 - 6/30/2013 to change the scope of services, effective 5/13/2013, and for additional funds in the amount not-to-exceed \$17,960.00.
63. Department of Public Safety and Justice Services /Regional Enterprise Data Sharing System, submitting an amendment to Contract No. CE1200551-01, 02 with Main Sail, LLC for consultant services for the development and upgrade of the Regional Enterprise Data Sharing System for the period 7/1/2012 - 6/13/2013 to extend the time period to 12/31/2013, to change the scope of services, effective 5/28/2013 and for additional funds in the amount not-to-exceed \$215,000.00.
64. Department of Public Safety and Justice Services submitting agreements with various municipalities for reimbursement eligible expenses in connection with the FY2010 State Citizen Corps Grant Program for the period 2/10/2013 - 5/15/2013: A) City of Brecksville in the amount not-to-exceed \$1,092.50. B) City of Broadview Heights in the amount not-to-exceed \$805.95.
65. Department of Public Safety and Justice Services, A) Submitting an amendment to a competitive grant agreement with Ohio Emergency Management Agency for the FY2010 State Citizen Corps Grant Program for the period 8/1/2010 - 5/30/2013 to extend the time period to 6/30/2013; no additional funds required. B) submitting an amendment to a sustainment grant agreement with Ohio Emergency Management Agency for the FY2010 State Citizen Corps Grant Program for the period 8/1/2010 - 5/30/2013 to extend the time period to 6/30/2013; no additional funds required.
66. Department of Public Safety and Justice Services, a. Public Safety Grants, submitting an agreement with City of Berea in the amount not-to-exceed \$2,216.84 for reimbursement of eligible training expenses in connection with the FY2010 Interoperable Emergency Communications Grant Program for the period 6/1/2010 - 5/15/2013.b. Public Safety Grants, submitting an agreement with City of Parma Heights in the amount not-to-exceed \$3,753.18 for reimbursement of eligible training expenses in connection with the FY2010

Interoperable Emergency Communications Grant Program for the period 6/1/2010 - 5/15/2013.
67. Department of Public Safety and Justice Services, submitting a grant award in the amount of \$159,365.00 from United States Department of Justice/Bureau of Justice Assistance for the National Prison Rape Elimination Act Grant Program for the period 4/1/2013 - 3/31/2014.
68. Department of Public Safety and Justice Services, submitting an amendment to Agreement No. AG1300081-01 with City of Broadview Heights for an assessment of vacant land as a potential Emergency Operations Center for the period 3/1/2013 - 5/31/2013 to extend the time period to 8/31/2013 and for additional funds in the amount not-to-exceed \$200,000.00.
69. Department of Public Safety and Justice Services, submitting an RFP exemption on RQ27560 which will result in an award recommendation to CDI- Infrastructure, LLC dba L. R. Kimball in the amount of \$400,000.00 for project management services for the period 6/1/2013 – 5/31/2015.
70. Department of Public Safety and Justice Services/Office of Emergency Management, recommending an award on RQ26274, and enter into a contract with GovDelivery, Inc. in the amount not-to-exceed \$89,995.00 for a Mass Notification System for the period 6/10/2013 - 6/10/2015.
71. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to Agreement No. AG1100025-01 with City of Cleveland for reimbursement of eligible expenses in connection with the FY2010 Port Security Grant Program for the period 6/1/2010 - 5/31/2013 for additional funds in the amount not-to-exceed \$80,000.00.
72. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to Agreement No. AG1300056-02 with Bowling Green State University for Regional Urban Search and Rescue training in connection with the FY2010 State Homeland Security Grant Program for the period 3/1/2013 - 3/31/2013 to extend the time period to 5/10/2013 and for additional funds in the amount not-to-exceed \$10,000.00.
73. Department of Public Safety and Justice Services/Public Safety Grants, submitting agreements with various political subdivisions for reimbursement of eligible expenses in connection with the FY2010 Urban Area Security Initiative Grant Program: a) City of Brook Park in the amount not-to-exceed \$2,850.00 for the period 4/1/2013 - 6/1/2013. b) Perry Joint Fire District in the amount not-to-exceed \$5,114.29 for the period 2/1/2013 - 3/31/2013.
74. Department of Public Safety and Justice Services/Public Safety Grants, submitting agreements with various political subdivisions, each in the amount not-to-exceed \$3,000.00, for reimbursement of eligible expenses in connection with the FY2010 State Homeland Security-Law Enforcement Grant Program for the period 3/1/2013 - 6/1/2013: a) City of Cleveland b) City of Mentor c) City of North Olmsted d) Lorain County Commissioners
75. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to a grant agreement with Ohio Emergency Management Agency for the FY2010 State Homeland Security Program Region 2 Search and Rescue Team Build Out project for the period 8/1/2010 - 3/31/2013 to extend the time period to 6/30/2013; no additional funds required.
76. Department of Public Safety and Justice Services/Public Safety Grants, submitting an agreement with Westshore Council of Governments for the purchase of equipment, valued in the amount of \$16,950.00, for the FY2008 State Homeland Security Grant Program for the period 9/1/2008 - 3/31/2011.
77. Department of Public Safety and Justice Services/Public Safety Grants, submitting contracts and agreements with various municipalities and providers for the FY2012 Juvenile Accountability Block Grant Program for the period 1/1/2013 - 2/28/2014: <u>Agreements A)</u> City of Cleveland

<p>(Community Relations) in the amount of \$32,010.00 for the Youth Community Diversion Project.  B) City of Lakewood (Division of Youth) in the amount of \$20,000.00 for the Juvenile Diversion Project. <u>Contracts</u>  C) East Cleveland Neighborhood Center Inc. in the amount of \$20,000.00.  D) Golden Ciphers in the amount of \$20,000.00.</p>
<p>78. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to Agreement No. AG1100171-01 with Lake County Board of Commissioners for reimbursement of purchase of equipment and eligible expenses in connection with the FY2010 State Homeland Security-Law Enforcement Grant Program for the period 8/1/2010 - 2/28/2013 to extend the time period to 5/31/2013; no additional funds required.</p>
<p>79. Department of Public Safety and Justice Services/Public Safety Grants, submitting an agreement with Cuyahoga County Fire Chief's Association for the purchase of equipment, valued in the amount of \$3,615.00, for the FY2007 Urban Area Security Grant Program for the period 7/1/2007 - 9/30/2010.</p>
<p>80. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to Agreement No. AG1200059-01 with City of Lyndhurst for reimbursement of eligible expenses in connection with the FY2010 State Homeland Security Grant Program for the period 8/1/2010 - 2/2/8/2013 to extend the time period to 5/15/2013; no additional funds required.</p>
<p>81. Department of Public Safety and Justice Services/Public Safety Grants, submitting an agreement with City of Parma Heights in the amount not-to-exceed \$479.48 for the reimbursement of eligible training expenses in connection with FY2010 Urban Area Security Initiative Grant Program for the period 1/1/2013 - 4/30/2013.</p>
<p>82. Department of Public Safety and Justice Services/Public Safety Grants, Public Safety Grants, submitting an amendment to a grant award from U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration for the Common Pleas Court Felony Drug Court Project in connection with the FY2010 Adult Treatment Drug Courts Grant Program for the period 9/30/2010 - 9/29/2013 for additional funds in the amount of \$325,000.00.</p>
<p>83. Department of Public Safety and Justice Services/Public Safety Grants A. Submitting agreements with various municipalities for reimbursement of eligible expenses in connection with the FY2010 Urban Area Security Initiative Grant Program for various dates: 1) City of Lakewood in the amount not-to-exceed \$3,000.00 for the period 4/10/2013 - 6/15/2013. 2) City of Fairview Park in the amount not-to-exceed \$1,625.45 for the period 1/28/2013 - 4/30/2013. B. Public Safety Grants, submitting an agreement with Orange Village for reimbursement of eligible expenses in the amount not-to-exceed \$24,408.00 in connection with the FY2010 Urban Area Security Initiative Grant Program for the period 4/1/2013 - 6/30/2013. C. Public Safety Grants, submitting an agreement with Westshore Council of Governments for reimbursement of eligible training expenses in the amount of \$2,400.00 for the FY2010 Urban Area Security Initiative Grant Program for the period 5/15/2012 - 1/30/2013. D. Public Safety Grants, submitting an agreement with City of Brunswick for reimbursement of eligible training expenses in the amount not-to-exceed \$3,250.00 in connection with the FY2010 Urban Area Security Initiative Grant Program for the period 1/15/2013 - 6/30/2013.</p>
<p>84. Department of Public Safety and Justice Services/Public Safety Grants, submitting agreements with various municipalities, each in the amount of \$3,000.00 for reimbursement of eligible expenses in connection with the FY2010 State Homeland Security Grant Program - LE for the period 3/1/2013 - 6/1/2013: A) City of Lakewood B) City of Rocky River</p>

85. Department of Public Safety and Justice Services/Public Safety Grants, submitting an RFP exemption on RQ27418, which will result in a Government Cooperative Purchase in the amount of \$45,000.00 for the purchase of 1 Area RAE Rapid Deployment Kit.
86. Department of Public Safety and Justice Services/Public Safety Grants, submitting an agreement with City of Cleveland for the purchase of equipment, valued in the amount of \$51,966.45 for the FY2007 State Homeland Security Grant Program for the period 7/1/2007 - 3/31/2010.
87. Department of Public Safety and Justice Services/Public Safety Grants, submitting an agreement with City of Cleveland for the purchase of equipment, valued in the amount of \$16,952.50 for the FY2008 State Homeland Security Grant Program for the period 9/1/2008 - 3/31/2011.
88. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to Contract No. CE1200462-01 with YMCA of Greater Cleveland for the FY2011 Title II Juvenile Justice and Delinquency Prevention Block Grant Program for the period 1/1/2012 - 9/30/2012 to extend the time period to 8/30/2013; no additional funds required.
89. Department of Public Safety and Justice Services/Public Safety Grants, A) Submitting an agreement with City of Lakewood in the amount not-to-exceed \$1,021.60 for reimbursement of eligible training expenses in connection with the FY2010 Interoperable Emergency Communications Grant Program for the period 6/1/2010 - 5/15/2013. B) Submitting an agreement with Orange Village in the amount not-to-exceed \$7,035.00 for reimbursement of eligible training expenses in connection with the FY2010 Interoperable Emergency Communications Grant Program for the period 6/1/2010 - 5/15/2013.
90. Department of Public Safety and Justice Services/Public Safety Grants, submitting agreements with various municipalities for reimbursement of eligible training expenses in connection with the FY2010 Urban Area Security Initiative Grant Program: A) City of Brook Park in the amount not-to-exceed \$150.50 for the period 10/2/2012 - 11/30/2012. B) City of Westlake in the amount not-to-exceed \$485.92 for the period 4/18/2012 - 12/30/2012. C) City of Cleveland Heights in the amount not-to-exceed \$5,888.00 for the period 2/27/2012 - 4/30/2013. D) City of North Royalton in the amount not-to-exceed \$1,288.80 for the period 1/28/2013 - 4/30/2013. E) City of Parma Heights in the amount not-to-exceed \$754.87 for the period 5/15/2011 - 4/30/2013. F) City of Parma Heights in the amount not-to-exceed \$1,465.90 for the period 2/27/2012 - 4/30/2013.
91. Department of Public Safety and Justice Services/Public Safety Grants, submitting an amendment to Contract No. CE1200464-01 with Godsson LLC for the FY2011 Title II Juvenile Justice and Delinquency Prevention Block Grant Program for the period 7/1/2012 - 9/30/2012 to extend the time period to 8/30/2013; no additional funds required.
92. Department of Public Safety and Justice Services/Regional Enterprise Data Sharing System, recommending an award on RQ26682 and enter into a contract with MNJ Technologies Direct, Inc. in the amount not-to-exceed \$20,770.00 for license upgrade and maintenance of SonicWALL SRA EX7000 Appliances for the Regional Enterprise Data Sharing System for the period 5/1/2013 - 4/30/2015.
93. Department of Public Safety and Justice Services/submitting an amendment to Agreement No. AG1100149-01 with City of Cleveland for reimbursement of eligible expenses in connection with the FY2010 State Homeland Security-Law Enforcement Grant Program for the period 8/1/2010 - 2/28/2013 to extend the time period to 5/31/2013; no additional funds required.
94. Department of Public Safety and Justice Services/Witness/Victim, submitting an amendment to a grant award from U.S. Department of Justice, Office of Justice Programs for the FY2011 Attorney General's Children Exposed to Violence Demonstration Program: Phase 2 Grant Program for the

<p>period 10/1/2011 - 9/30/2013 to extend the time period to 6/30/2014; no additional funds required.</p>
<p>95. Department of Public Works Recommending a payment on RQ27794 to Ohio CAT in the amount of \$1,744.62 for repair of the County Sheriff's prisoner transport bus.</p>
<p>96. Department of Public Works, A) Submitting an amendment (Subsidiary No. 1) to Contract No. CE1100128-01 with Fabrizi Trucking &amp; Paving Co., for the North Granger Sewer Replacement, Garfield Heights, County Sewer District No. 9 for additional funds in the amount of \$145,373.09. B) Recommending to accept the project as complete and in accordance with plans and specifications. C) Requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63.</p>
<p>97. Department of Public Works, A) Submitting an agreement of cooperation with City of Seven Hills for resurfacing of Crossview Road from Chestnut Road to Rockside Road. B) Submitting an agreement of cooperation with City of Seven Hills for resurfacing of East Ridgewood Drive from Broadview Road to Crossview Road.</p>
<p>98. Department of Public Works, a. Submitting an amendment (Subsidiary No. 3) to Contract No. CE1100207-01 with Fabrizi Trucking &amp; Paving Co., Inc. for improvement of Stumph Road from Snow Road to Pearl Road in the Cities of Parma and Parma Heights for a decrease in the amount of (\$163,022.73). b. Recommending to accept the project as complete and in accordance with plans and specifications; requesting authority to release the escrow account, in accordance with Ohio Revised Code Section 153.63.</p>
<p>99. Department of Public Works, recommending an award on RQ25441 and enter into a contract with Chagrin Valley Engineering, LTD in the amount not-to-exceed \$200,000.00 for general sanitary engineering services.</p>
<p>100. Department of Public Works, recommending an award on RQ26230 and enter into a contract with Schirmer Construction LLC (4-2) in the amount not-to-exceed \$173,282.00 for the deck replacement on Lee Road Bridge No. 00.77 over Mill Creek in the City of Maple Heights.</p>
<p>101. Department of Public Works, recommending an award on RQ26599 and enter into a contract with Schirmer Construction LLC (5-1) the amount not-to-exceed \$189,972.00 for the railing replacement on Memphis Road Bridge No. 00.95 over Countryman's Creek in the City of Brooklyn. (Deputy Chief Approval No. DC2013-50 - authority to advertise for bids).</p>
<p>102. Department of Public Works, recommending an award on RQ26822 and enter into a contract with Terrace Construction Company, Inc. (8-3) in the amount not-to-exceed \$100,818.95 for the Whiskey Island Waterline Improvement Project. (Deputy Chief Approval No. DC2013-62 - authority to advertise for bids).</p>
<p>103. Department of Public Works, recommending to amend a permanent easement to Ohio Bell Telephone Company, dba Ameritech for an above ground telephone equipment cabinet installed on a concrete pad, together with all other necessary fixtures on appliances appurtenant thereto, on PPN 822-12-043 owned by Cuyahoga County, Ohio fka Board of County Commissioners of Cuyahoga County in the City of Highland Heights, Ohio, Sewer District No. 3, by granting an additional easement for placement of an additional above ground telephone equipment cabinet.</p>
<p>104. Department of Public Works, requesting an amendment to CE0900582-01,02,03, on RQ14133 - with Schindler Elevator Corporation for elevator maintenance and repair services for the Virgil E. Brown Building, County Archives, BOE, Auto Title Building, Public Works Building, HPG, Courthouse, Public Works Engineers for the period August 1, 2009 - May 31, 2013 an additional six (6) months to November 30, 2013 and for additional funds in the amount of</p>

	\$56,082.00
105.	Department of Public Works, requesting an amendment to CE0900583, on RQ14133 - with Schindler Elevator Corporation for elevator maintenance and repair services for the Administration Building, Courthouse Square, East 9th Street Garage, Jane Edna Hunter Building, Metzenbaum Children's Center for the period August 1, 2009 - May 31, 2013 an additional six (6) months to November 30, 2013 and for additional funds in the amount of \$30,210.00
106.	Department of Public Works, submitting a mitigation agreement with North Coast Regional Council of Park Districts in the amount of \$45,900.00 for purchase of 2.7 acres wetland mitigation credits for restoration and/or enhancement of wetlands in the North Coast Regional Mitigation Bank in connection with the construction of the grade separation of Stearns Road over the Norfolk Southern Railroad in the City of Olmsted Township in accordance with Sections 401 and 404 of the Clean Water Act and Chapter 6111 of the Ohio Revised Code.
107.	Department of Public Works, submitting a Real Estate Agreement with Ohio Department of Transportation for right-of-way acquisition in connection with construction of Stage 3 of the Towpath Trail Extension from Steelyard Commons to Tremont Trailhead.
108.	Department of Public Works, submitting an agreement of cooperation with City of Broadview Heights for replacement of Boston Road Culvert 07.74.
109.	Department of Public Works, submitting an amendment to Contract No. CE1200157-01 with Hasenstab Architects, Inc. for architectural engineering services and construction administration for the Cuyahoga County Crime Laboratory to change the scope of services, effective 3/15/2013 and for additional funds in the amount not-to-exceed \$70,500.00.
110.	Department of Public Works, submitting an amendment to Contract No. CE1000225-02 for Group A only to Kone, Inc. (8-4) for elevator maintenance and repair for various County buildings for the period 9/1/2009 - 7/31/2012 to extend the time period to 11/30/2013 and for additional funds in the amount of \$158,939.17.
111.	Department of Public Works, submitting an amendment to Contract No. CE08780-01, 02 for lease of space located at 323 Lakeside Avenue West, Cleveland, for use by the County Planning Commission for the period 8/1/1996 - 7/31/2016, by changing the name from Lakeside Place, LLC to Geis Properties dba 323 Lakeside, LLC.
112.	Department of Public Works, submitting an RFP exemption on RQ8817, which will result in 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 341,236.80.
113.	Department of Public Works, submitting an RFP exemption on RQ8817, which will result in an amendment to Contract No. CE0800492-01 with Cleveland Commerce Center, Inc. for lease of parking spaces located at East 40th 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.
114.	<u>Department of Public Works:</u> Recommending a payment to Great Lakes Veterinary in the amount of \$2,378.15 for surgery on a puppy with a fractured femur.
115.	Department of Workforce Development, A) Submitting a contract with Electric Cord Sets, Inc. in the amount not-to-exceed \$1,500.00 for the On-the-Job Training Program for the period 2/27/2013 - 6/5/2013. B) Submitting a contract with Kowalski Heat Treating Co. in the amount not-to-exceed \$5,000.00 for the On-the-Job Training Program for the period 3/18/2013 - 10/31/2013. C) Submitting a contract with PPG Industries, Inc. in the amount not-to-exceed

	\$10,000.00 for the On-the-Job Training Program for the period 3/11/2013 - 6/29/2013.
116.	Department of Workforce Development, a. Submitting a contract with H.P. Technologies, Inc. in the amount not-to-exceed \$3,000.00 for the On-the-Job Training Program for the period 4/15/2013 - 5/31/2013. b Submitting a contract with Adalet/Scott Fetzer Company in the amount not-to-exceed \$2,000.00 for the On-the-Job Training Program for the period 4/8/2013 - 6/29/2013. C. Submitting a contract with Menorah Park Center for Senior Living BET Moshav Zekenim Hadati in the amount not-to-exceed \$2,800.00 for the On-the-Job Training Program for the period 3/18/2013 - 4/27/2013.
117.	Department of Workforce Development, A. Submitting a contract with PPG Industries, Inc. in the amount not-to-exceed \$4,000.00 for the On-the-Job Training Program for the period 3/25/2013 - 6/22/2013. B. Submitting a contract with Kowalski Heat Treating Co. in the amount not-to-exceed \$2,000.00 for the On-the-Job Training Program for the period 5/6/2013 - 7/13/2013.
118.	Department of Workforce Development, In partnership with City of Cleveland as designated Local Workforce Investment Area No. 3, submitting a Memorandum of Understanding among the City of Cleveland, City of Cleveland/Cuyahoga County Workforce Investment Board and Employment Connection One-Stop System partners for operation of the Employment Connection One-Stop System for the period 7/1/2013 - 6/30/2014.
119.	Department of Workforce Development, submitting a contract with Cleveland Range, LLC in the amount not-to-exceed \$44,000.00 for the On-the-Job Training Program for the period 2/18/2013 - 6/30/2013.
120.	Department of Workforce Development, submitting a contract with Equity Administrative Services, Inc. in the amount not-to-exceed \$10,000.00 for the Incumbent Worker Training Program for the period 5/1/2013 - 12/31/2013.
121.	Department of Workforce Development, submitting a contract with PPG Industries, Inc. in the amount not-to-exceed \$2,500.00 for the On-the-Job Training Program for the period 3/11/2013 - 5/31/2013.
122.	Department of Workforce Development, submitting a contract with Menorah Park Center for Senior Living BET Moshav Zekenim Hadati for Older Adults in the amount not-to-exceed \$2,101.96 for the Incumbent Worker Training Program for the period 4/10/2013 - 8/17/2013.
123.	Department of Workforce Development, submitting amendments to contracts and agreements with various providers for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2011 - 6/30/2013 to change the scope of services, for additional funds: Contracts a) No. CE1100660-01 with Baldwin-Wallace College in the amount not-to-exceed \$17,857.00. b) No. CE1100667-01 with Guidestone fka Berea Children's Home in the amount not-to-exceed \$100,000.00. c) No. CE1100669-01 with Lutheran Metropolitan Ministry in the amount not-to-exceed \$100,000.00. d) No. CE1100700-01 with Towards Employment, Incorporated in the amount not-to-exceed \$50,000.00. Agreements e) No. AG1100140-01 with Cuyahoga Community College District in the amount not-to-exceed \$76,000.00. f) No. AG1100141-01 with Mayfield City School District in the amount not-to-exceed \$6,143.00. g) No. AG1100142-01 with Cuyahoga Community College District in the amount not-to-exceed \$50,000.00.
124.	Fiscal Office, A) Submitting an RFP exemption on RQ24599, which will result in an amendment to Contract No. CE1200606-01 with Manatron, Inc. for support and maintenance on the Manatron Visual Property Tax System and SIGMA CAMA software system for the period

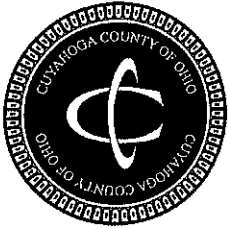
<p>1/1/2012 - 12/31/2012 to extend the time period to 12/31/2013 and for additional funds in the amount of \$486,190.00. B) Submitting an amendment to Contract No. CE1200606-01 with Manatron, Inc. for support and maintenance on the Manatron Visual Property Tax System and SIGMA CAMA software system for the period 1/1/2012 - 12/31/2012 to extend the time period to 12/31/2013 and for additional funds in the amount of \$486,190.00.</p>
<p>125. Human Resource Commission, submitting amendments to contracts with various providers for hearing officers for the period 12/30/2011 - 11/30/2013 for additional funds, each in the amount of \$7,396.00: A) Contract No. CE1100755-01 with Komlavi Atsou B) Contract No. CE1100757-01 with Michael J. Gordillo of Valore &amp; Gordillo, LLP C) Contract No. CE1100758-01 with Anthony M. Stevenson. D) Contract No. CE1100759-01 with Gregory P. Szuter. E) Contract No. CE1100760-01 with Daniel G. Zeiser, of Daniel G. Zeiser Co., L.P.A.</p>
<p>126. Juvenile Court, submitting an agreement with Village of North Randall for the Community Diversion Program for the period 5/13/2013 - 12/31/2013.</p>
<p>127. Juvenile Court, Submitting an amendment to a grant agreement to State of Ohio, Department of Youth Services for community-based services for youth for the period 7/1/2011 - 6/30/2013 for additional funds in the amount of \$866,529.95.</p>
<p>128. Medical Examiner, recommending an award on RQ26909 to Esposito Mortuary Services, Inc. in the amount not-to-exceed \$375,000.00 for body transportation services for the period 8/1/2013 - 7/31/2014.</p>
<p>129. Medical Examiner, submitting a sole source exemption on RQ27230, which will result in an award recommendation to Life Technologies Corporation in the amount not-to-exceed \$85,246.93 for maintenance services on 2-AB7500 Real Time PCR Systems and 4 Genetic Analyzers for the period 8/21/2013 - 8/20/2016.</p>
<p>130. Medical Examiner, submitting sole source exemption on RQ27019 which will result in an award recommendation to Life Technologies Corporation in the amount not-to-exceed \$190,348.92 for 1-AB3500 Genetic Analyzer HID; 1-AB9700 PCR System and 5- GeneMapper Licenses IDX for the period 5/1/2013 - 8/1/2013.</p>
<p>131. Office of Budget &amp; Management, submitting an RFP exemption on RQ27100, which will result in an award recommendation to Maximus Consulting Services, Inc. in the amount of \$22,500.00 for development and implementation of the County's indirect cost allocation plan.</p>
<p>132. Office of Human Resources recommending an award on RQ25972 and enter into an agreement with Soza Fitness, LLC for exercise/fitness and weight management services for the period 4/1/2013 - 3/31/2016.</p>
<p>133. Office of Human Resources, recommending an award on RQ24592 and enter into a contract with Matrix Claims Management Inc. in the amount of \$370,000.00 for workers' compensation third party administrator services services for the period 6/1/2013 - 5/31/2015 (Resolution No. DCA2012-115- authority to seek proposals.)</p>
<p>134. Office of Human Resources, recommending an award on RQ25812 and enter into a contract with Demopoulos &amp; Associates, LLC the amount not-to-exceed \$90,000.00 for workers compensation and Inspector General investigative services and specialized investigative services for the Inspector General's Office for the period 4/1/2013 - 3/31/2016. (Deputy Chief Approval No. DC2012-256 - authority to seek proposals).</p>
<p>135. Office of Human Resources, recommending an award on RQ25972 and enter into an agreement with Soza Fitness, LLC for exercise/fitness and weight management services for the period 4/1/2013 - 3/31/2016.</p>



136.	Office of Procurement & Diversity, presenting voucher payments for the week of May 6, 2013.
137.	Office of Procurement & Diversity, presenting voucher payments for the week of May 13, 2013.
138.	Office of Procurement & Diversity, presenting voucher payments for the week of May 20 2013.
139.	Office of Procurement & Diversity, presenting voucher payments for the week of May 28 2013.
140.	Office of Procurement & Diversity, recommending an award: Department of Public Safety and Justice Services/Public Safety Grants a) on RQ27124 to Safeware, Inc. in the amount of \$56,800.00 for a First Defender RMX S1 specialized detection unit.
141.	Office of Procurement & Diversity, recommending an award: <u>County Sheriff</u> a) on RQ26246 to Smith's Detection Inc. in the amount of \$86,084.00 for 3-Heimann X-ray Inspection System Hi-Scan 6040ds scanning machines.
142.	Office of Procurement & Diversity, recommending an award: <u>Department of Public Works</u> On RQ26753 and enter into a contract with Consolidated Electrical Distributors, Inc. dba Leader Electric Supply (8-4) in the amount not-to-exceed \$90,000.00 for fluorescent and mercury ballasts for various County buildings for the period 6/1/2013 - 5/31/2016.
143.	Office of Procurement & Diversity, recommending an award: <u>Department of Information Technology</u> a) on RQ27085 to TEC Communications, Inc. in the amount of \$30,230.50 for 25 Cisco Unified Contact Center Express licenses for the Fiscal Office (State Contract No. 533110/ORC 125.04(B)).
144.	Office of Procurement & Diversity, recommending an award: Department of Public Works a) on RQ26753 and enter into a contract with The H. Leff Electric Company (8-4) in the amount not-to-exceed \$90,000.00 for fluorescent and mercury ballasts for various County buildings for the period 6/1/2013 - 5/31/2016 . (Deputy Chief Approval No. DC2012-265 - authority to advertise).
145.	Office of Procurement & Diversity, recommending an award: <u>Fiscal Office</u> a) on RQ26439 to World Micrographics, Inc. (15-2) in the amount of \$86,940.00. for the purchase of 12-Compact (small footprint) Digital Microforms Desktop Combination Reader/Printer/Scanner.
146.	Office of Procurement & Diversity, Recommending an award: Department of Public Works a) on RQ26205 and enter into a contract with Air-Rite, Inc. (19-1) in the amount not-to-exceed \$135,000.00 for HVAC filters for various County buildings for the period 5/1/2013 - 4/30/2015.
147.	Office of Procurement & Diversity, submitting an alternative procurement process on RQ27498, which will result in an award recommendation to OfficeMax Incorporated in the amount not-to-exceed \$2,400,000.00 for furnishing and delivery of office supplies for various County departments for the period 10/1/2013 - 9/30/2015. (Board of Control Ordinance No. O2011-0044 Section 4.4(b) (16).
148.	Office of Procurement & Diversity, submitting an amendment to Contract No. CE1200053-01 with Novusolutions for maintenance on NovusAgenda software for the Automated Agenda Management System for the period 12/4/2011 - 6/4/2013 to extend the time period to 12/3/2013 and for additional funds in the amount not-to-exceed \$1,900.00.
149.	Office of Procurement & Diversity, submitting an amendment to Contract No.

CE1200350- 01, 02, 03, 04, 05, 06, 07 with Dunbar Armored Inc. for Armed Guard and Armored Truck services for various County departments for the period 6/1/2012 - 5/31/2015 to change the scope of services, effective 5/1/2013, no additional funds required.

150. Public Safety Grants, submitting an agreement with Westshore Council of Governments for the purchase of equipment, valued in the amount of \$1,462.50 for the FY2007 Urban Area Security Initiative Grant Program for the period 7/1/2007 - 9/30/2010.



JUL 01 2013

Cuyahoga County Council

July 1, 2013

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

Re: Cuyahoga County Charter Review Commission Final Report


Dear President Connally:

Attached hereto is the Final Report produced by the Cuyahoga County Charter Review Commission. This document is issued pursuant to Charter Section 12.09 and the provisions contained in Cuyahoga County Ordinance 02012-003.

Over the last nine months, this nine-member Commission held twenty-six meetings and heard presentations from more than forty individuals. As the Chairman of this Commission, I am confident that all interested parties were able to address the Commission and have their views heard. The fifteen proposals that are contained in this Final Report are designed to help our County government work more effectively and efficiently. No Charter will ever be perfect and this review process showed some issues that need immediate attention. I know that the Council will conduct a thorough review of these recommendations.

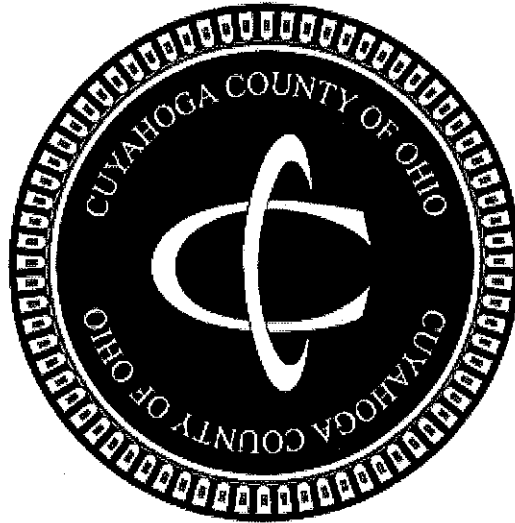
On behalf of my colleagues on this Commission, I thank you for the opportunity to serve Cuyahoga County. It has been an honor and a privilege for us to have served on this Commission. We look forward to working with the County Council as this process moves forward.

Sincerely,

  
Bruce H. Akers, Chairman  
Cuyahoga County Charter Review Commission

cc: County Executive FitzGerald  
All Council members  
All Commission members

Cuyahoga County  
Charter Review Commission  
Final Report



2012-2013

Bruce H. Akers, Chairman  
Davida Russell, Vice-Chairwoman  
Mylayna Albright  
Kenneth Callahan  
Nancy Dietrich  
Miesha Wilson Headen  
Patrick M. McLaughlin  
Shawn M. Riley  
William Tarter, Jr.

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## Charter Review Commission

### Prologue

In November, 2009, the voters of Cuyahoga County overwhelmingly voted in favor of adopting a new charter form of government. In fact, a majority of the voters in all 57 municipalities supported the new charter, which established a County Executive and a County Council to replace the three-commissioner form of government. Thereby, Cuyahoga County instituted a three-branch, checks-and-balance governmental structure—executive, legislative and judicial—like the federal, state and most municipal governments. This Charter government took effect January 1, 2011, following the election of the new County Executive and County Council in 2010.

In preparation for this original drafting, the citizens committee involved in promoting this change in our governmental structure met with a wide variety of interested groups—political, ethnic, racial, business, labor, non-profits, foundations, etc.—to enlist their thoughts, comments, concerns, and recommendations on how to make the new county government more responsive, effective, inclusive and cooperative.

The citizens committee knew it wouldn't be a perfect document, and that it could not cover or anticipate every detail involved in the formation of the structure of this new government. Hence, they included in the Charter the requirement for the establishment of a Charter Review Commission after two years, to be formed in late 2012, to recommend changes to be submitted to the voters at the end of 2013. The reasoning was that the test of the effectiveness of the new Charter was how well the County Executive, the County Council and county staff were operating under it--where did their actual experiences reveal needs for fine-tuning or for significant changes? Subsequent charter review commissions will be appointed five years later, and every ten years thereafter, to perform a similar assessment.

### The Commission

In accordance with Section 12.09 of the Charter, County Executive Edward FitzGerald appointed a nine-member Charter Review Commission (CRC) in September, 2012. The members of the Commission are:

**Bruce H. Akers**, Mayor (retired), City of Pepper Pike; Co-Chair, Charter Citizens Committee

**Mylayna Albright**, Vice President for External Affairs, AT&T

**Kenneth Callahan**, Judge (retired); Partner, Buckley King

**Nancy Dietrich**, civic activist; former Cleveland Heights Councilwoman

**Miesha Wilson Headen**, Auditor; Richmond Heights Council-at-Large; Professor of Business, Cuyahoga Community College

**Patrick M. McLaughlin**, Founding Partner, McLaughlin Law; former United States Attorney, Northern District of Ohio

**Shawn M. Riley**, Managing Partner-Cleveland office, McDonald, Hopkins; Mayor, Village of Gates Mills

**David Russell**, State Vice President, OAPSE/AFSCME (Local 4)

**William Tarter, Jr.**, President, Cleveland Young Professional Senate

The County Executive appointed James P. Boyle as Clerk of the Commission. The Commission held its organizational meeting on November 5, 2012, at which time County Executive FitzGerald administered the oath of office to all the CRC members. The members then elected Akers as Chairman, and Russell as Vice Chair.

#### Meetings

The Commission has held 26 meetings, plus four community meetings. The dates of these meetings are listed in Appendix A.

#### Persons Appearing Before CRC

Out of courtesy and respect, the CRC extended its first invitations to the County Executive and the eleven members of the County Council. The CRC met with the County Executive and nine of the members of Council to solicit their views and recommendations regarding any changes in the Charter. (To clarify, the two Council members who did not meet with the CRC deferred to their other colleagues, saying that their concerns were addressed by those who met with us.) Then, over these eight months, more than 40 public officials and interested citizens also met with the CRC, some on more than one occasion. The list of those appearing before the CRC is attached hereto as Appendix B.

#### Issues/Topics

The following issues/topics were raised by those appearing before the Commission:

- Inspector General (by Charter vs. by Ordinance)
- Clerk of Courts (who should appoint)

- Human Resource Commission (clarify role)
- Justice System Audit (implementation of audit)
- Sheriff (appointed vs. elected)
- Law Director/Prosecutor (clarification of roles)
- Prosecutor (appointed vs. elected)
- Political affiliation language throughout the Charter (retain vs. remove)
- Interim appointments (time limit without confirmation)
- Executive succession (designating a successor)
- Executive residency (minimum requirements)
- Executive vacancy (time limits)
- Council vacancy (time limits)
- 30-day time for confirmation of Executive appointments (grant more time)
- Council action requiring Executive approval (eliminate unnecessary requirements)
- Effect of redistricting on Council eligibility (clarify tenure when district boundaries change)
- Board of Revision (clarify Board vs. hearing panels)
- Treasurer/Fiscal Officer (should one report to the other)
- Public Defender (does the role need more clarity)
- Campaign Finance (should Council enact such legislation)
- Emerging/Underrepresented demographics in appointments (should be addressed)
- Retire/rehire prohibitions (eliminate so-called “double dipping”)
- Open primaries (in place of current electoral process)
- Term limitations (for Executive and Council)
- Various regional boards/commissions being placed under the Executive (expanding responsibilities of the Executive and Council)
- Indigent defense (clarifying the County’s role)
- Council appointment of the internal auditor
- Appointment/term of the Charter Review Commission (clarification for future CRC’s)
- County Council (electing some or all members at-large)
- Establishing a type of attorney general position which would incorporate all the law enforcement positions—Prosecutor, Law Director, Sheriff. The position would be appointed by the Executive and confirmed by Council
- Proportional voting



## Public Defender and Indigent Defense

Charter Section 12.09 states that the “initial Charter Review Commission shall include in its deliberations consideration of changes in this Charter for the purpose of providing more effective representation of indigent defendants, for adequate funding and support for the operation of the office of the County public defender, and for the appropriate method for selection of the County public defender.”

The current charter does not establish an office of the public defender. Rather, the current public defender is appointed by the County Public Defenders Commission established pursuant to state law in Ohio Revised Code Sections 120.13 and 120.14. The drafters of the Charter wanted the initial CRC to re-examine whether the County’s public defender office should continue operating under the state-wide system in the Ohio Revised Code, or whether the office should be specified as a Charter position subject to the County’s home-rule authority.

The CRC engaged in extensive consideration and review of the Office of the County Public Defender. The CRC received testimony on this issue from several sources, including Chief Public Defender Robert Tobik. It has been determined that the CRC will not recommend any changes to the Charter on these matters.

## Issues/Topics Deferred

The Commission was open to and welcomed any issues/topics brought before it. By the same token, the Commission felt that its report and recommendations would be more impactful if it concentrated on those issues that were raised by multiple parties or that were identified as operational or functional problems. The Commission was also concerned that submitting too many issues to the voters in November could have the consequence of causing defeat---due to voter confusion---of the more important issues which require voter approval for needed change.

Accordingly, the Commission elected to render no recommendations on the following issues at this time, leaving those and others for future charter review commissions to consider:

- Treasurer being placed under the Fiscal Officer
- Term limitations for Executive and Council
- Retire/rehire prohibitions (so called “double dipping”)
- Open primary elections
- Various boards and commissions being placed under the Executive
- Implementation of at-large Council districts
- Appointment of the Internal Auditor by the Council
- Proportional voting

### Issues with Modifications

On three issues in which there are considerable variances of opinion, the Commission elected to make some changes, but not a total change, as some had advocated:

- a) Sheriff: the Commission recommends leaving this official as an appointed position, but with some form of Council concurrence when the Executive wishes to remove the Sheriff;
- b) Clerk of Courts: the Commission recommends retaining current Charter language providing that the Clerk shall be appointed by the Executive, but specifying that the Executive shall seek input from the presiding judges before making an appointment;
- c) Law Director/Prosecutor: on the issue of which office handles civil court proceedings, the Commission recommends continuation of the existing obligation that the Cuyahoga County Prosecutor's Office represent the County in civil court proceedings.

### Recommendations

As required by the Charter and the Rules and Procedures, the Commission is making fifteen recommended amendments to the Charter. Additionally, six Minority Reports are submitted on various issues as permitted by Rule 6D. The Minority Reports are attached hereto as Appendix C.

The Commission hereby recommends the following changes in the Charter to be sent to the voters for their consideration in this November's election:

# CHARTER REVIEW COMMISSION: PROPOSED AMENDMENTS

Additions to current Charter language are bolded, deletions are struck-through.

## AMENDMENT 1.

### **PROPOSED CHANGES TO EXECUTIVE APPOINTMENT AUTHORITY:**

- **SIXTY DAYS FOR CONFIRMATION OF EXECUTIVE APPOINTEES**
- **APPOINTMENT OF EMERGING OR UNDERREPRESENTED DEMOGRAPHICS**
- **INTERIM APPOINTMENTS**

[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]

### CURRENT LANGUAGE

#### SECTION 2.03 POWERS AND DUTIES

\*\*\*\*\*

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies commissions and authorities as are provided by general law to be appointed by boards of county commissioners. If the Council shall fail to act on the question of such an appointment by the County Executive within thirty days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council. The County Executive and the Council shall use good faith efforts to reflect the diversity of the people of the County in appointing such officers and members.

### PROPOSED LANGUAGE

#### SECTION 2.03 POWERS AND DUTIES

\*\*\*\*\*

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies commissions and authorities as are provided by general law to be appointed by boards of county commissioners. If the Council shall fail to act on the question of such an appointment by the County Executive within ~~thirty~~**sixty** days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council. **Subject to any applicable qualifications or requirements for officers and members of each board, agency, commission or authority**, the County Executive and the Council shall use good faith efforts to ~~reflect the diversity of people of the County~~ **consider emerging and underrepresented demographics** in appointing such

officers and members.

**(2)(A) The County Executive may appoint interim officers to serve as any departmental director, as Inspector General, or in any position outlined in Article V of this Charter without confirmation by the Council for a period not to exceed 120 days. An interim appointment may continue beyond 120 days by extension or reappointment or another person may be successively appointed to the same position on an interim basis only if confirmed by the Council prior to the expiration of the initial interim appointment.**

**Rationale:** This proposal incorporates three separate amendments. The first, would extend the time for Council confirmation of Executive appointments. The CRC heard from numerous Councilmembers and Executive staff members who stated that the time frame was too short. The Council has regularly scheduled meetings only twice in most months and it is imperative that the Council members have adequate time to meet, vet and vote on the nominee.

The second amendment incorporates inclusive language that will result in the membership of its various Boards and Commissions being reflective of appropriate demographic sectors, while still maintaining the mandate that qualified, competent individuals serve on these bodies.

The final proposal will allow the County Executive to appoint interim Department Heads when a vacancy occurs. This provision will allow the continuous operation of the Department while mandating that the Interim Officer may serve only for a set period of time, 120 days. This provision will only apply to departmental positions, the Inspector General and the specific positions detailed in Article V of the Charter. The positions and the duties that are fulfilled necessitate a smooth, but temporary, transition when a vacancy occurs.

**AMENDMENT 2.**

**CAMPAIGN FINANCE**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

(NONE)

**PROPOSED LANGUAGE**

**SECTION 3.09 POWERS AND DUTIES OF THE COUNCIL**

The legislative power of the County, including the power to introduce, enact and amend ordinances and resolutions relating to all matters within the legislative power of the County, is vested in the Council. All powers **and duties** of the Council shall be exercised by ordinance or resolution and shall include, but not be limited to, the following:

\*\*\*\*\*

**(13) To enact campaign finance laws governing the election of any County officers and officials including, without limitation, campaign finance limits and donor disclosure requirements.**

**Rationale:** The CRC conducted numerous discussions about the need for campaign finance regulations. It was observed that the State of Ohio and the City of Cleveland have enacted some form of campaign contribution limitations. The CRC determined that any mandate to enact campaign contribution limitations should be enacted by Ordinance, rather than by specific charter language. The CRC noted that it would be difficult to change contribution limits, either increasing or decreasing, if spelled out in the Charter rather than in an Ordinance. To balance the need for flexibility with the desire that contribution limits be addressed, the CRC is proposing that the Charter be amended to impose a duty on the Council to enact appropriate legislation. This proposal also amends the “powers” of the Council to “powers and duties” to clarify the authority of the Council and its obligations.

**AMENDMENT 3.**

**CLERK OF COURTS**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-1]**

**CURRENT LANGUAGE**

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL**

Each of the officers provided for in this Article V shall be appointed by the County Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive.

**PROPOSED LANGUAGE**

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL**

Each of the officers provided for in this Article V shall be appointed by the County Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive. **The County Executive shall solicit the advice of the Administrative Judges of the courts served by the Clerk of Courts for his or her consideration in making the appointment of the Clerk of Courts.**

**Rationale:** The Clerk of Courts and its staff, provide essential services for the Court of Common Pleas, the 8<sup>th</sup> District Court of Appeals, and the Domestic Relations Division of the Court of Common Pleas. The charter does not mandate any participation by these courts in the selection of the Clerk of Courts. This proposal incorporates the requirement that the County Executive solicit advice from the Administrative Judges of the affected Courts, prior to submitting any nomination to the Council for confirmation. This proposal will allow participation from the Courts while the accountability for the selection, and the operation of the office of the Clerk, resides with the County Executive.

**AMENDMENT 4.**

**BOARD OF REVISION**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 6.02 BOARD OF REVISION**

There shall be one or more Boards of Revision, each consisting of three electors of the County. Two members of each board, who shall not be of the same political party, shall be appointed by the Council, and one member shall be appointed by the County Executive, each for a term of three years. Each Board of Revision shall exercise all duties of a county board of revision as prescribed by general law. The Council may provide for compensation for members of a Board of Revision.

**PROPOSED LANGUAGE**

**SECTION 6.02 BOARD OF REVISION**

~~There shall be one or more Boards of Revision, each consisting of three electors of the County. Two members of each board, who shall not be of the same political party, shall be appointed by the Council, and one member shall be appointed by the County Executive, each for a term of three years. Each Board of Revision shall exercise all duties of a county board of revision as prescribed by general law. The Council may provide for compensation for members of a Board of Revision.~~

**(1) The County shall have a single Board of Revision, consisting of three members, which shall perform all powers and duties of county boards of revision under general law and such other powers and duties not inconsistent therewith as provided herein or by ordinance. As of the effective date of this provision, the Board shall consist of the County Executive, one appointee of the Council President, and, at the choice of the County Executive, either the Fiscal Officer or Treasurer.**

- a. At the choice of the Council President, the Council President's appointee may either be a member of Council or any other elector of the County. The term of the Council President's first appointee shall be from the effective date of this provision until January 4, 2016. The term of subsequent appointees shall be for a period of two years commencing on the fifth day of January and every two years thereafter.**
- b. If a vacancy occurs in the Council President's appointee position, the Council President shall appoint a new member to complete the unexpired term.**

- c. The Council President's appointee shall not belong to the same political party as the County Executive at the time of the appointment.**
- (2) The Board shall elect a chairperson, a secretary, and other officers as it deems appropriate at its organizational meetings.**
  - (3) The Board shall have the power to set the hearing schedule for matters before it, and to make and amend its own internal operating rules, procedures, and regulations.**
  - (4) The Board may employ administrative staff, including an administrator, as it deems necessary, to assist it in the performance of its powers and duties. All employees of the Board shall be unclassified employees.**
  - (5) The Board shall employ or otherwise engage individuals to serve on one or more three-member hearing panels to hear complaints as to the value of real property and to perform other duties assigned to them by the Board. The individuals serving on hearing panels shall be electors of the County; shall serve at the pleasure of the Board; and shall abide by the Board's hearing schedule, rules, procedures, and regulations in performing their duties.**
  - (6) The Board shall establish merit qualifications for the individuals serving on hearing panels as it deems necessary for them to perform their duties. In establishing the merit qualifications, the Board shall strive to employ or otherwise engage highly qualified individuals to elevate the citizens' trust in the system.**
  - (7) The Board may not itself hear complaints related to the valuation of real property, and no member of the Board may serve on any of the hearing panels. The decisions of the hearing panels relating to real property valuation complaints shall constitute the final decisions of the Board and shall not be subject to further review by the Board itself.**
  - (8) No member of the Board or any of the hearing panels may have any *ex parte* communications with any party, elected officials, county employees, or any other person regarding the merits of a pending matter before the panel. The Board shall enact and publish additional rules, procedures, or regulations to ensure that the system is administered fairly, including rules, procedures, or regulations governing conflicts of interest.**



- (9) The Board may utilize any boards of revision or hearing panels in existence as of the effective date of this provision as hearing panels to avoid any interruption of services.**

**Rationale:** It became clear that the charter language regarding the Board of Revision (“BOR”) had some inconsistencies and needed stronger language to define the role of the BOR and the Hearing Panels that actually decide the cases that come the board. This proposal delineates the membership on the statutory BOR and clarifies that the statutory BOR will handle the administration of the Board and its operations. This proposal also clarifies the employment status of the members of the Hearing Panels.

**AMENDMENT 5.**

**ACTIONS OF COUNCIL NOT REQUIRING EXECUTIVE APPROVAL**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 3.10(5) ADOPTION BY COUNCIL**

(5) Adoption by Council. No action of the Council shall be valid or binding unless adopted by an affirmative vote of at least a majority of the members of the Council. Each ordinance shall be signed by the presiding officer and promptly presented by the Clerk of Council to the County Executive for approval or disapproval.

**PROPOSED LANGUAGE**

**SECTION 3.10(5) ADOPTION BY COUNCIL**

(5) Adoption by Council. No action of the Council shall be valid or binding unless adopted by an affirmative vote of at least a majority of the members of Council. Each **adopted** ordinance or resolution shall be signed by the presiding officer and promptly presented by the Clerk of Council to the County Executive for approval or disapproval. **Notwithstanding the foregoing, the following actions shall be finally approved or disapproved upon action by Council, without presentation to the County Executive for approval or disapproval:**

- (a) Adoption or amendment of the rules and order of business of the Council;**
- (b) Adoption of the schedule of Council meetings, creation of committees, and other actions relating to the internal operations of the Council;**
- (c) Adopting an organizational structure for the Council office, consistent with the County's operating budget;**
- (d) Hiring and setting compensation for employees of the Council office, consistent with the County's operating budget;**
- (e) Approval of contracts or amendments to contracts not to exceed \$100,000 for services for the Council office, consistent with the County's operating budget;**
- (f) Confirmation of appointments recommended by the County Executive;**
- (g) Making of appointments designated in this Charter to be made by Council;**

**(h) Adoption of resolutions to require the attendance of any County employee or officer at Council meetings;**

**(i) Adoption of resolutions to compel the attendance of witnesses, issue subpoenas, or refer matters to the Prosecuting Attorney in accordance with Article 3, Section 12;**

**(j) Submission of proposed amendments to this Charter to the electors of Cuyahoga County.**

**Rationale:** The Charter currently mandates that all actions of the Council be approved by the County Executive, including matters that only impact the Council. For example, the hiring of council staff, the setting of staff compensation and the scheduling of the Council meetings only involve the Council and its operations. This proposal recognizes the separate nature of the branches of our county government by detailing specific actions that will not require any action by the County Executive to become effective.

**AMENDMENT 6.**

**AGENCY OF THE INSPECTOR GENERAL**

[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]

**CURRENT LANGUAGE**

(NONE)

**PROPOSED LANGUAGE**

**SECTION 14.01 AGENCY OF INSPECTOR GENERAL**

**The County's Agency of Inspector General shall serve as the County's chief ethics officer and shall have all powers and duties to investigate fraud, corruption, waste, abuse, misfeasance, malfeasance, and nonfeasance, including the power and duties to investigate all county contracts, without interruption from any other public official or employee. The Inspector General shall have the independent power to issue subpoenas and to conduct sworn examinations and depositions as necessary for the Agency to conduct its functions. The Inspector General shall appoint a Deputy Inspector General who shall serve at the pleasure of the Inspector General.**

**14.01(1) Initial Term, Appointment, Term, and Removal of the Inspector General**

**(a) The initial term of the incumbent Inspector General shall continue until June 30, 2016, and the incumbent Inspector General shall have the right to continue to serve as the County's first Inspector General without any further action needed until June 30, 2016. Effective July 1, 2016, the Inspector General shall be appointed by the County Executive, subject to confirmation by County Council. The term of the Inspector General shall be five years commencing on July 1, 2016, with subsequent terms commencing every five years on the first day of July.**

**(b) In the case of a vacancy in the position of Inspector General, the Executive shall appoint a successor Inspector General, subject to confirmation of Council, to fill the remaining term of the Inspector General. Notwithstanding any other provision in the Charter to the contrary, the Deputy Inspector General shall serve as the Acting Inspector General during any vacancy, and the Executive may not appoint an interim Inspector General.**

**(c) The Inspector General may be removed from office for inefficiency, neglect of duty, or malfeasance in office after notice and public hearing before the Council, provided that at least two-thirds of the Council and the County Executive concur. Either the County Executive or the Council may initiate the process to remove the Inspector General.**

#### **14.01(2) Contracting with other Entities**

**The County shall have the right to contract on behalf of the Agency of Inspector General to have the Agency of Inspector General provide similar services to any other governmental funded entities, county hospitals, agencies, authorities, municipalities, districts, or political subdivisions.**

#### **14.01(3) Confidential Investigatory Files.**

**Without regard to how such documents are received by the Agency, all documents prepared or received by the Agency of the Inspector General, including, but not limited to, all complaints, tips, hotline messages, and any other filings and submittals received by the Agency shall be considered part of the Inspector General confidential investigatory files. Such records shall be exempt from disclosure until the matter is concluded and the investigation is closed by the Inspector General and any other investigatory agencies with jurisdiction over the matter. In the event such records are publicly disclosed, the Inspector General shall take measures to protect the privacy of complainants and witnesses to the extent permitted by law.**

#### **14.01(4) Agency of Inspector General's Budget, Facilities, Furniture, Equipment, and Software.**

**(a) The County Council shall appropriate funds for the Agency of Inspector General sufficient for the Agency to exercise its powers and duties as established herein. The budget of the Agency of Inspector General shall be based on a fixed formula established by county ordinance in order to ensure that the Agency can function without political interference. If the County Council fails to appropriate the necessary funds for the Agency to carry out its functions as provided herein, the Agency shall have the right to institute legal action in court to compel the County to appropriate the necessary funds for its operations.**

**(b) The County shall provide the Agency of Inspector General with appropriately located office space and sufficient physical facilities, including office furniture, equipment, and software commensurate with other County departments of similar size and needs.**

#### **14.01(5) Limitations on the Agency of Inspector General**

**(a) The Inspector General shall not interfere with any ongoing criminal, administrative, civil, or such other investigation or prosecution in the performance of his/her duties.**

**(b) The Inspector General shall manage the Agency and conduct all investigations in a manner that protects the constitutional and civil rights of any person who is the subject of an investigation as well as the constitutional and civil rights of any potential witnesses.**

**Rationale:** In the wake of the county corruption investigation, it became clear that Cuyahoga County required additional enforcement capabilities to address actions by County employees and to respond to allegations about the county workforce and its operations. The County has enacted a comprehensive Ordinance that created the first county IG's Office in the State of Ohio. The operation of the IG's office has been extremely productive. To insure its continuation, this proposal establishes the IG's Office in the Charter and provides for its funding, structure, its operations, and authority.

**AMENDMENT 7.**

**REDISTRICTING AND THE COUNCIL RESIDENCY REQUIREMENT**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 3.03 RESIDENCY REQUIREMENT**

A Council candidate shall have been an elector of the County for at least two years immediately prior to filing of a declaration of candidacy or appointment to fill a vacancy and shall also have been a resident of the district he or she wishes to serve for at least thirty days immediately prior to filing of candidacy or appointment to fill a vacancy. Once elected or appointed, Council members shall reside within the County, and members elected from districts shall reside within their respective districts, during the tenure of their terms.

**PROPOSED LANGUAGE**

**SECTION 3.03 RESIDENCY REQUIREMENT**

A Council candidate shall have been an elector of the County for at least two years immediately prior to filing of a declaration of candidacy or appointment to fill a vacancy and shall also have been a resident of the district he or she wishes to serve for at least thirty days immediately prior to filing of candidacy or appointment to fill a vacancy. Once elected or appointed, Council members shall reside within **their respective districts during the tenure of their terms; however, a Council member shall not be disqualified from serving the full term to which the member has been elected due to redistricting.** ~~the County, and members elected from districts shall reside within their respective districts, during the tenure of their terms.~~

**Rationale:** This proposal cleans up issues that could arise after a decennial redistricting process that could result in a duly elected member of the Council being in the middle of his/her term but no longer residing in the district from which the Councilmember was elected. This language allows the elected member to remain as a Council member, in good standing, in the event his/her residence is placed in another district after the new districts are drawn.

**AMENDMENT 8.**

**EXECUTIVE RESIDENCY REQUIREMENT**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 2.01 COUNTY EXECUTIVE**

The County Executive shall be the chief executive officer of the County. The County Executive shall first be elected at the 2010 general election and shall hold office for a term of four years commencing on the first day of January 2011. Any candidate for election as County Executive shall be an elector of the County at the time of filing of the declaration of candidacy, shall be nominated and elected in the manner provided for county officers by general law and this Charter and during the entire term of office shall remain an elector of the County. The County Executive shall not, except as authorized by the Council, hold or accept other employment or public office.

**PROPOSED LANGUAGE**

**SECTION 2.01 COUNTY EXECUTIVE**

The County Executive shall be the chief executive officer of the County. The County Executive shall first be elected at the 2010 general election and shall hold office for a term of four years commencing on the first day of January 2011. Any candidate for election as County Executive shall **have been an** elector of the County **for at least two years immediately prior to the time** of filing of the declaration of candidacy, shall be nominated and elected in the manner provided for county officers by general law and this Charter and during the entire term of office shall remain an elector of the County. The County Executive shall not, except as authorized by the Council, hold or accept other employment or public office.

**Rationale:** While the Charter mandates a two year residency requirement for Council candidates prior to election, the Charter provided no such residency requirement for the County Executive. The CRC believes that it is essential to have a County Executive with knowledge of the County and a stake in its future. This proposal mandates that all candidates for County Executive must reside in Cuyahoga County for at least two years immediately prior to filing. This time frame is consistent with that which is imposed on Council candidates.



**AMENDMENT 9.**

**ALLOCATION OF LEGAL DUTIES BETWEEN THE COUNTY PROSECUTOR AND THE DIRECTOR OF LAW**

[Amendment as formally adopted by the C.R.C. on 6/15/2013 by a vote of 5-3]

**CURRENT LANGUAGE**

**SECTION 4.01 PROSECUTING ATTORNEY: ELECTION, DUTIES AND QUALIFICATIONS**

The Prosecuting Attorney shall be elected, and the duties of that office, and the compensation therefor, including provision for the employment of outside counsel, shall continue to be determined in the manner provided by general law.

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**SECTION 5.06 DIRECTOR OF LAW: POWERS, DUTIES AND QUALIFICATIONS**

The Director of Law shall be the legal advisor to and representative of the County Executive and County Council. The Director of Law shall be an attorney at law in good standing in the State of Ohio and shall have had at least five years' experience in advising or representing political subdivisions in Ohio.

**PROPOSED LANGUAGE**

**SECTION 5.06 DIRECTOR OF LAW: POWERS, DUTIES AND QUALIFICATIONS**

**Except as provided below**, the Director of Law shall be the legal advisor to and representative of the County Executive, County Council, **and all County departments, offices, agencies, and other authorities responsible to the Council and the County Executive.** The Director of Law shall be an attorney at law in good standing in the State of Ohio and shall have had at least five years' experience in advising or representing political subdivisions in Ohio. **The Director of law shall,**

- (i) Give written opinions as to the law when specifically requested to do so by the Council or the County Executive,**
- (ii) Represent the County, the County Executive and the Council in administrative proceedings and labor negotiations,**
- (iii) Act as counsel for the County, the County Executive and/or the Council, except upon the initiation of any court proceeding instituted by or against the County of Cuyahoga, the Council, the County Executive, or any of the other entities listed in this section, and**
- (iv) Perform any other duties assigned by the Council or County Executive.**

**The Director of law shall be responsible for the employment of outside counsel in the performance of his or her duties.**

**SECTION 4.01 PROSECUTING ATTORNEY: ELECTION, DUTIES AND QUALIFICATIONS**

The Prosecuting Attorney shall be elected, and, **subject to the provisions of Section 5.06 of this Charter**, the duties of that office, and the compensation therefor, including provision for the employment of outside counsel, shall continue to be determined in the manner provided by general law.

**Rationale:** The Charter created the position of Director of Law and maintained the elected position of County Prosecutor. To clarify responsibilities and to avoid duplication of services, this proposal delineates the obligations and duties of both offices in providing competent legal advice and representation to the County, the Executive, the Council and the County's various Boards and Commissions.

**AMENDMENT 10.**

**APPOINTMENT AND TERM OF CHARTER REVIEW COMMISSION**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 12.09 CHARTER REVIEW COMMISSION**

Commencing in September 2012, in September 2017, and at intervals of ten years thereafter, the County Executive, with the confirmation of the Council, shall appoint a Charter Review Commission consisting of nine electors of the County, no more than five of whom may be of the same political party, and no more than two of whom may be an officer or employee of the County. Appointment to the Charter Review Commission shall be for a term of one year. Members of the Charter Review Commission shall serve without pay and shall serve on no more than three consecutive Charter Review Commissions, unless such service is within a ten-year period. The Council shall establish rules and procedures for the operation of the Charter Review Commission and the County Executive shall provide the Commission necessary staff services.

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**PROPOSED LANGUAGE**

**SECTION 12.09 CHARTER REVIEW COMMISSION**

Commencing in ~~September~~ 2012, in ~~September~~ 2017, and at intervals of ten years thereafter, the County Executive, with the confirmation of the Council, shall **before the first day of July** appoint a Charter Review Commission consisting of nine electors of the County, no more than five of whom may be of the same political party, and no more than two of whom may be an officer or employee of the County. Appointment to the Charter Review Commission shall be for a term of one year **commencing on the first day of September in the year in which the appointment is made**. Members of the Charter Review Commission shall serve without pay and shall serve on no more than three consecutive Charter Review Commissions, unless such service is within a ten-year period. The Council shall establish rules and procedures for the operation of the Charter Review Commission and the County Executive shall provide the Commission necessary staff services.

**Rationale:** The CRC certifies that the duties of reviewing the Charter, hearing testimony from interested parties and recommending amendments to the Charter is a lengthy and time-consuming process. This proposal allows future CRCs to get an early start on the process and clarifies the time that future CRCs will remain in existence.

**AMENDMENT 11.**

**PROPOSED CHANGES TO EXECUTIVE VACANCY:**

- **EXECUTIVE SUCCESSION**
- **VACANCY; LENGTH OF APPOINTMENT**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 2.04 VACANCY**

In the event the office of the County Executive becomes vacant by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason, the President of Council shall succeed to the office of County Executive on an interim basis. If a vacancy occurs in the first or second year of a four-year term, the interim succession shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the principal term. If a vacancy occurs in the third or fourth year of a four-year term, the interim succession shall extend until the next countywide general election, at which time the position shall be filled for the next four year term. The interim succession of the President of Council to the office of County Executive as provided herein shall create a vacancy in the membership of County Council and in the position of President of Council. Upon the occurrence of a vacancy in the position of President of Council, the Vice-President of Council shall assume the position of President, and the Council shall elect a member to serve as Vice-President. The Council seat vacated by the former Council president shall be filled in the manner described herein.

**PROPOSED LANGUAGE**

**SECTION 2.04 VACANCY**

**The County Executive shall designate, subject to confirmation by the Council, one officer appointed under Article V of this Charter to succeed as County Executive on an interim basis in the event the office of the County Executive becomes vacant prior to the expiration of his or her term by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason. The officer so designated shall meet all the qualifications for the position of County Executive provided in Section 2.01 of this Charter. In the event the office of the County Executive becomes vacant by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason, In the event no designee of the County Executive, qualified under Section 2.01 of this Charter, has been confirmed prior to the office of the County Executive becoming vacant, the President of Council shall succeed to the office of County Executive on an interim basis. If a vacancy occurs more than thirty (30) days prior to the filing deadline for the primary for the**

**countywide general election held during the second year of a four-year term, the interim succession shall be for a period until the end of the calendar year following that same countywide general election, at which election the position shall be filled for the remainder of the unexpired term. Otherwise, the interim succession shall extend for the remainder of the four-year term.** ~~in the first or second year of a four-year term, the interim succession shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the principal term. If a vacancy occurs in the third or fourth year of a four-year term, the interim succession shall extend until the next countywide general election, at which time the position shall be filled for the next four year term.~~ The interim succession of the President of Council to the office of County Executive as provided herein shall create a vacancy in the membership of County Council and in the position of President of Council. Upon the occurrence of a vacancy in the position of President of Council, the Vice-President of Council shall assume the position of President, and the Council shall elect a member to serve as Vice-President. The Council seat vacated by the former Council president **President of Council** shall be filled ~~in the manner described herein as provided for in Article 3, Section 5 or 6, as~~ **applicable.**

**Rationale:** In the event of a vacancy in the office of the County Executive, pursuant to Charter Section 2.04, the President of Council succeeds to office. This transition not only creates a vacancy in the leadership of the Council but also has the potential to create a significant shift in the County operations and its staffing. In an effort to allow a smooth transition, this proposal permits the Executive to nominate an officer of the Executive staff to serve as the Interim Executive until the next permissible election. The successor would have to be confirmed by Council as the designated successor and would allow the county's operations to continue with as little disruption as possible until the next election could take place.

**AMENDMENT 12.**

**COUNCIL VACANCIES; LENGTH OF APPOINTMENT**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 3.07 VACANCIES; LENGTH OF APPOINTMENT**

If a vacancy occurs in the first or second year of a four-year term, the interim appointment shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the unexpired term. If a vacancy occurs in the third or fourth year of a four-year term, the interim appointment shall extend until the next countywide general election, at which time the position shall be filled for the next four-year term.

**PROPOSED LANGUAGE**

**SECTION 3.07 VACANCIES; LENGTH OF APPOINTMENT**

~~If a vacancy occurs in the first or second year of a four-year term, the interim appointment shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the unexpired term. If a vacancy occurs in the third or fourth year of a four-year term, the interim appointment shall extend until the next countywide general election, at which time the position shall be filled for the next four-year term.~~ **at least thirty (30) days prior to the filing deadline for the primary for the countywide general election held during the second year of a four-year term, the interim appointment shall be for a period until the end of the calendar year following that same countywide general election, at which election the position shall be filled for the remainder of the unexpired term. Otherwise, the interim appointment shall extend for the remainder of the four-year term.**

**Rationale:** This proposal clarifies the language for the timing of an election following the filling of a vacancy on the Council. The language allows enough time for a successor to be named and incorporates time limitations for the Board of Elections to have candidates qualify for the appropriate ballot. The Commission sought to clarify the process so that vacancies are filled while still recognizing that successor candidates must still be approved by the electors.

**AMENDMENT 13.**

**BIENNIAL JUSTICE SYSTEM AUDIT**

**[Amendment as formally adopted by the C.R.C. on 6/22/2013 by a vote of 7-1]**

**CURRENT LANGUAGE**

(NONE)

**PROPOSED LANGUAGE**

**SECTION 11.05 PERFORMANCE AUDIT OF CUYAHOGA COUNTY'S JUSTICE SYSTEM**

**The Cuyahoga County Executive shall, no later than February 1, 2014, and every five years thereafter, appoint an independent organization or university with nationally recognized expertise in the area of the administration of justice to conduct a performance audit of the County's justice system. The performance audit will recommend best practices that would improve the justice system's efficiency, effectiveness and fairness. The organization selected shall be subject to the approval of the Council.**

**Rationale:** In establishing a new form of County government, the Charter has attempted to incorporate the implementation of performance assessment and evaluation for its operations. Currently, the county has numerous operations that are involved in the Justice System, including the Clerk of Courts, the Judiciary, the Sheriff's Department and the Prosecutor's Office. This proposal advocates the institution of regular assessment of the County's operations involving the Justice System in an effort to achieve efficiency and effective delivery of services. The proposal calls for the assessment to be performed independently and sets time frames for the initial and subsequent audits to be performed.

**AMENDMENT 14.**

**COUNTY SHERIFF – TERM OF APPOINTMENT AND REMOVAL**

**[Amendment as formally adopted by the C.R.C. on 6/18/2013 by a vote of 6-0]**

**CURRENT LANGUAGE**

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL**

Each of the officers provided for in this Article V shall be appointed by the County Executive subject to confirmation by Council, and shall serve at the pleasure of the County Executive.

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**SECTION 5.08 SHERIFF: POWERS, DUTIES AND QUALIFICATIONS.**

All powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff. The Sheriff shall possess and continue to maintain the qualifications provided by general law for the office of county sheriff and in addition shall have had at least five years' experience in law enforcement or in correctional facilities management.

**PROPOSED LANGUAGE**

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL**

Each of the officers provided for in this Article V shall be appointed by the County Executive subject to confirmation by Council, and shall serve at the pleasure of the County Executive **unless otherwise specified herein.**

\*\*\*\*\*

**SECTION 5.08 SHERIFF: POWERS, DUTIES AND QUALIFICATIONS.**

All powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff. The Sheriff shall possess and continue to maintain the qualifications provided by general law for the office of county sheriff and in addition shall have had at least five years' experience in law enforcement or in correctional facilities management. **The Sheriff shall be appointed for a term of four years commencing on January 1, 2016. The Sheriff may only be removed from office by the County Executive prior to the expiration of his or her term subject to the approval of at least two-thirds of the Council.**

**Rationale:** The Charter eliminated the election of the County Sheriff and made this position an appointee of the County Executive, subject to Council confirmation. The Commission recognized that it was not advisable to have the Sheriff be an elected officeholder but acknowledged that the independence of the position was essential. This proposal adds to the independence of the Sheriff by providing a staggered term of office of four years, rather than



serving at the will of the appointing authority. Additionally, this proposal would amend the manner in which the Sheriff may be discharged by including language mandating that 2/3 of the Council must consent to the removal of the Sheriff prior to the expiration of his/her term.

**AMENDMENT 15.**

**PERSONNEL REVIEW COMMISSION**

**[Amendment as formally adopted by the C.R.C. on 6/22/2013 by a vote of 8-0]**

**PROPOSED LANGUAGE**

**SECTION 9.01 HUMAN RESOURCES COMMISSION PERSONNEL REVIEW COMMISSION**

**There shall be a Personnel Review Commission.** The County Executive, subject to confirmation by the Council, shall appoint the members of **the Personnel Review Commission** a ~~Human Resources Commission~~, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations. No more than two of the three members of the **Personnel Review Commission** ~~Human Resources Commission~~ shall be members of the same political party. **The Personnel Review Commission is authorized to employ persons in the service of the County.** The **Personnel Review Commission** ~~Human Resources Commission~~ shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. The County's human resources policies and systems, including ethics policies for County employees, shall be established by ordinance and shall be administered in such manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry. **The Personnel Review Commission shall submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council. In the event the Personnel Review Commission does not endorse an ordinance, the Personnel Review Commission may provide a Statement of Non-Endorsement to the County Council.**

The term of office of each member of the **Personnel Review Commission** ~~Human Resources Commission~~ shall be six years. The terms shall be staggered so that no term expires within less than two years of the expiration of any other term. The County Executive shall fill a vacancy occurring for an unexpired term in the same manner as a regular appointment.

Of the terms of office for the initial appointees, one shall be appointed for a term of six years, one shall be appointed for a term of four years and one shall be appointed for a term of two years. The County Executive shall nominate the initial appointees to the **Personnel Review Commission** ~~Human Resources Commission~~ not later than March 1, 2011 and thereafter within thirty days after the occurrence of a vacancy.

No member of the **Personnel Review Commission** ~~Human Resources Commission~~ shall hold any other public office or public employment with the County. The Council shall establish a per

diem compensation for the members of the **Personnel Review Commission** ~~Human Resources Commission~~.

The County Executive may remove any member of the **Personnel Review Commission** ~~Human Resources Commission~~ for inefficiency, neglect of duty or malfeasance in office after notice and public hearing before the Council, provided that ~~eight~~ **two-thirds of the** members of the Council concur.

**SECTION 9.02 AUTHORITY OF PERSONNEL REVIEW COMMISSION HUMAN RESOURCES COMMISSION.**

The **Personnel Review Commission** ~~Human Resources Commission~~ shall have:

(1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, **including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;**

(2) Responsibility for administration of ~~countywide~~ compliance with federal and state laws regarding personnel matters **within the County Executive's organization and departments** ~~which the County is the reporting unit and for maintenance of records required by such laws;~~

(3) **For the County Executive's organization and departments,** authority to ensure:

- Pay equity for like positions;
- Standardization of benefits;
- Approval of qualifications;
- Consistent discipline;
- Training of management in personnel practices;
- Training of employees in job functions;
- Training for total quality management;
- Consistent administration of performance management system;
- Coordination of recruitment;
- Compliance with ethics resolutions or ordinances as passed by the Council;

(4) **Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in this Charter;**

(45) Such other functions as may be deemed necessary by the Council for the **Personnel Review Commission** ~~Human Resources Commission~~ to carry out its mission and purpose.

### SECTION 9.03 CLASSIFICATION

The **Personnel Review Commission** ~~Human Resources Commission~~ shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification. The classification system shall include the employees of the offices listed in Article V of this Charter, as well as those of the County Executive and County Council except those employees in positions designated as unclassified by general law. The classification system shall, to the extent permitted by the Ohio Constitution, include the **classified** employees of all offices, officers, agencies, departments, boards, commissions or other public bodies, other than separate political subdivisions, that are supported in whole or in part from taxes levied, or other financial assistance provided, by the County.

### SECTION 9.04 APPOINTING AUTHORITIES

The County Executive and the officers, offices, agencies, departments, boards and commissions and other public bodies, who under this Charter or under general law are authorized to employ persons in the service of the County, shall be appointing authorities. Persons interested in employment with the County shall make application to the Department of Human Resources. No appointing authority shall appoint a person to fill a vacancy in the classified service who does not meet the qualifications for that position approved by the **Personnel Review Commission** ~~Human Resources Commission~~. All Appointing Authorities shall strive in making appointments in both the classified and the unclassified service to ensure that the diversity of the population of the County is reflected in the persons who are employed by the County.

### SECTION 9.05 DEPARTMENT OF HUMAN RESOURCES

There shall be a Department of Human Resources, which shall, **as part of its duties, serve under the direction of and perform such functions on behalf of the Personnel Review Commission** ~~Human Resources Commission~~ as the Commission shall **delegate** ~~prescribe~~. **The Department of Human Resources shall provide regular reports to the Personnel Review Commission regarding the Department's performance of such delegated functions in accordance with timeframes established by the Personnel Review Commission.**

### SECTION 9.06 DIRECTOR OF HUMAN RESOURCES: POWERS, DUTIES AND QUALIFICATIONS

**The Director of Human Resources shall be appointed by the Executive to manage County employment matters including hiring, firing, discipline, layoffs, training, benefits, time and attendance, HR compliance, and drafting policies and procedures. The Director shall be responsible for offering support to the law department on all labor and employment matters. The Director of Human Resources shall have a minimum of five years of experience advising or working in the public sector, experience in employment related matters, management experience or related relevant experience.**

\*\*\*\*\*

## SECTION 2.03 POWERS AND DUTIES

\*\*\*\*\*

(12) To conduct collective bargaining ~~regarding wages and compensatory benefits~~ with any recognized employee bargaining unit ~~in conjunction with the Human Resources Commission;~~ **and, administer uniform personnel procedures for all County employees, and to provide quarterly reports to the Personnel Review Commission regarding the County's collective bargaining strategies and approved contracts.**

**Rationale:** The Charter incorporated a monumental shift in the manner in which Cuyahoga County performs its Human Resource duties. Previously, each elected office had its own Human Resource Department and there was no consistency in the hiring, firing, discipline or performance assessment of the county's workforce. Charter Section 9 includes numerous provisions that have helped unify the county's human resource performance and review. These proposals help clarify the role that the Human Resource Commission (HRC) plays and the interrelationship with the County Administration and the various other county entities. Additionally, in an effort to eliminate the confusion that often arises between the HRC and the County's Human Resource Department, this proposal seeks to change the name of the HRC to the "Personnel Review Commission" to reflect the actual duties performed and to avoid confusion with similarly sounding names.

## **Appendix A**

As required by Ordinance No. 02012-003, the Charter Review Commission held regular meetings to discuss proposed changes to the County Charter. All meetings were open to the public and the Agenda, Minutes and audio recordings of all meetings were posted on the County's website. These meetings were held on:

- Monday, November 5, 2012;
- Wednesday, November 21, 2012;
- Wednesday, December 12, 2012;
- Saturday, January 5, 2013;
- Wednesday, January 9, 2013;
- Saturday, January 12, 2013;
- Wednesday, January 16, 2013;
- Wednesday, January 23, 2013;
- Thursday, January 24, 2013;
- Wednesday, January 30, 2013;
- Saturday, February 2, 2013;
- Wednesday, February 20, 2013;
- Wednesday, February 27, 2013;
- Wednesday, April 3, 2013;
- Saturday, April 6, 2013;
- Thursday, April 11, 2013;
- Wednesday, May 1, 2013;
- Wednesday, May 8, 2013;
- Saturday, May 11, 2013;
- Wednesday, May 22, 2013;
- Saturday, June 1, 2013;
- Saturday, June 8, 2013;
- Saturday, June 15, 2013;
- Wednesday, June 18, 2013;
- Saturday, June 22, 2013; and,
- Wednesday, June 26, 2013.

In addition, the Commission conducted four public meetings to inform interested citizens of the issues before the Commission, and to solicit any comments and recommendations. The meetings were held:

- 1) April 17 (west) Westlake Recreation Center, Westlake;
- 2) April 18 (downtown) Tri-C Metro Campus, Cleveland;
- 3) April 20 (east) Tri-C Eastern Campus/Corporate College, Warrensville Heights;
- 4) April 22 (south) Brecksville Community Center, Brecksville.

## Appendix B

### Persons Appearing Before CRC:

- Judge Ronald Adrine, Presiding Judge, Cleveland Municipal Court
- Harriet Applegate, AFL/CIO Director
- Francis X. Bova, Cuyahoga Sheriff
- Nailah K. Byrd, Cuyahoga County Inspector General
- C. Ellen Connally, Cuyahoga County Council President
- Yvonne Conwell, Cuyahoga County Councilwoman
- Sara DeCaro, HRC Counsel
- Edward FitzGerald, Cuyahoga County Executive
- Robert Frost, Chairman, Republican Party of Cuyahoga County
- Judge Nancy Fuerst, Presiding Judge, Cuyahoga County Court of Common Pleas
- Michael J. Gallagher, Cuyahoga County Councilman
- Chuck Germana, Cuyahoga County Councilman
- David Greenspan, Cuyahoga County Councilman
- Sister Joanne Gross, Senior Policy Advisor, Cuyahoga County Council
- Elise Hara, Director, Cuyahoga County Human Resources Department
- Penny Jeffrey, League of Women Voters
- Judge Larry Jones, Eighth District Court of Appeals
- Rebecca Kopcienski, Administrator, Human Resource Commission
- Eugene Kramer, attorney; drafter of County Charter
- David Kutik, attorney; Jones Day
- David Lambert, Assistant Prosecuting Attorney, Cuyahoga County
- Majeed G. Makhlof, Cuyahoga County Director of Law
- Judge Richard Markus (retired)
- Lynda Mayer, League of Women Voters
- Timothy McGinty, Cuyahoga County Prosecuting Attorney
- Dale Miller, Cuyahoga County Councilman
- Joseph Nanni, Chief of Staff, Cuyahoga County Council
- Judge Diane Palos, Presiding Judge, Cuyahoga County Domestic Relations Court
- Katherine Palmer, Human Resource Commissioner
- Greg Popovich, Court Administrator, Cuyahoga County Court of Common Pleas
- Nial Raaen, National Center for State Courts
- Bob Reid, former Cuyahoga County Sheriff
- Andrea Rocco, Cuyahoga County Clerk of Courts
- Julian Rogers, Cuyahoga County Councilman



- Jack Schron, Cuyahoga County Councilman
- Angela Simmons, Human Resource Commissioner
- Sunny M. Simon, Cuyahoga County Councilwoman
- Wade Steen, Cuyahoga County Fiscal Officer
- Judge Melody Stewart, Presiding Judge Eighth District Court of Appeals
- Homer Taft, attorney, civic activist
- Robert Tobik, Chief Cuyahoga County Public Defender
- Seth Wamelink, Next Generation Council
- Robert Wolff, Human Resource Commissioner
- Martin Zanotti, former Mayor, City of Parma Heights; Co-Chair, Charter Citizens Committee

## Appendix C

### **Minority Report by Kenneth Callahan, joined by Miesha Wilson Headen (This Minority Report Relates to Proposed Amendment 3)**

#### **Appointment of the County Clerk of Courts**

The minority submits that the Clerk should be selected from a vote of the Administrative Judges of the three affected Courts, or that the position should revert to an elected office. The Commission was presented information by a number of members of the Bench and Bar that Ohio Revised Code Chapter 2303, titled "Clerk of Court of Common Pleas", governs the various essential duties of the Clerk to the Court of Common Pleas, the 8<sup>th</sup> District Court of Appeals and the Domestic Relations Division of the Court of Common Pleas. The Clerk effectuates the judgments and orders that issue from these Courts in significant volume. Most importantly, RC 2303.26 states: "The clerk of the court of common pleas shall exercise the powers conferred upon him by statute and by the common law; **and in the performance of his duties he shall be under the direction of the court.**" (emphasis added). The minority submits that law, practice and common sense make the Clerk a judicial branch position, governed by Article IV of the Ohio Constitution. In proposing that the Clerk be appointed by, and serve at the pleasure of, the County Executive, the majority delivers an essential component of an independent judiciary to the control and direction of the Executive branch. This proposal creates the possibility of causing inefficiencies and political conflict, and is unique in the State of Ohio and in the United States among Courts of General Jurisdiction.

**Minority Report –By Bruce H. Akers, joined by Nancy Dietrich and William Tarter, Jr.  
Duties of the Law Director and Prosecuting Attorney**

My colleagues and I submit this minority report to propose that Cuyahoga County Charter Sections 4.01 and 5.06 be amended to make the Director of Law responsible to act as counsel in any proceeding, including all civil litigation, on behalf of Cuyahoga County. We believe the majority's proposal, Proposed Amendment 9, fails to address structural concerns within our County Charter, which result in administrative inefficiencies.

As Cuyahoga County's first Charter Review Commission, it is our duty to evaluate whether the framework envisioned in the Charter has been effectively implemented. The Charter currently states that the "Director of Law shall be the legal advisor to *and representative of* the County Executive and County Council." This language unambiguously empowers the Director of Law to represent both the executive and legislative branches of Cuyahoga County without any explicit limitation. Eugene Kramer and Martin Zanotti, both of whom were principal architects of the original Charter, each stated before this Commission that the framers of the Charter intended to empower the Director of Law to represent the County in civil litigation.

Requiring the Prosecutor to represent the County in all civil litigation also creates an unnecessary duplication of efforts, whereby the Department of Law provides legal advice and support to County authorities up until the point of litigation, after which the matter must be referred to the Civil Division of the Prosecutor's office for representation in court. This system stifles effective representation by prohibiting attorneys in the Law Department, who are familiar with the underlying facts of the case and the wishes of their client, from advocating on behalf of the County in court. Proponents of the status quo have claimed that attorneys in the Civil Division offer special expertise in litigation, but this Commission has been presented no tangible evidence verifying such claims.

A fundamental tenet of our legal system is the right to select one's own legal counsel. The Director of Law is appointed by the County Executive and confirmed by Council. The Charter established this appointment process, as well as a system of checks and balances, to ensure all Article V officers are held accountable in the performance of their duties. The Civil Division of the Prosecutor's office, in contrast, reports directly to the Prosecuting Attorney, who remains a separately elected official, and who does not serve at the pleasure of either the County Executive or County Council. County clients dissatisfied with the Prosecutor's legal representation in court are restricted from retaining alternative counsel and have no formal recourse (short of a claim of legal malpractice) to hold the Prosecutor accountable for any failure to adequately represent the County. Empowering the Director of Law to litigate on behalf of County authorities will improve accountability within the system.

Our Charter must be written to withstand the test of time. The Charter purposefully establishes two County-wide elected offices: the County Executive and Prosecuting Attorney, both of which carry substantial power and responsibility. It is highly foreseeable that future occupants of these two offices will have managerial, political, or legal disputes that will implicate substantial conflicts of interest. This Charter Review Commission concluded that the independently elected Prosecutor should act as the primary institutional check on the Executive. It would therefore be unethical and impractical to mandate the Prosecutor represent the County Executive in court. Empowering the Director of Law to litigate on behalf of the County, and delineating which clients each office represents, relieves this inherent conflict.

**Minority Report by William Tarter, Jr.  
Seconded by Chairman Bruce Akers and Nancy Dietrich  
(A vote to reject this submitted proposal was approved by the CRC 5-3)**

**Campaign Contribution Limits**

Lack of charter language pertaining to campaign finance allows anyone to donate any amount he/she wants directly to a candidate. In fact, that is exactly what happened in 2010 when one county candidate received \$400,000 from a single individual. Campaign contribution limits serve as one effective means to prevent corruption of elected officials and ensure a level playing field.

The Campaign Finance transition workgroup, chaired by Prosecutor Mason, initially proposed limits of \$750 per donor per candidate (while also prohibiting the donation of money from county employees to existing county officials, among other recommendations). A majority of CRC members did not support the \$750 limit, or a proposed \$1500 increased limit. The final proposal, to match donation limits to those of the state, was a compromise and would allow for some campaign finance language to be in the charter, while still not being prohibitive to fundraising. Aligning with state limits, which allow for inflation-related adjustment, avoids the problem of specifying monetary amounts, which could change with inflation. With due respect to all parties, the current proposed language from CRC, which makes the establishment of campaign donation limits a duty of County Council, asks the very people most affected by the outcome (and thus, with a direct conflict of interest) to propose the solution.

This proposal was not without precedent. A Plain Dealer story in 2009 quotes former Parma Heights Mayor and charter framer Martin Zanotti on the subject: "We missed it," saying that lack of campaign finance restriction in the charter was an oversight and could be changed later.

Incorporating the proposed state campaign finance limits into the charter, a proposal supported by members of both political parties, would have sent a strong message about the importance of the topic to the new government. Additionally, it would have brought the county government into alignment with other levels of government, which also have campaign contribution limits.

**Minority Report by William Tarter, Jr.  
Seconded by Mayor Riley**

**Retire/Rehire (a.k.a. Double-Dipping)**

Two proposals:

- 1) Would bar county employees from retiring and being rehired (as is the case under County Executive FitzGerald in everyday practice)
- 2) To allow for employees to retire and be rehired, but they would have to donate half of their salary to the new county Education fund

The practice of Retire/Rehire, also known as “Double-dipping,” has no place in government. While legal, it limits job opportunities for new individuals to become employed and begin contributing to the pension system, it limits promotion, as well as limits monies paid to the state pension funds as a result of the local governments/organizations matching contributions, thus lowering benefits for everyone. With unemployment levels already high, it is important that those who have earned their pension should enjoy it and continue to serve their community in another capacity, while still allowing for individuals to begin their career in public service and help to ensure the financial health of the pension system. By adding the language about the practice of “retire/rehire,” we would have sent a strong message to county voters and to the rest of the state that this new government is truly about accessibility and opportunity.

**Minority Report by William Tarter, Jr.  
Seconded by Nancy Dietrich**

**Nonpartisan Primary**

According to the proposals, a non-partisan primary, with a run-off between the top two vote-getters regardless of party affiliation, would result in a general election which provides a choice between the two candidates who are actually the most popular with the most voters in their district, regardless of political affiliation. Both the primary and the general election would become more meaningful, encouraging greater voter participation. Original submission and support for this concept was expressed to the CRC by the League of Women Voters and citizens Homer Taft and William McLaughlin.

**Minority Report by William Tarter, Jr.  
Seconded by Nancy Dietrich**

**Filling Vacant County Council Seats**

According to Charter Section 3.05, in the event of a vacancy on Council, the charter states that the precinct committee members choose the replacement.

Appointment by party precinct committee members limits the choice to an individual who is supported by a partisan group. While precinct committee officials are very important to the nomination and election process, in choosing the appointee to fill a vacant seat, they may or may not necessarily represent the will of the majority of all voters in the district. This limits the voice of those individuals who vote in the General Election who may be in a minority party, as well those voters who may not affiliate with any political party.

While the ideal option is to hold a Special Election for the Council district, we believe that vacancies should be filled in the same manner as provided in Charter Section 3.06, regardless of the political party affiliation of the vacating member. This way, the process is consistent and all members of the voting public of that district can have direct input with County Council on the appointment.



# Cuyahoga County Veterans Service Commission

Ph: 216.698.2600 • Fax: 216.698.2650  
Email: [vsc\\_mail@cuyahogacounty.us](mailto:vsc_mail@cuyahogacounty.us)  
1849 Prospect Avenue • Room 200 • Cleveland, OH 44115



MAY 15 2013

Cuyahoga County Council

I hereby certify that the attached document represents a true copy of the 2014 legal budget of the Cuyahoga County Veterans Service Commission as approved by its Board of Commissioners in an open meeting on May 15, 2013 and submitted to the Cuyahoga County Executive, Cuyahoga County Council and Cuyahoga County Office of Budget Management. It is based on a more accurate valuation of property tax provided to us by the Fiscal Office. Your review and appropriation of the requested funds in accordance with the Ohio Revised Code section 5901.11 is appreciated.

  
\_\_\_\_\_  
Robert E. Schloendorn  
Executive Director

May 15, 2013  
Date

The foregoing instrument was acknowledged before me on this date by Robert E. Schloendorn, Executive Director of the Cuyahoga County Veterans Service Commission.



Melinda R. Halliburton  
Resident Summit County  
Notary Public, State of Ohio  
My Commission Expires: 9/29/2015

  
\_\_\_\_\_  
Melinda Halliburton, Notary

MY COMMISSION EXPIRES:  
September 29, 2015

5/15/2013  
Date





# **CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

## **2014 Tax Budget**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**STAFFING**

The CCVSC is composed of a Board of 5 Commissioners, a staff comprised of an Executive Director, 31 management and professional staff employees. As of this date, all 5 Commissioner and 2 professional staff employee are considered "part time" for County payroll purposes. All other employees are full time.

<b>2013 Staffing Request.....</b>	<b>29 FTEs/7 PTEs</b>
<b>2014 Staffing Request.....</b>	<b>29 FTEs/7 PTEs</b>
<b>Net Staff changes.....</b>	<b>0 FTEs/0 PTE</b>

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**010 PERSONNEL SERVICES**

**Salaries Budget Base (2014 Projection) \$1,814,984**

This salary projection covers the entire current classified and non-classified CCVSC staff. This salary base budget is from 2014 salary projections that include a 2% cost of living allowance and annual step increase according to CCVSC policy.

**Additional Salary Appropriations for Anticipated and Unanticipated Events \$9,000**

Additional appropriation is necessary to adjust the base salary of the Service Officers (IT) who become State GOVA certified Service Officers and for unforeseen salary adjustments

.....  
**Total Personnel Services for 2014 \$1,823,984**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**015 PERSONNEL BENEFITS**

**Personnel benefits for 2014** **\$638,394**

Personnel benefits are calculated as 35% of total CCVSC staff salaries (\$1,823,984 x .35=\$638,394). This percentage covers Workers' Compensation, unemployment compensation, Flex benefits, PERS retirement and Medicare based on 2014 salaries. This percentage assures that there will be no shortfall for any unanticipated benefit expense, for example, increased unemployment compensation and/or hospitalization insurance costs.

.....

**Total Personnel Benefits 2014** **\$638,394**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**022 COMMODITIES**

**Office/Technical Supplies for 2014** **\$15,500**

The office/technical supply budget for 2014 is based on a 2012 actual expenditures multiplied by a 1.67% inflation rate and rounded up to nearest hundredth. These purchases are for general office/technical supplies utilized in day-to-day operations. It is anticipated that office/technical supplies usage will stay the same as the 2013 levels.

**Electricity Usage for 2014** **\$17,500**

Electric utility is the only utility paid by CCVSC under its existing lease agreement. The average electric bill in 2012 has been approximately \$1,428 per month. The CCVSC anticipates 1.67% inflation and the electric utility usage will stay about the same since the office has energy conservation light fixtures in the new leased space. We have experienced a better than 50% reduction in cost due to the sustainable construction of the building.

.....  
**Total Commodities for 2014** **\$33,000**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**026 CONTRACTS & PROFESSIONAL SERVICES**

**Annual Lease Agreement** **\$419,456**

In 2014, the CCVSC will renew its 5 year-lease agreement with LTD Partners for the office space at 1849 Prospect Avenue, Cleveland, Ohio. The lease agreement is scheduled to expire September 30, 2014. The CCVSC expects to remain at this office location for the next 5 years and, upon renewal, we will be paying \$14.50 a square foot for the last three months of the year. This cost is \$19.88 less per square feet than the initial 5 year cost.

**Employee Tuition reimbursement Program** **\$5,000**

The CCVSC has an employee tuition reimbursement program to encourage staff to return to school to obtain college degrees in subject areas relevant to the agency. To support this effort, the CCVSC will offer tuition assistance to qualified staff.

**Marker Fees** **\$7,000**

Marker fees are charges for setting indigent veteran headstones at the various cemeteries located within the County. Price varies by each cemetery. The 2014 projection is based on three year average from 2013, 2012 and 2011 expenditures.

**Miscellaneous Technical Services** **\$15,000**

Various technical services needs arise throughout the year. The 2014 projection is conservatively based on 2012 activities, as it is premature to use any 2013 figures.

**Retain IT Professional Services** **\$20,000**

The CCVSC Board requires an IT professional service to be on call for IT support in the event that the Senior Systems Administrator and his back-up are out of the office for any length of time.

.....  
**Total Contracts and Professional Services for 2014** **\$466,456**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**035 CONTROLLED SERVICES**

**Data Processing Charges** **\$129,916**

The County Data Center charges back for various computer maintenance and document support functions provided by its technical staff. In calculation of the CCVSC 2014-projected budget, the 2012 actual expenditures were utilized, which represents the most recent complete year's fees.

**Space Maintenance** **\$193,727**

The CCVSC has two Protective Service Officers on the premises during working hours. This represents a charge back from Central Services for security service provided. In calculation of the CCVSC 2014-projected budget, the 2012 actual expenditures were utilized.

.....

**Total Controlled Services for 2014** **\$323,643**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**050 CLIENT SERVICES**

**Client Services Budget Basis** **\$3,251,069**

The CCVSC client services base budget for 2014 is based on 2012 actual expenditures. This basis was deemed more accurate than utilizing 2013 first quarter expenditures. We do not need to consider inflationary factors on Client Service since increased financial allowance were made in 2013.

.....  
**Total Client Services for 2014** **\$3,251,069**



**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**060 OTHER OPERATING**

**Other Operating Budget Basis** **\$330,060**

For a conservative approach to the 2014 budget process in Other Operating Expenses, the CCVSC is using 2012 actual expenditures as a basis for this object number. CCVSC Advertising for 2013 is \$263,377 and in the budget basis above. Other items in the base budget are County Fast Copier, County Postage, County Telephone, County Garage and County Printing. It also includes Travel, Office supplies, Software, Publications, Professional Dues and Other Operating expenditures.

**Other Operating Increased by 1.67% for 2014** **\$5,512**

The majority of other operating expenditures are administrative charge backs from Central Services. The operating expenditures provided by Central Services are County storeroom supplies, County postage, County telephone, County garage (leased van), and County printing. The CCVSC anticipates a 1.67 inflation rate increase for these services as well as the other independent administrative expenditures.

**Computer Software Purchases for 2014** **\$15,000**

The CCVSC is in continue need to upgraded software for the IS Department and agency at large. Requirement will change due to the new County Government.

.....  
**Total Other Operating for 2014** **\$350,572**

**CUYAHOGA COUNTY VETERANS SERVICE COMMISSION**

**2014 BUDGET SUMMARY**

**070 CAPITAL OUTLAYS**

**Computer Hardware Purchases for 2014** **\$20,000**

The CCVSC is in need of new equipment which includes new servers, PCs, signature pads and screens for the main office and 2 satellite locations.

**Miscellaneous Capital Outlays** **6,000**

Miscellaneous capital outlay is based on the anticipated need to refurbish three offices with lateral cabinets and bookshelves.

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**Total Capital Outlay for 2014** **\$26,000**

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**CCVSC TOTAL 2014 BUDGET = \$6,913,118**

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**ASSESSED VALUATION CALCULATION**

**\$27,812,595,530 x .00025 = \$6,953,149**

# 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 CC011

July 9, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0132

Sponsored by: <b>Councilmembers Brady and Jones</b>	<b>A Resolution</b> determining to proceed with submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Council adopted Resolution No. R2013-0125 on July \_\_\_\_\_, 2013, declaring the necessity of submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and,

WHEREAS, the Fiscal Officer has advised and certified to the County Council that the total current tax valuation of the County is \$\_\_\_\_\_ and that the replacement of the 2.9 mills and an increase of 1.0 mill levy will generate \$\_\_\_\_\_ of revenue in its first year of collection; and,

WHEREAS, County Council, having declared the necessity of submitting the question of an additional levy to the electors of Cuyahoga County, and the County Fiscal Officer, having certified the necessary fiscal valuations, Council must now act to submit such additional levy to the Board of Elections for placement on the November 5, 2013 General Election ballot.

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 acknowledges its receipt of and accepts the Fiscal Officer's certification of July \_\_\_\_\_, 2013, in accordance with Resolution No. R2013-0125, that the total current tax valuation of the County is

\$\_\_\_\_\_ and that the replacement of the 2.9 mills and an increase of 1.0 mill levy will generate \$\_\_\_\_\_ of revenue in its first year of collection.

**SECTION 2.** 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. Therefore, the County Council reaffirms the necessity of submitting this replacement and increase taxing measure to the electors and hereby determines to proceed with submitting to the electors the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; such additional levy to constitute a tax levy of three and nine-tenths (3.9) mills for each one dollar of valuation, which amounts to thirty-nine cents (\$0.39) for each one hundred dollars of valuation, to be in effect for a period of five 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.

**SECTION 3.** In the event that the Ohio legislature reschedules the November 5, 2013 general election, the additional tax levy shall be submitted to the electors on the rescheduled general election date.

**SECTION 4.** The Clerk of Council is authorized and directed to certify to the Board of Elections not later than August 7, 2013: (i) a copy of the Resolution adopted by the County Council declaring the necessity of the replacement of the 2.9 mills and an increase of 1.0 mill levy; (ii) the certification by the Fiscal Officer as to the total current tax valuation of the County and the dollar amount of revenue to be generated by such levy; and (iii) a copy of this Resolution. This County Council requests that the Board of Elections give notice of the election and prepare the necessary ballots and supplies for the election in accordance with the law.

**SECTION 5.** The Director of the Board of Elections is hereby directed to cause notice of the election to be published once a week for four (4) consecutive weeks prior to the election in a newspaper of general circulation in the County, stating the purpose, the rate of the proposed tax levy, expressed in dollars and cents for each one hundred dollars of valuation as well as in mills for each one dollar of valuation, the number of years during which the levy shall be in effect, the first month and year in which the tax will be levied, and the time and place of the election. The Director of the Board of Elections is hereby directed to certify the result of the election, immediately after the canvas by the Board of Elections, to the taxing authority of the County, in order to permit the enactment of such levy, if approved by the electorate, for a period of five 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.



**SECTION 6.** The form of the Ballot to be used at such election shall be as follows:

**PROPOSED REPLACEMENT AND INCREASE TAX LEVY (HEALTH AND HUMAN SERVICES LEVY)**

**CUYAHOGA COUNTY**

A Majority Affirmation Vote is necessary for passage.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

A replacement of 2.9 mills of an existing health and human services levy and an increase of 1.0 mill to constitute a tax for the benefit of Cuyahoga County, for the purpose of SUPPLEMENTING GENERAL FUND APPROPRIATIONS FOR HEALTH AND HUMAN OR SOCIAL SERVICES, at a rate not exceeding 3.9 mills for each one dollar of valuation, which amounts to \$0.39 for each one hundred dollars for valuation, for five years, commencing in January 2013, first due in calendar year 2014.

**SECTION 7.** 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, 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 8.** 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. R2013-0133

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to extend the term during which Council may act on Executive appointments, specify the role demographic considerations should play in the exercise of appointment authority, and add an interim appointment provision.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Sections 2.03(2) of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

## SECTION 2.03 POWERS AND DUTIES.

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies commissions and authorities as are provided by general law to be appointed by boards of county commissioners. If the Council shall fail to act on the question of such an appointment by the County Executive within ~~thirty~~**sixty** days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council. **Subject to any applicable qualifications or requirements for officers and members of each board, agency, commission or authority**, the County Executive and the Council shall use good faith efforts to ~~reflect the diversity of people of the County~~ **consider emerging and underrepresented demographics** in appointing such officers and members.

**The County Executive may appoint interim officers to serve as any departmental director, as Inspector General, or in any position outlined in Article V of this Charter without confirmation by the Council for a period not to exceed 120 days. An interim appointment may continue beyond 120 days by extension or reappointment or another person may be successively appointed to the same position on an interim basis only if confirmed by the Council prior to the expiration of the initial interim appointment.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.03(2) shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

### **PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.03(2) Powers and Duties of the Charter of the County of Cuyahoga be amended to extend the term during which Council may act on Executive appointments, specify the role demographic considerations should play in the exercise of appointment authority, and add an interim appointment provision?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.03(2) which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise

distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee:  
Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0134

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to impose a duty on Council to enact campaign finance laws governing the election of County officers and officials.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.09 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 3.09 POWERS AND DUTIES OF THE COUNCIL.

The legislative power of the County, including the power to introduce, enact and amend ordinances and resolutions relating to all matters within the legislative power of the County, is vested in the Council. All powers **and duties** of the Council shall be exercised by ordinance or resolution and shall include, but not be limited to, the following:

\*\*\*\*\*

**(13) To enact campaign finance laws governing the election of any County officers and officials including, without limitation, campaign finance limits and donor disclosure requirements.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.09 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.09 Powers and Duties of the Council of the Charter of the County of Cuyahoga be amended to impose a duty on Council to enact campaign finance laws governing the election of County officers and officials?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.09 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee Assigned:

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



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0135

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to require the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article V, Section 5.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL.**

Each of the officers provided for in this Article V shall be appointed by the County Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive. **The County Executive shall solicit the advice of the Administrative Judges of the courts served by the Clerk of Courts for his or her consideration in making the appointment of the Clerk of Courts.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article V, Section 5.01 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article V, Section 5.01 Appointment; Confirmation by Council of the Charter of the County of Cuyahoga be amended to require the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article V, Section 5.01 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0136

<b>Sponsored by: Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution becomes immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to clarify the role of the Board of Revision.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article VI, Section 6.02 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### **SECTION 6.02 BOARD OF REVISION.**

~~There shall be one or more Boards of Revision, each consisting of three electors of the County. Two members of each board, who shall not be of the same political party, shall be appointed by the Council, and one member shall be appointed by the County~~

~~Executive, each for a term of three years. Each Board of Revision shall exercise all duties of a county board of revision as prescribed by general law. The Council may provide for compensation for members of a Board of Revision.~~

**(1) The County shall have a single Board of Revision, consisting of three members, which shall perform all powers and duties of county boards of revision under general law and such other powers and duties not inconsistent therewith as provided herein or by ordinance. As of the effective date of this provision, the Board shall consist of the County Executive, one appointee of the Council President, and, at the choice of the County Executive, either the Fiscal Officer or Treasurer.**

**(a) At the choice of the Council President, the Council President's appointee may either be a member of Council or any other elector of the County. The term of the Council President's first appointee shall be from the effective date of this provision until January 4, 2016. The term of subsequent appointees shall be for a period of two years commencing on the fifth day of January and every two years thereafter.**

**(b) If a vacancy occurs in the Council President's appointee position, the Council President shall appoint a new member to complete the unexpired term.**

**(c) The Council President's appointee shall not belong to the same political party as the County Executive at the time of the appointment.**

**(2) The Board shall elect a chairperson, a secretary, and other officers as it deems appropriate at its organizational meetings.**

**(3) The Board shall have the power to set the hearing schedule for matters before it, and to make and amend its own internal operating rules, procedures, and regulations.**

**(4) The Board may employ administrative staff, including an administrator, as it deems necessary, to assist it in the performance of its powers and duties. All employees of the Board shall be unclassified employees.**

**(5) The Board shall employ or otherwise engage individuals to serve on one or more three-member hearing panels to hear complaints as to the value of real property and to perform other duties assigned to them by the Board. The individuals serving on hearing panels shall be electors of the County; shall serve at the pleasure of the Board; and shall abide by the Board's hearing schedule, rules, procedures, and regulations in performing their duties.**

**(6) The Board shall establish merit qualifications for the individuals serving on hearing panels as it deems necessary for them to perform their duties. In establishing the merit qualifications, the Board shall strive to employ or otherwise engage highly qualified individuals to elevate the citizens' trust in the system.**

**(7) The Board may not itself hear complaints related to the valuation of real property, and no member of the Board may serve on any of the hearing panels. The decisions of the hearing panels relating to real property valuation complaints shall constitute the final decisions of the Board and shall not be subject to further review by the Board itself.**

**(8) No member of the Board or any of the hearing panels may have any ex parte communications with any party, elected officials, county employees, or any other person regarding the merits of a pending matter before the panel. The Board shall enact and publish additional rules, procedures, or regulations to ensure that the system is administered fairly, including rules, procedures, or regulations governing conflicts of interest.**

**(9) The Board may utilize any boards of revision or hearing panels in existence as of the effective date of this provision as hearing panels to avoid any interruption of services.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article VI, Section 6.02 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article VI, Section 6.02 Board of Revision of the Charter of the County of Cuyahoga be amended to clarify the role of the Board of Revision?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article VI, Section 6.02 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0137

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to specify actions of Council that do not require Executive approval to be binding.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.10(5) of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:



SECTION 3.10 ORGANIZATION, RULES AND PROCEDURES.

(5) Adoption by Council. No action of the Council shall be valid or binding unless adopted by an affirmative vote of at least a majority of the members of Council. Each **adopted** ordinance or resolution shall be signed by the presiding officer and promptly presented by the Clerk of Council to the County Executive for approval or disapproval. **Notwithstanding the foregoing, the following actions shall be finally approved or disapproved upon action by Council, without presentation to the County Executive for approval or disapproval:**

- (a) Adoption or amendment of the rules and order of business of the Council;**
- (b) Adoption of the schedule of Council meetings, creation of committees, and other actions relating to the internal operations of the Council;**
- (c) Adopting an organizational structure for the Council office, consistent with the County's operating budget;**
- (d) Hiring and setting compensation for employees of the Council office, consistent with the County's operating budget;**
- (e) Approval of contracts or amendments to contracts not to exceed \$100,000 for services for the Council office, consistent with the County's operating budget;**
- (f) Confirmation of appointments recommended by the County Executive;**
- (g) Making of appointments designated in this Charter to be made by Council;**
- (h) Adoption of resolutions to require the attendance of any County employee or officer at Council meetings;**
- (i) Adoption of resolutions to compel the attendance of witnesses, issue subpoenas, or refer matters to the Prosecuting Attorney in accordance with Article III, Section 3.12;**
- (j) Submission of proposed amendments to this Charter to the electors of Cuyahoga County.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.10(5) shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.10(5) Organization, Rules and Procedures of the Charter of the County of Cuyahoga be amended to specify actions of Council that do not require Executive approval to be binding?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.10 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0138

<b>Sponsored by: Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to insure the continuation of the Inspector General's Office by establishing the Agency of the Inspector General in the Charter.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of adding Article XIV, Section 14.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 14.01 AGENCY OF INSPECTOR GENERAL.**

The County's Agency of Inspector General shall serve as the County's chief ethics officer and shall have all powers and duties to investigate fraud, corruption, waste, abuse, misfeasance, malfeasance, and nonfeasance, including the power and duties to investigate all county contracts, without interruption from any other public official or employee. The Inspector General shall have the independent power to issue subpoenas and to conduct sworn examinations and depositions as necessary for the Agency to conduct its functions. The Inspector General shall appoint a Deputy Inspector General who shall serve at the pleasure of the Inspector General.

**(1) Initial Term, Appointment, Term, and Removal of the Inspector General.**

(a) The initial term of the incumbent Inspector General shall continue until June 30, 2016, and the incumbent Inspector General shall have the right to continue to serve as the County's first Inspector General without any further action needed until June 30, 2016. Effective July 1, 2016, the Inspector General shall be appointed by the County Executive, subject to confirmation by County Council. The term of the Inspector General shall be five years commencing on July 1, 2016, with subsequent terms commencing every five years on the first day of July.

(b) In the case of a vacancy in the position of Inspector General, the Executive shall appoint a successor Inspector General, subject to confirmation of Council, to fill the remaining term of the Inspector General. Notwithstanding any other provision in the Charter to the contrary, the Deputy Inspector General shall serve as the Acting Inspector General during any vacancy, and the Executive may not appoint an interim Inspector General.

(c) The Inspector General may be removed from office for inefficiency, neglect of duty, or malfeasance in office after notice and public hearing before the Council, provided that at least two-thirds of the Council and the County Executive concur. Either the County Executive or the Council may initiate the process to remove the Inspector General.

**(2) Contracting with other Entities.** The County shall have the right to contract on behalf of the Agency of Inspector General to have the Agency of Inspector General provide similar services to any other governmental funded entities, county hospitals, agencies, authorities, municipalities, districts, or political subdivisions.

**(3) Confidential Investigatory Files.** Without regard to how such documents are received by the Agency, all documents prepared or received by the Agency of the Inspector General, including, but not limited to, all complaints, tips, hotline messages, and any other filings and submittals received by the Agency shall be considered part of the Inspector General confidential investigatory files. Such records shall be exempt from disclosure until the matter is concluded and the investigation is closed by the Inspector General and any other investigatory agencies with jurisdiction over the matter. In the event such records are publicly

disclosed, the Inspector General shall take measures to protect the privacy of complainants and witnesses to the extent permitted by law.

**(4) Agency of Inspector General's Budget, Facilities, Furniture, Equipment, and Software.**

**(a) The County Council shall appropriate funds for the Agency of Inspector General sufficient for the Agency to exercise its powers and duties as established herein. The budget of the Agency of Inspector General shall be based on a fixed formula established by county ordinance in order to ensure that the Agency can function without political interference. If the County Council fails to appropriate the necessary funds for the Agency to carry out its functions as provided herein, the Agency shall have the right to institute legal action in court to compel the County to appropriate the necessary funds for its operations.**

**(b) The County shall provide the Agency of Inspector General with appropriately located office space and sufficient physical facilities, including office furniture, equipment, and software commensurate with other County departments of similar size and needs.**

**(5) Limitations on the Agency of Inspector General.**

**(a) The Inspector General shall not interfere with any ongoing criminal, administrative, civil, or such other investigation or prosecution in the performance of his/her duties.**

**(b) The Inspector General shall manage the Agency and conduct all investigations in a manner that protects the constitutional and civil rights of any person who is the subject of an investigation as well as the constitutional and civil rights of any potential witnesses.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment creating Article XIV, Section 14.01 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XIV, Section 14.01 Agency of Inspector General of the Charter of the County of Cuyahoga be added to establish the Agency of Inspector General in the Charter and provide for its funding, structure, operations, and authority?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XIV, Section 14.01 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0139

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to prevent the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.03 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:



### SECTION 3.03 RESIDENCY REQUIREMENT.

A Council candidate shall have been an elector of the County for at least two years immediately prior to filing of a declaration of candidacy or appointment to fill a vacancy and shall also have been a resident of the district he or she wishes to serve for at least thirty days immediately prior to filing of candidacy or appointment to fill a vacancy. Once elected or appointed, Council members shall reside within **their respective districts during the tenure of their terms; however, a Council member shall not be disqualified from serving the full term to which the member has been elected due to redistricting.** ~~the County, and members elected from districts shall reside within their respective districts, during the tenure of their terms.~~

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.03 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

### **PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.03 Residency Requirement of the Charter of the County of Cuyahoga be amended to prevent the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.03 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0140

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to require any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Section 2.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 2.01 COUNTY EXECUTIVE.**

The County Executive shall be the chief executive officer of the County. The County Executive shall first be elected at the 2010 general election and shall hold office for a term of four years commencing on the first day of January 2011. Any candidate for election as County Executive shall **have been** ~~be~~ an elector of the County **for at least two years immediately prior to the time of** filing of the declaration of candidacy, shall be nominated and elected in the manner provided for county officers by general law and this Charter and during the entire term of office shall remain an elector of the County. The County Executive shall not, except as authorized by the Council, hold or accept other employment or public office.

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.01 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.01 County Executive of the Charter of the County of Cuyahoga be amended to require any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.01 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0141

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to allocate legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 4.01 PROSECUTING ATTORNEY: ELECTION, DUTIES AND QUALIFICATIONS.**

The Prosecuting Attorney shall be elected, and, **subject to the provisions of Section 5.06 of this Charter**, the duties of that office, and the compensation therefor, including provision for the employment of outside counsel, shall continue to be determined in the manner provided by general law.

**SECTION 5.06 DIRECTOR OF LAW: POWERS, DUTIES AND QUALIFICATIONS.**

**Except as provided below**, the Director of Law shall be the legal advisor to and representative of the County Executive, County Council, **and all County departments, offices, agencies, and other authorities responsible to the Council and the County Executive**. The Director of Law shall be an attorney at law in good standing in the State of Ohio and shall have had at least five years' experience in advising or representing political subdivisions in Ohio. **The Director of Law shall:**

- (1) Give written opinions as to the law when specifically requested to do so by the Council or the County Executive;**
- (2) Represent the County, the County Executive and the Council in administrative proceedings and labor negotiations;**
- (3) Act as counsel for the County, the County Executive and/or the Council, except upon the initiation of any court proceeding instituted by or against the County of Cuyahoga, the Council, the County Executive, or any of the other entities listed in this section; and**
- (4) Perform any other duties assigned by the Council or County Executive.**

**The Director of Law shall be responsible for the employment of outside counsel in the performance of his or her duties.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article IV, Section 4.01 and Article V, Section 5.06 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article IV, Section 4.01 Prosecuting Attorney: Election, Duties and Qualifications and Article V, Section 5.06 Director of Law: Powers, Duties and Qualifications of the Charter of the County of Cuyahoga be amended to allocate legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article IV, Section 4.01 and Article V, Section 5.06 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee Assigned:

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



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0142

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to adjust the timeline for the appointment process and the term of the Charter Review Commission requiring the appointment and confirmation be made before the first day of July and the term commence on the first day of September in the year in which the appointment is made.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article XII, Section 12.09 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 12.09 CHARTER REVIEW COMMISSION.

Commencing in ~~September~~ 2012, in ~~September~~ 2017, and at intervals of ten years thereafter, the County Executive, with the confirmation of the Council, shall **before the first day of July** appoint a Charter Review Commission consisting of nine electors of the County, no more than five of whom may be of the same political party, and no more than two of whom may be an officer or employee of the County. Appointment to the Charter Review Commission shall be for a term of one year **commencing on the first day of September in the year in which the appointment is made**. Members of the Charter Review Commission shall serve without pay and shall serve on no more than three consecutive Charter Review Commissions, unless such service is within a ten-year period. The Council shall establish rules and procedures for the operation of the Charter Review Commission and the County Executive shall provide the Commission necessary staff services.

The initial Charter Review Commission shall include in its deliberations consideration of changes in this Charter for the purpose of providing more effective representation of indigent defendants, for adequate funding and support for the operation of the office of the County public defender, and for the appropriate method for selection of the County public defender.

The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate. The final report of each Charter Review Commission, which shall include all proposed charter amendments and a summary of the Commission's activities, shall be transmitted to the Council for consideration by the first day of July following the formation of the Charter Review Commission. The Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments.

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article XII, Section 12.09 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XII, Section 12.09 Charter Review Commission of the Charter of the County of Cuyahoga be amended to require the County Executive, with confirmation by the Council, appoint a Charter Review Commission before the first day of July and to require the Commission's term commence on the first day of September in the year in which the appointment is made?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XII, Section 12.09 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0143

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in case of a vacancy; and declaring the necessity that this Resolution becomes immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to more clearly specify succession in case of a vacancy of the County Executive.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Section 2.04 Vacancy of the County Executive the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 2.04 VACANCY.

**The County Executive shall designate, subject to confirmation by the Council, one officer appointed under Article V of this Charter to succeed as County Executive on an interim basis in the event the office of the County Executive becomes vacant prior to the expiration of his or her term by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason. ~~In the event the office of the County Executive becomes vacant by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason,~~ In the event no designee of the County Executive has been confirmed prior to the office of the County Executive becoming vacant, the President of Council shall succeed to the office of County Executive on an interim basis. If a vacancy occurs more than thirty (30) days prior to the filing deadline for the primary for the countywide general election held during the second year of a four-year term, the interim succession shall be for a period until the end of the calendar year following that same countywide general election, at which election the position shall be filled for the remainder of the unexpired term. Otherwise, the interim succession shall extend for the remainder of the four-year term. ~~in the first or second year of a four-year term, the interim succession shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the principal term. If a vacancy occurs in the third or fourth year of a four-year term, the interim succession shall extend until the next countywide general election, at which time the position shall be filled for the next four-year term.~~ The interim succession of the President of Council to the office of County Executive as provided herein shall create a vacancy in the membership of County Council and in the position of President of Council. Upon the occurrence of a vacancy in the position of President of Council, the Vice-President of Council shall assume the position of President, and the Council shall elect a member to serve as Vice-President. The Council seat vacated by the former ~~Council president~~ **President of Council** shall be filled ~~in the manner described herein~~ **as provided for in Article III, Section 3.05 or 3.06, as applicable.****

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.04 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.04 be amended to require the County Executive to designate a successor to fill the Executive's position on an interim basis should a vacancy occur, and to more clearly specify the order of succession in case of a vacancy?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.04 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0144

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to clarify the length of appointment should a vacancy arise in the Council.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.07 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 3.07 VACANCIES; LENGTH OF APPOINTMENT.**

~~If a vacancy occurs in the first or second year of a four-year term, the interim appointment shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the unexpired term. If a vacancy occurs in the third or fourth year of a four-year term, the interim appointment shall extend until the next countywide general election, at which time the position shall be filled for the next four-year term.~~ **at least thirty (30) days prior to the filing deadline for the primary for the countywide general election held during the second year of a four-year term, the interim appointment shall be for a period until the end of the calendar year following that same countywide general election, at which election the position shall be filled for the remainder of the unexpired term. Otherwise, the interim appointment shall extend for the remainder of the four-year term.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.07 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.07 Vacancies and Length of Appointment of the Charter of Cuyahoga County be amended to clarify the length of appointment in case of a vacancy on the Cuyahoga County Council?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.07 are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0145

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to require that the County of Cuyahoga appoint a board to regularly conduct a performance audit of the Cuyahoga County Justice System.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article XI to add Section 11.05 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 11.05 PERFORMANCE AUDIT OF CUYAHOGA COUNTY'S JUSTICE SYSTEM.**

**The Cuyahoga County Executive shall, no later than February 1, 2014, and every five years thereafter, appoint an independent organization or university with nationally recognized expertise in the area of the administration of justice to conduct a performance audit of the County's justice system. The performance audit will recommend best practices that would improve the justice system's efficiency, effectiveness and fairness. The organization selected shall be subject to the approval of the Council.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article XI to add Section 11.05 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XI of the Charter of Cuyahoga County be amended to add Section 11.05 requiring regular performance audits be conducted of the Cuyahoga County Justice System?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XI which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective upon the signature of the County Executive.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0146

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to establish the term of appointment and process of removal of the Sheriff.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article V, Section 5.01 and 5.08 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL.**

Each of the officers provided for in this Article V shall be appointed by the County Executive subject to confirmation by Council, and shall serve at the pleasure of the County Executive **unless otherwise specified herein.**

**SECTION 5.08 SHERIFF: POWERS, DUTIES AND QUALIFICATIONS.**

All powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff. The Sheriff shall possess and continue to maintain the qualifications provided by general law for the office of county sheriff and in addition shall have had at least five years' experience in law enforcement or in correctional facilities management. **The Sheriff shall be appointed for a term of four years commencing on January 1, 2016. The Sheriff may only be removed from office by the County Executive prior to the expiration of his or her term subject to the approval of at least two-thirds of the Council.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article V, Sections 5.01 and 5.08 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article V, Section 5.01 Appointment; Confirmation by Council and Section 5.08 Sheriff: Powers, Duties and Qualifications of the Charter of Cuyahoga County be amended to establish a term of appointment and process of removal of the Sheriff?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article V, Sections 5.01 and 5.08 are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0147

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to rename the "Human Resource Commission" the "Personnel Review Commission," to clarify the Personnel Review Commission's administrative powers and duties, and to formally establish an office of the Director of Human Resources.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Sections 2.03(12) and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 of the Charter of the County of



Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### SECTION 2.03 POWERS AND DUTIES.

(12) To conduct collective bargaining ~~regarding wages and compensatory benefits~~ with any recognized employee bargaining unit ~~in conjunction with the Human Resource Commission,~~ and, administer uniform personnel procedures for all County employees, **and to provide quarterly reports to the Personnel Review Commission regarding the County's collective bargaining strategies and approved contracts.**

#### SECTION 9.01 ~~HUMAN RESOURCE COMMISSION~~**PERSONNEL REVIEW COMMISSION.**

**There shall be a Personnel Review Commission.** The County Executive, subject to confirmation by the Council, shall appoint the members of **the Personnel Review Commission** ~~a Human Resource Commission~~, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations. No more than two of the three members of the **Personnel Review Commission** ~~Human Resource Commission~~ shall be members of the same political party. **The Personnel Review Commission is authorized to employ persons in the service of the County.** The **Personnel Review Commission** ~~Human Resource Commission~~ shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. The County's human resources policies and systems, including ethics policies for County employees, shall be established by ordinance and shall be administered in such manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry. **The Personnel Review Commission shall submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council. In the event the Personnel Review Commission does not endorse an ordinance, the Personnel Review Commission may provide a Statement of Non-Endorsement to the County Council.**

The term of office of each member of the **Personnel Review Commission** ~~Human Resource Commission~~ shall be six years. The terms shall be staggered so that no term expires within less than two years of the expiration of any other term. The County Executive shall fill a vacancy occurring for an unexpired term in the same manner as a regular appointment.

Of the terms of office for the initial appointees, one shall be appointed for a term of six years, one shall be appointed for a term of four years and one shall be appointed for a term of two years. The County Executive shall nominate the initial appointees to the **Personnel Review Commission** ~~Human Resource Commission~~ not later than March 1, 2011 and thereafter within thirty days after the occurrence of a vacancy.

No member of the **Personnel Review Commission** ~~Human Resource Commission~~ shall hold any other public office or public employment with the County. The Council shall

establish a per diem compensation for the members of the **Personnel Review Commission** ~~Human Resource Commission~~.

The County Executive may remove any member of the **Personnel Review Commission** ~~Human Resource Commission~~ for inefficiency, neglect of duty or malfeasance in office after notice and public hearing before the Council, provided that ~~eight~~ **two-thirds of the** members of the Council concur.

#### SECTION 9.02 AUTHORITY OF ~~HUMAN RESOURCE COMMISSION~~**PERSONNEL REVIEW COMMISSION**.

The **Personnel Review Commission** ~~Human Resource Commission~~ shall have:

(1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, **including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;**

(2) Responsibility for administration of ~~countywide~~ compliance with federal and state laws regarding personnel matters **within the County Executive's organization and departments** ~~which the County is the reporting unit and for maintenance of records required by such laws;~~

(3) **For the County Executive's organization and departments,** authority to ensure:

- Pay equity for like positions;
- Standardization of benefits;
- Approval of qualifications;
- Consistent discipline;
- Training of management in personnel practices;
- Training of employees in job functions;
- Training for total quality management;
- Consistent administration of performance management system;
- Coordination of recruitment;
- Compliance with ethics resolutions or ordinances as passed by the Council;

(4) **Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in this Charter;**

(45) Such other functions as may be deemed necessary by the Council for the **Personnel Review Commission** ~~Human Resource Commission~~ to carry out its mission and purpose.

#### SECTION 9.03 CLASSIFICATION.

The **Personnel Review Commission** ~~Human Resource Commission~~ shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification. The classification system shall include the employees of the offices listed in Article V of this Charter, as well as those of the County Executive and County Council except those employees in positions designated as unclassified by general law. The classification system shall, to the extent permitted by the Ohio Constitution, include

the **classified** employees of all offices, officers, agencies, departments, boards, commissions or other public bodies, other than separate political subdivisions, that are supported in whole or in part from taxes levied, or other financial assistance provided, by the County.

#### SECTION 9.04 APPOINTING AUTHORITIES.

The County Executive and the officers, offices, agencies, departments, boards and commissions and other public bodies, who under this Charter or under general law are authorized to employ persons in the service of the County, shall be appointing authorities. Persons interested in employment with the County shall make application to the Department of Human Resources. No appointing authority shall appoint a person to fill a vacancy in the classified service who does not meet the qualifications for that position approved by the **Personnel Review Commission** ~~Human Resource Commission~~. All Appointing Authorities shall strive in making appointments in both the classified and the unclassified service to ensure that the diversity of the population of the County is reflected in the persons who are employed by the County.

#### SECTION 9.05 DEPARTMENT OF HUMAN RESOURCES.

There shall be a Department of Human Resources, which shall, **as part of its duties**, ~~serve under the direction of and~~ perform such functions on behalf of the **Personnel Review Commission** ~~Human Resource Commission~~ as the Commission shall **delegate** ~~prescribe~~. **The Department of Human Resources shall provide regular reports to the Personnel Review Commission regarding the Department's performance of such delegated functions in accordance with timeframes established by the Personnel Review Commission.**

#### SECTION 9.06 DIRECTOR OF HUMAN RESOURCES: POWERS, DUTIES AND QUALIFICATIONS.

**The Director of Human Resources shall be appointed by the Executive to manage County employment matters including hiring, firing, discipline, layoffs, training, benefits, time and attendance, HR compliance, and drafting policies and procedures. The Director shall be responsible for offering support to the law department on all labor and employment matters. The Director of Human Resources shall have a minimum of five years of experience advising or working in the public sector, experience in employment related matters, management experience or related relevant experience.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Sections 2.03(12) and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.03(12) Powers and Duties, and Article IX of the Charter of the County of Cuyahoga be amended to rename the “Human Resource Commission” the “Personnel Review Commission,” to clarify the Personnel Review Commission’s administrative powers and duties, and to formally establish an office of the Director of Human Resources?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.03(12) and Article IX, Sections 9.01 through 9.05 and the addition of 9.06 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0125

Sponsored by: <b>Councilmembers Brady and Jones</b>	<b>A Resolution</b> declaring the necessity of submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on May 4, 2010 the electors of Cuyahoga County approved a 2.9 mill tax levy for the purpose of providing health and human or social services for a period of four years; and

WHEREAS, the County Council requests the declaration of the necessity of submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 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 a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill constitutes a tax levy of three and nine-tenths (3.9) mills for each one dollar of valuation, which amounts to thirty-nine cents (\$0.39) for each one hundred dollars of valuation, to be in effect for a period of five 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 a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 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 replacement of the 2.9 mills and an increase of 1.0 mill 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: June 25, 2013  
Committee(s) Assigned: Health, Human Services & Aging

Journal CC011  
July 9, 2013



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0126

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 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

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 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 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: June 25, 2013  
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC011  
July 9, 2013

# 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 Ordinance 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: June 25, 2013  
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC011  
July 9, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0148

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. 21A022 – Sisters of Charity Foun. Of Cle-N.E.S.T EC720946 – Sisters of Charity Foun. -N.E.S.T Program Other Expenses \$ 75,000.00	<b>BA1302148</b>

Funding Source: Funding is from the Sisters of Charity Foundation of Cleveland - N.E.S.T award. The grant commencing from April 1, 2013 to April 1, 2014. The award was approved by the County Executive on May, 16 2013, Approval no. CPB2013-363.

B.	21A019 – The What to Expect Foun. Baby Basics Prgm	<b>BA1302149</b>
	EC720953 – The What to Expect Foun. Baby Basics Prgm	
	Other Expenses	\$ 30,000.00

Funding Source: Funding is from The What to Expect Foundation. The grant commencing from June 1, 2013 to May 31, 2014. The award was approved by the County Executive on May, 23 2013, Approval no. CPB2013-391.

C.	22A788 – SHP Domestic Violence Center	<b>BA1302146</b>
	HS754150 – SHP 12’ Domestic Violence Center	
	Other Expenses	\$ 77,167.00

Funding Source: Funding is from the United States Department of Housing & Urban Development for the McKinney-Vento Homeless Assistance Act, for Domestic Violence Center in the amount of \$77,167.00 covering the period September 1, 2013 through August 31, 2015.

D.	22A753 – SHP 10’ SA PASS Supportive	<b>BA1302151</b>
	HS754143 – SHP 12’ SA PASS Supportive	
	Other Expenses	\$ 270,705.00

Funding Source: Funding is from the United States Department of Housing & Urban Development for the McKinney-Vento Homeless Assistance Act, for PASS SSO Program in the amount of \$270,705.00 covering the period August 1, 2013 through September 30, 2015.

E.	22A063 – SHP’ 10 SA PASS Transitional	<b>BA1302150</b>
	HS754168 – SHP’ 12 SA PASS Transitional	
	Other Expenses	\$ 537,741.00

Funding Source: Funding is from the United States Department of Housing & Urban Development in connection with the Continuum of Care for Homeless Assistance program for the Supportive Housing program covering the period October 1, 2013 through September 30, 2015.

F1.	24A510 – Work & Training Admin	<b>BA1302094</b>
	WT137141 Client Support Services	
	Other Expenses	\$ (67,954.00)

F2.	24A510 – Work & Training Admin	
	WT137109 Admin Services-General Manager	
	Other Expenses	\$ (22,119.00)

F3.	24A510 – Work & Training Admin	
	WT137943 Information Services	
	Other Expenses	\$ (4,825.16)

F4.	24A510 – Work & Training Admin WT137315 Work First Services Other Expenses	\$	(316,932.73)
F5.	24A510 – Work & Training Admin WT137471 Mount Pleasant NFSC Other Expenses	\$	(155.80)
F6.	24A510 – Work & Training Admin WT137539 West Shore NFSC Other Expenses	\$	(24,178.88)

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

G.	24A510 – Work and Training WT137315 – Work First Services Other Expenses	\$	1,154,378.00	<b>BA1301324</b>
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Funding Source: Funding is from the Ohio Dept of Job and Family Services for the purpose of employing area students. The total award is now \$4.7 million for 2013. The grant period is May 2013 to August 2013. HHS Job and Family Services is funded by Federal, State, and HHS Levy Fund resources.

H.	21A512 – CCA 408 Jail/Misdemeanant CO741603- Pretrial Release Program FY14 Personal Services	\$	639,782.00	<b>BA1301316</b>
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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.	20A720 – Urinalysis Testing CO446070- Urinalysis Testing Fees Other Expenses	\$	10,000.00	<b>BA1301309</b>
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Funding Source: Funding is from fees collected for urinalysis testing covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the special revenue fund for the increased appropriations.

J.	20A377 – Probation Supervision Fees CO507228- Probation Supervision Fees Other Expenses	\$	25,000.00	<b>BA1301310</b>
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Funding Source: Funding is from fees collected for probation supervision covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the special revenue fund for the increased appropriations.

K.	21A578 – Juvenile Justice Delinquency Prevention Block Grant JA757278- JJDP Block Grant-Cuyahoga County Title II 2012 Other Expenses	\$	71,518.00	<b>BA1301313</b>
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Funding Source: Funding is from United States Department of Justice, Office of Justice Programs passed through the Ohio Department of Youth Services covering the period October 1, 2012 through September 30, 2013. No cash match is required.

L.	20A635 – Title IV-E - Juvenile Court JC517326 – Title IV-E Administration Juvenile Court Personal Services	\$ 63,763.98	<b>BA1301323</b>
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Funding Source: Funding comes from U.S. Department of Health and Human Services passed through the Ohio Department of Jobs and Family Services.

M.	20A606 – Fatherhood Initiative SE507152 – Fatherhood Initiative Other Expenses	\$ 1,000.00	<b>BA1301346</b>
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Funding Source: Funding is a grant award from the St. Luke’s Foundation. The funding period is from January 1, 2013 to December 31, 2013.

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

<b><u>Fund Nos./Budget Accounts</u></b>	<b><u>Journal Nos.</u></b>
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A.	. FROM:	24A601 – Senior and Adult Services SA138610 –Care Management Support Other Expenses	\$ 15,116.00	<b>BA1302093</b>
	TO:	24A601 – Senior and Adult Services SA138503 – Information and Outreach Other Expenses	\$ 15,116.00	

Funding Source: The funding source is the Health and Human Services Levy Fund, the Public Assistance allocations, and fees for direct services provided to clients.

B.	FROM:	20A603 – Probate Court Special Prj PC404616 – Probate Crt Special Prjs Capital Outlay	\$ 400.00	<b>BA1301320</b>
	TO:	20A603 – Probate Court Special Prj PC404616 – Probate Crt Special Prjs Other Expenses	\$ 400.00	

Funding Source: Funding is from the Probate Court Special Projects Fund covering the period January 1, 2013-December 31, 2013.

C.	FROM:	01A001 – General Fund DR391052 – Domestic Relations Personal Services	\$ 38,200.00	<b>BA1301345</b>
	TO:	01A001 – General Fund		

DR391052 – Domestic Relations  
 Other Expenses \$ 38,200.00

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

D. FROM: 21A218 – FFY11 State SHSP-Law Enforcement **BA1301308**  
 (SHSPLE)  
 JA768044 – FFY11 State Homeland-Law Enforcement 11/14  
 Capital Outlays \$ 175,000.00

TO: 21A218 – FFY11 State SHSP-Law Enforcement (SHSPLE)  
 JA768044 –FFY11 State Homeland-Law Enforcement 11/14  
 Other Expenses \$ 175,000.00

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 December 31, 2013.

E. FROM: 21A837 – State Homeland Security (SHSG) **BA1301311**  
 JA763508 – SHSP FY12-Spec. Response Equip 12/14  
 Other Expenses \$ 4,238.30

TO: 21A837 – State Homeland Security (SHSG)  
 JA763508 –SHSP FY12-Spec. Response Equip 12/14  
 Capital Outlays \$ 4,238.30

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2012 through May 30, 2014.

F. FROM: 21A500 – Urban Area Security Initiative (URSI) **BA1301314**  
 JA741322 – FY10 Urban Area Security Initiative (UASI)  
 Other Expenses \$ 163,019.42

TO: 21A500 – Urban Area Security Initiative (URSI)  
 JA741322 –FY10 Urban Area Security Initiative (UASI)  
 Capital Outlays \$ 163,019.42

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 July 31, 2013.

G. FROM: 01A001 – General Fund **BA1301322**  
 FS109645 – Fiscal Operation – Record/License/Outreach  
 Capital Outlay \$ 139,000.00

TO: 01A001 – General Fund  
 FS109645 – Fiscal Operation – Record/License/Outreach  
 Other Expenses \$ 139,000.00

Funding Source: Funding comes from the General Fund.

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

<u>Fund Nos. /Budget Accounts</u>		<u>Journal Nos.</u>
A. FROM:	21A500 – Urban Area Security Initiative	<b>JT1305192</b>
	JA741322 – FY10 Urban Area Security Initiative (UASI)	
	Transfer Out	\$ 35,138.22
TO:	21A281 – Northeast Ohio Regional Fusion Center FY09 UASI	
	JA741447 – Northeast Ohio Regional Fusion Center FY09 UASI	
	Revenue Transfer	\$ 35,138.22

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.

B. FROM:	21A762 – Port Security Grant	<b>JT1305194</b>
	JA767855 – Port Security Grant FFY09-2009/2012	
	Transfer Out	\$ 4,721.24
TO:	21A308 – EMA FY2009 Port Security WMD Exercise Program	
	JA769984-Port Wide WMD Maritime Exercise	
	Revenue Transfer	\$ 4,721.24

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 May 31, 2013.

C. FROM:	21A762 – Port Security Grant	<b>JT1305195</b>
	JA767855 – Port Security Grant FFY09-2009/2012	
	Transfer Out	\$ 45,395.00
TO:	21A065 – Cleveland Safe Port	
	SH456079-Cleveland Safe Port	
	Revenue Transfer	\$ 45,395.00

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 May 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 CC011  
July 9, 2013



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



July 2, 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 July 9, 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
Job & Family Services/EFS – Decreasing appropriation for prior year contracts that have been decertified and appropriation is no longer needed. Funding is from Federal and State, as well as the Health & Human Services Levy Fund.	-\$436,165.57
Job & Family Services/EFS – To establish appropriations for a grant from the Ohio Department of Job & Family Services for the purpose of employing area students.	\$1,154,378.00
<b>TOTAL</b>	<b>\$718,212.43</b>

Other Operating Funds	Amount
Common Pleas Court – Additional appropriation to cover Urinalysis Testing expenses through year-end. Funding is from the collection of urinalysis testing fees.	\$10,000.00
Common Pleas Court – Additional appropriation to cover anticipated staff development and other expenses through year-end. Funding is from the collection of probation supervision fees.	\$25,000.00
<b>TOTAL</b>	<b>\$35,000.00</b>

Grants/Projects	Amount
Early Childhood – To establish appropriations for the Networking for Engagement, Stability, and Transformation (NEST) project award from the Sisters of Charity Foundation.	\$75,000.00
Early Childhood – To establish appropriations for the Cuyahoga County Baby Basics Lead Agency Health Literacy Program award from The What to Expect Foundation.	\$30,000.00
Homeless Services – To establish appropriations for the McKinney Vento Homeless Assistance Act, for Domestic Violence (\$77,167) and for PASS SSO Program (\$270,705) from the U.S. Department of Housing & Urban Development.	\$347,872.00
Homeless Services – To establish appropriations for the SHP PASS Transitional Housing Program award from the U.S. Department of Housing and Urban Development.	\$537,741.00
Common Pleas Court – To establish appropriation for the Community Corrections Planning Board’s Pretrial Release Program FY2014 grant from the Ohio Department of Rehabilitation & Correction’s Bureau of Community Sanctions.	\$639,782.00
Justice Services – To establish appropriations in the Juvenile Justice Delinquency Prevention (JJDP) Block Grant Cuyahoga County Title II 2012 grant from the U.S. Department of Justice, Office of Justice Programs.	\$71,518.00

Juvenile Court – Additional appropriation of Title IV-E funds to hire a Behavioral Health manager. Funding is from the Ohio Department of Youth Services.	\$63,763.98
Fatherhood Initiative – To appropriate a grant award from the St. Luke’s Foundation to cover the cost of the 9 <sup>th</sup> Annual Fatherhood Initiative Conference.	\$1,000.00
<b>TOTAL</b>	<b>\$1,766,676.98</b>

<b>Total Additional Appropriations - All Funds</b>	<b>\$2,519,889.41</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.

<b>APPROPRIATION STATUS SUMMARY:</b>				<b>Adjusted Annual</b>
	<u>07/09/2013 Agenda</u>	<u>Year to Date*</u>		<u>Appropriation</u>
General Fund Impact	\$ 0.00	\$ 361,708,846.00	\$	373,147,912.10
HHS Levy Impact	\$ 718,212.43	\$ 222,615,901.00	\$	206,017,738.40
Other Fund Impact	\$ <u>1,801,676.98</u>	\$ <u>919,467,552.00</u>	\$	<u>988,397,269.66</u>
<b>Total Impact</b>	<b>\$ <u>2,519,889.41</u></b>	<b>\$ <u>1,503,792,299.00</u></b>	<b>\$</b>	<b><u>1,567,562,920.16</u></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>
Senior & Adult Services – Realigning appropriation due to the restructuring of the Intake and Information & Outreach units. Funding is from the Health & Human Services Levy Fund, Public Assistance allocations and fees for direct services.	\$15,116.00
Domestic Relations – Realigning appropriations to cover expenses for a contract for a psychologist. Funding is from the General Fund.	\$38,200.00
Fiscal Office – Realigning appropriations within the Operations division to cover the purchase of scanners. Funding is from the General Fund.	\$139,000.00
<b>TOTAL</b>	<b>\$192,316.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Probate Court – Realigning appropriation within the Special Projects division to cover expenses. Funding is from the Special Projects Fund.	\$400.00
<b>TOTAL</b>	<b>\$400.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Justice Services – Realigning appropriations within the Federal Fiscal Year 2011 State Homeland Security Program Law Enforcement 2011/2014 grant to cover a cash transfer to the Northeast Ohio Regional Fusion Center. Funding is from the U.S. Department of Homeland Security.	\$175,000.00
Justice Services – Realigning appropriations within the State Homeland Security Program Federal Fiscal Year 2012 Special Response Equipment 2012 to 2014 project to cover the purchase of First Defender equipment. Funding is from the U.S. Department of Homeland Security.	\$4,238.30
Justice Services – Realigning appropriation within the Urban Area Security Initiative FY2010 grant to cover the purchase of equipment. Funding is from the U.S. Department of Homeland Security.	\$163,019.42
<b>TOTAL</b>	<b>\$342,257.72</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$534,973.72</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.

Grants/Projects	Amount
Justice Services – A cash transfer from the Urban Area Security Initiative to the Northeast Ohio Regional Fusion Center to cover expenditures reported from January through March by the Sheriff’s Department. Funding is from the U.S. Department of Homeland Security.	\$35,138.22
Justice Services – A cash transfer from the Port Security Grant to the Office of Emergency Management WMD Exercise Program (\$4,721.24) and the Cleveland Safe Port (\$45,395) to reimburse expenses reported on the May 2013 financial reports. Funding is from the U.S. Department of Homeland Security.	\$50,116.24
<b>TOTAL</b>	<b>\$85,254.46</b>

<b>Total Cash Transfers - All Funds</b>	<b>\$85,254.46</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: July 2, 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 July 2, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

### **Resolution: Additional Appropriations**

A. 21A022 – Sisters of Charity Foun. Of Cle-N.E.S.T **BA1302148**  
EC720946 – Sisters of Charity Foun. -N.E.S.T Program  
Other Expenses \$ 75,000.00

The Office of Early Childhood is requesting additional appropriation to fully appropriate Sisters of Charity Foundation of Cleveland -N.E.S.T award in support of the planning consultant costs for evaluation services for the Networking for Engagement, Stability and Transformation (NEST) project. The grant commencing from April 1, 2013 to April 1, 2014. The award was approved by the County Executive on May, 16 2013, Approval no. CPB2013-363.

B. 21A019 – The What to Expect Foun. Baby Basics Prgm **BA1302149**  
EC720953 – The What to Expect Foun. Baby Basics Prgm  
Other Expenses \$ 30,000.00

The Office of Early Childhood is requesting additional appropriation to fully appropriate The What to Expect Foundation for the Cuyahoga County Baby Basics Lead Agency Health Literacy Program award in support of the planning costs for the implementation, sustainability and evaluation of the Cuyahoga County Baby Basics Lead Program . The grant commencing from June 1, 2013 to May 31, 2014. The award was approved by the County Executive on May, 23 2013, Approval no. CPB2013-391.

C. 22A788 – SHP Domestic Violence Center **BA1302146**  
HS754150 – SHP 12' Domestic Violence Center  
Other Expenses \$ 77,167.00

To provide appropriations for The Office of Homeless Services recent award from the United States Department of Housing & Urban Development for the McKinney-Vento Homeless Assistance Act, for Domestic Violence Center in the amount of \$77,167.00 covering the period September 1, 2013 through August 31, 2015.

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



D.	22A753 – SHP 10’ SA PASS Supportive HS754143 – SHP 12’ SA PASS Supportive Other Expenses	\$ 270,705.00	<b>BA1302151</b>
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To provide appropriations for The Office of Homeless Services recent award from the United States Department of Housing & Urban Development for the McKinney-Vento Homeless Assistance Act, for PASS SSO Program in the amount of \$270,705.00 covering the period August 1, 2013 through September 30, 2015.

E.	22A063 – SHP’10 SA PASS Transitional HS754168 – SHP’12 SA PASS Transitional Other Expenses	\$ 537,741.00	<b>BA1302150</b>
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The Office of Homeless Services requests additional appropriation of \$537,741.00 for the SHP PASS Transitional Housing program recent award from the United States Department of Housing & Urban Development in connection with the Continuum of Care for Homeless Assistance program for the Supportive Housing program covering the period October 1, 2013 through September 30, 2015.

F1.	24A510 – Work & Training Admin WT137141 Client Support Services Other Expenses	\$ (67,954.00)	<b>BA1302094</b>
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F2.	24A510 – Work & Training Admin WT137109 Admin Services-General Manager Other Expenses	\$ (22,119.00)
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F3.	24A510 – Work & Training Admin WT137943 Information Services Other Expenses	\$ (4,825.16)
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F4.	24A510 – Work & Training Admin WT137315 Work First Services Other Expenses	\$ (316,932.73)
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F5.	24A510 – Work & Training Admin WT137471 Mount Pleasant NFSC Other Expenses	\$ (155.80)
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F6.	24A510 – Work & Training Admin WT137539 West Shore NFSC Other Expenses	\$ (24,178.88)
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Request to decrease appropriation within Job and Family Services. Appropriation should be decreased because corresponding contracts have been decertified and funding is no longer available. The corresponding contracts were for services prior to 2012. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

G.	24A510 – Work and Training WT137315 – Work First Services Other Expenses	\$ 1,154,378.00	<b>BA1301324</b>
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To appropriate the additional award received by the HHS Job and Family Services from the Ohio Dept of Job and Family Services for the purpose of employing area students. The total award is now \$4.7 million for 2013. The grant period is May 2013 to August 2013. HHS Job and Family Services is funded by Federal, State, and HHS Levy Fund resources.

H.	21A512 – CCA 408 Jail/Misdemeanant CO741603- Pretrial Release Program FY14 Personal Services	\$ 639,782.00	<b>BA1301316</b>
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Provide appropriations in the Common Pleas Court Community Corrections Planning Board for the Pretrial Release 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.

I.	20A720 – Urinalysis Testing CO446070- Urinalysis Testing Fees Other Expenses	\$ 10,000.00	<b>BA1301309</b>
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Provide additional appropriations in the Common Pleas Court Urinalysis Testing special revenue fund for anticipated expenses by year's end. Funding is from fees collected for urinalysis testing covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the special revenue fund for the increased appropriations.

J.	20A377 – Probation Supervision Fees CO507228- Probation Supervision Fees Other Expenses	\$ 25,000.00	<b>BA1301310</b>
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Provide additional appropriations in the Common Pleas Court Probation Supervision Fees special revenue fund for anticipated staff development expenses and other expenses by year's end. Funding is from fees collected for probation supervision covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the special revenue fund for the increased appropriations.

K.	21A578 – Juvenile Justice Delinquency Prevention Block Grant JA757278- JJDP Block Grant-Cuyahoga County Title II 2012 Other Expenses	\$ 71,518.00	<b>BA1301313</b>
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Provide additional appropriations in the Juvenile Justice Delinquency Prevention (JJDP) Block Grant-Cuyahoga County Title II 2012 due to additional award from the funding source. Funding is from United States Department of Justice, Office of Justice Programs passed through the Ohio Department of Youth Services covering the period October 1, 2012 through September 30, 2013. No cash match is required.

L.	20A635 – Title IV-E - Juvenile Court JC517326 – Title IV-E Administration Juvenile Court Personal Services	\$ 63,763.98	<b>BA1301323</b>
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The Court requests additional appropriation of Title IV-E funds to hire a manager for its Behavioral Health Juvenile Justice program which provides intensive services to youth and helps them avoid commitments at

Ohio Department of Youth Services. Funding comes from U.S. Department of Health and Human Services passed through the Ohio Department of Jobs and Family Services.

M.	20A606 – Fatherhood Initiative		<b>BA1301346</b>
	SE507152 – Fatherhood Initiative		
	Other Expenses	\$	1,000.00

The Fatherhood Initiative is requesting additional appropriation to fully appropriate an award from the St. Luke’s Foundation for the 9<sup>th</sup> Annual Fatherhood Initiative Conference. The funding period is from January 1, 2013 to December 31, 2013.

**Resolution: Appropriation Transfers:**

A.	FROM:	24A601 – Senior and Adult Services SA138610 –Care Management Support Other Expenses	\$	15,116.00	<b>BA1302093</b>
	TO:	24A601 – Senior and Adult Services SA138503 – Information and Outreach Other Expenses	\$	15,116.00	

Request to transfer appropriation within the Department of Senior and Adult Services. This realignment is due to the restructuring of the Intake Unit and changes in the responsibilities of the Information and Outreach Unit, which is now servicing clients. The funding source is the Health and Human Services Levy Fund, the Public Assistance allocations, and fees for direct services provided to clients.

B.	FROM:	20A603 – Probate Court Special Prj PC404616 – Probate Crt Special Prjs Capital Outlay	\$	400.00	<b>BA1301320</b>
	TO:	20A603 – Probate Court Special Prj PC404616 – Probate Crt Special Prjs Other Expenses	\$	400.00	

The Probate Court is requesting a transfer from capital outlay to other expenses for the purchase of operating supplies. Funding is from the Probate Court Special Projects Fund covering the period January 1, 2013-December 31, 2013.

C.	FROM:	01A001 – General Fund DR391052 – Domestic Relations Personal Services	\$	38,200.00	<b>BA1301345</b>
	TO:	01A001 – General Fund DR391052 – Domestic Relations Other Expenses	\$	38,200.00	

The Domestic Relations Court is requesting a transfer from personal services to other expenses for the requisition of an independently contracted psychologist. Funding is from General Fund covering the period January 1, 2013-December 31,2013.

D.	FROM:	21A218 – FFY11 State SHSP-Law Enforcement (SHSPLE) JA768044 – FFY11 State Homeland-Law Enforcement 11/14 Capital Outlays	\$	175,000.00	<b>BA1301308</b>
	TO:	21A218 – FFY11 State SHSP-Law Enforcement (SHSPLE) JA768044 –FFY11 State Homeland-Law Enforcement 11/14 Other Expenses	\$	175,000.00	

Transfer appropriations within the Federal Fiscal Year 2011 State Homeland Security Program-Law Enforcement 2011/2014 grant for a pending operating transfer to the Northeast Ohio Regional Fusion

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

E.	FROM:	21A837 – State Homeland Security (SHSG) JA763508 – SHSP FY12-Spec. Response Equip 12/14 Other Expenses	\$	4,238.30	<b>BA1301311</b>
	TO:	21A837 – State Homeland Security (SHSG) JA763508 –SHSP FY12-Spec. Response Equip 12/14 Capital Outlays	\$	4,238.30	

Transfer appropriations within the State Homeland Security Program Federal Fiscal Year 2012 Special Response Equipment 2012 to 2014 project for purchase order PO1311769 for First Defender equipment. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2012 through May 30, 2014.

F.	FROM:	21A500 – Urban Area Security Initiative (URSI) JA741322 – FY10 Urban Area Security Initiative (UASI) Other Expenses	\$	163,019.42	<b>BA1301314</b>
	TO:	21A500 – Urban Area Security Initiative (URSI) JA741322 –FY10 Urban Area Security Initiative (UASI) Capital Outlays	\$	163,019.42	

Transfer appropriations within the Urban Area Security Initiative FY2010 grant approved equipment purchases. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through July 31, 2013.

G.	FROM:	01A001 – General Fund FS109645 – Fiscal Operation – Record/License/Outreach Capital Outlay	\$	139,000.00	<b>BA1301322</b>
	TO:	01A001 – General Fund FS109645 – Fiscal Operation – Record/License/Outreach Other Expenses	\$	139,000.00	

Fiscal Office recently purchases scanners to increase capacity for its microfilm center. The original appropriation (BA1302183; R2013-0118) appropriated \$280,000.00 additional funds in capital outlay. However, approximately half of the purchase price was for software. This transfer would move \$139,000 of the appropriation from the capital outlay budget line to the software budget line. Funding comes from the General Fund.

**Resolution: Cash Transfers:**

A.	FROM:	21A500 – Urban Area Security Initiative JA741322 – FY10 Urban Area Security Initiative (UASI) Transfer Out	\$	35,138.22	<b>JT1305192</b>
	TO:	21A281 – Northeast Ohio Regional Fusion Center FY09 UASI JA741447 – Northeast Ohio Regional Fusion Center FY09 UASI Revenue Transfer	\$	35,138.22	

Transfer from the Urban Area Security Initiative to the Northeast Ohio Regional Fusion Center for expenditures reported in January through March 2013 by the Sheriff Department. 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.

B.	FROM:	21A762 – Port Security Grant JA767855 – Port Security Grant FFY09-2009/2012 Transfer Out	\$	4,721.24	<b>JT1305194</b>
	TO:	21A308 – EMA FY2009 Port Security WMD Exercise Program JA769984-Port Wide WMD Maritime Exercise Revenue Transfer	\$	4,721.24	

To reimburse expenses reported on the May 31, 2013 financial reports for maritime exercises through an approved intra agency agreement between Public Safety/Justice Services and the Office of Emergency Management. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through May 31, 2013.

C.	FROM:	21A762 – Port Security Grant JA767855 – Port Security Grant FFY09-2009/2012 Transfer Out	\$	45,395.00	<b>JT1305195</b>
	TO:	21A065 – Cleveland Safe Port SH456079-Cleveland Safe Port Revenue Transfer	\$	45,395.00	

To reimburse expenses reported on the May 31, 2013 financial reports for maritime exercises through an approved intra agency agreement between Public Safety/Justice Services and the Sheriff's Office. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through May 31, 2013.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0149

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5010 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/ Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hills; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, on September 27, 2011, County Council adopted Resolution R2011-0275, which authorized the County Executive to acquire the necessary Right-of-Way to proceed with the reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road intersection in the City of Shaker Heights and the Village of Highland Heights; and,

WHEREAS, upon receiving the necessary authorization to proceed with acquisition of Right-of-Way, a fair market value analysis was conducted; and,

WHEREAS, the County's agent, O.R. Colan Associates, together with the County and City of Shaker Heights, has endeavored to acquire the necessary parcels through voluntary negotiation and settlement efforts with the property owner, but equitable settlement agreements could not be reached on the property set forth below; and,

WHEREAS, the Department of Public Works has requested that the County appropriate certain property rights required for highway purposes for the above described improvement, identified as the following parcels of land:

Parcel No(s): 2-WD & T, warranty deed and temporary easement  
Permanent Parcel No.: 736-28-060  
Owner(s): Cleveland I Limited Partnership, a Maryland Limited Partnership  
Approved Appraisal (Fair Market Value Estimated): \$641,750.00; 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 certain real property as required for the reconfiguration of the Warrensville Center Road/Van Aken Boulevard/ Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hill, as described below be, and the same is, hereby declared necessary to appropriate for public use, more specifically for the purpose of making or repairing roads which shall be open to the public, without charge. Such property is described as follows:

Parcel No(s): 2-WD & T, warranty deed and temporary easement  
Permanent Parcel No.: 736-28-060  
Owner(s): Cleveland I Limited Partnership, a Maryland Limited Partnership  
Approved Appraisal (Fair Market Value Estimated): \$641,750.00.

**SECTION 2.** That the County Executive, through the Department of Public Works, be, and is, hereby directed to proceed with filing the necessary action to acquire the property as described above.

**SECTION 3.** That the County Fiscal Officer be, and is, hereby authorized to issue the monetary warrant in the amount of the Fair Market Value Estimates listed above, made payable to the Cuyahoga County Probate Court, said warrant to be deposited with the Probate Court at the time of filing the petitions to appropriate.

**SECTION 4.** That the Clerk of Council his hereby directed to transmit copies of this Resolution upon its approval by the County Executive to Bonita Teeuwen, P.E., Director of Public Works and to Wade Steen, County Fiscal Officer.

**SECTION 5.** 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 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that



resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

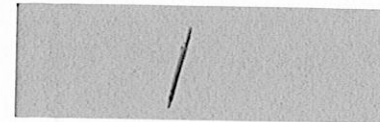
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept.Head Name:</b>	Jamal Husani, P.E.
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Fred Whatley	<b>Telephone No.</b>	348-3840

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work Summary**

1. Public Works Department requesting authorization for the County Executive to take the required steps to file an appropriation action in Cuyahoga County Probate Court in order to acquire necessary right-of-way for highway purposes.

In the following case, the County has been unable to reach an agreement with the owner of the parcel as to the compensation to be paid for acquiring the parcels: **declaring the necessity that this Resolution become immediately effective.**

Parcel No. 2-WD [Warranty Deed, fee simple] and T [Temporary Easement], legal descriptions attached.

Owner - Cleveland I Limited Partnership, a Maryland Limited Partnership  
 Executive Centre at Hooks Lane  
 2 Reservoir Circle, Suite 104  
 Baltimore, Maryland 21208

Fair Market Value Estimate for 2-WD, T = \$\$641,750.00 [the Second Review Appraiser's Fair Market Value Estimate is attached].

Fiscal Officer's Permanent Parcel No. 736-28-060.

This appropriation action will be filed in connection with the Warrensville Center Road/Van Aken Boulevard project which consists of reconfiguration of the Warrensville Center Road/Northfield Road/Van Aken Boulevard/Chagrin Boulevard intersection. The right-of-way for this project must be acquired either by agreement or by the filing of an Appropriation Action, together with a check in the amount of the FMVE of the parcel, by June 15, 2013.

2. The primary goal of acquiring right-of-way for this project is to allow for the reconfiguration of the above-referenced intersection.

3. N/A.

**B. Procurement**

1. The procurement method for the acquisition of right-of-way for this project is that an ODOT pre-qualified appraiser from consultant O.R. Colan visited the properties and prepared a Fair Market Value Estimate of the property to be acquired. Then, Emily Braman, of Charles P. Braman & Co. Inc., an independent ODOT pre-qualified review appraiser, reviewed and recommended the FMVE of the O.R. Colan appraiser. Because the property to be acquired was valued at over \$500,000.00, a second review appraiser [J. R. Bradord] completed a second review of the appraisal. Then, O.R. Colan negotiated with the property owner in order to acquire the required property rights. In the case listed above, the acquisition process did not lead to an agreement with the property owner.

Should Council grant authority to appropriate the above parcel, a check in the amount of the FMVE will be requested. Said check will be made payable to the Cuyahoga County Probate Court and will be filed with the Complaint for Appropriation.

2. N/A

3. N/A

**C. Contractor and Project Information**

The address of the property owner is:

Cleveland I Limited Partnership, a Maryland Limited Partnership  
Executive Centre at Hooks Lane

2 Reservoir Circle, Suite 104

Baltimore, Maryland 21208

Council District N/A

Property Address

3645 Warrensville Center Rd.

Shaker Heights, OH

The property is located in Council District 9.

2. N/A

3.a. The address or location of the project is the intersections of Warrensville Center Road/Northfield Road/Van Aken Boulevard/Chagrin Boulevard, in the City of Shaker Heights and the Village of Highland Hills, Ohio.

3.b. The project is located in Council District 9.

**D. Project Status and Planning**

1. This particular project is the first such project for this intersection

2. N/A

3. N/A

4. N/A

5. N/A

**E. Funding**

1. The County will manage the property acquisition on this project. The current estimated total cost of right-of-way acquisition is \$6,000,000.00. The acquisition will be funded as follows: 80% Federal and Issue I (\$2,800,000 Federal + \$2,000,000 Issue I = \$4,800,000); and, 20% Local (\$1,200,000 Shaker Heights).

2. N/A

3. N/A

Resolution 085012, adopted on 12/11/08, declared the Convenience and Welfare of this project. The agreements of cooperation between the County and the City of Shaker Heights and the County and the Village of Highland Hills were approved by Resolutions 091406 [adopted on 4/16/09] and 103703 [adopted on 9/8/10], respectively. Resolution R2011-0275 [adopted on 9/27/11] authorized the acquisition of necessary right-of-way.

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

The purpose/outcome of this action is to complete the acquisition of necessary right-of-way for this project.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      Road and Bridge

**Total Amount Requested:**  
\$

**ATTACHMENTS:**

Click to download

- [Parcel 2-WD Legal Description](#)
- [Parcel 2-T legal Description](#)
- [Parcel 2-WD, T Second Review Appraiser's Document](#)
- [Parcel 2-WD, T Requisition](#)

**History**

**Time**

**Who**

**Approval**

Clerk of the Board



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0150

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> making an award on RQ27640 to Specialized Construction Incorporated in the amount not-to-exceed \$1,598,608.15 for resurfacing Solon Road from Maple Street to Solon North Corporation Line in the Villages of Bentleyville and Chagrin Falls; 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 \$5.00 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/ Division of County Engineer has recommended an award on RQ27460 to Specialized Construction Incorporated in the amount not-to-exceed \$1,598,608.15 for resurfacing Solon Road from Maple Street to Solon North Corporation Line in the Villages of Bentleyville and Chagrin Falls; and

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

WHEREAS, this project will be funded 100% from the County Motor Vehicle \$5.00 License Tax Fund; and

WHEREAS, construction for this project is scheduled to begin in August 5, 2013 and is scheduled to be completed in June of 2014; 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 makes an award on RQ27460 to Specialized Construction Incorporated in the amount not-to-exceed

\$1,598,608.15 for resurfacing Solon Road from Maple Street to Solon North Corporation Line in the Villages of Bentleyville and Chagrin Falls.

**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.** That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make an application for the allocation from the County Motor Vehicle \$5.00 License Tax Fund in the amount \$1,598,608.15 to fund the contract.

**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\_\_

# Novus AGENDA



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Thomas P. Sotak, P.E.
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	Juliann Conway	<b>Telephone No.</b>	216-348-3838

**SUMMARY OF REQUESTED ACTION:**

Department of Public Works

A) SCOPE OF WORK SUMMARY

1. is recommending an award on RQ27640 to Specialized Construction Incorporated in the amount not-to-exceed \$1,598,608.15 for the resurfacing of Solon Road from the Solon Corporation Line to Maple Street in the Villages of Bentleyville and Chagrin Falls.
2. and enter into a contract with Specialized Construction Incorporated. They were determined to be the lowest qualified bidder and submitted all necessary documentation per the Bid Specifications.
3. is submitting an application to use the County Motor Vehicle \$5.00 License Tax Fund, in accordance with Chapter 4504 of the Ohio Revised Code to pay Cuyahoga County's share of the cost \$1,598,608.15 for the above referenced project.

PROCUREMENT

- 1) Competitive Bid process.
- 2) The Office of Procurement and Diversity (OPD) assessed a 30% SBE Goal and was met and approved.
- 3) The engineer's estimate was \$1,541,551.55. The bids were open on May 29, 2013.



There were Twelve (12) proposals pulled from OPD and six (6) bids were submitted for review and an award recommendation is being made to the lowest qualified bidder.

3) N/A.

**C) CONTRACTOR AND PROJECT INFORMATION**

Specialize Construction Incorporated. 216-271-3363  
711 Harvard Road  
Cuyahoga Heights, Ohio 44105  
Council District - 7

3. Construction is in the Villages of Bentleyville and Chagrin Falls (Council District 6).

**D. PROJECT STATUS AND PLANNING**

1. As per specifications construction is scheduled to begin August 5, 2013 and is scheduled to be completed in June of 2014.

**E. FUNDING**

1. 100% Cuyahoga County using funds from the \$5.00 Vehicle License Tax Fund

The contractor has completed ethics training as required

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

Principal Owner (s): John Alberty, President and John Galik, Vice President

The work within the limits of this 2.03 mile recycling and resurfacing project includes the 6" recycling/3" planing of the existing asphalt pavement; the repair of the deteriorated concrete base; the removal and replacement of impacted drive aprons; the removal and replacement of existing asphalt curb with concrete curb; the construction of a uniform three inch (3") asphalt concrete overlay; the installation of ADA compliant curb ramps and other related items as shown on the plans or stipulated in the specifications, plan notes, proposal notes or elsewhere in the bid package for Solon Road (C.R. 51) from the Solon Corporation Line to Maple Street in the Villages of Bentleyville and Chagrin Falls, Ohio.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

Competitive Bid

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

**Financial Information:**

**Funding source:**

Other

**Explanation:**

See Summary of Requested Action.

**Total Amount Requested:**

\$1,598,608.15

**ATTACHMENTS:**

Click to download

- [Auditor's Report](#)
- [Business Name Filing](#)
- [DPW Bid Tabulations](#)
- [Chagrin Falls Ordinance \\$5 App](#)
- [Bentleyville Ordinance \\$5 App](#)
- [Contract Cover TAB](#)
- [Contract Part 2 of 9](#)
- [Contract Part 3 of 9](#)
- [Contract Part 4 of 9](#)
- [Contract Part 5 of 9](#)
- [Contract Part 6 of 9](#)
- [Contract Part 7 of 9](#)
- [Contract Part 8 of 9](#)
- [Contract Part 9 of 9](#)
- [Contract Part 1 of 9 TAB](#)

**History**

**Time**

**Who**

Office of Procurement &  
Diversity

**Approval**



# Department of Public Works Bid Results

Thursday, May 30, 2013  
11:33:57 AM

Letting Date 5/29/2013 Cuyahoga County Engineer's Estimate: \$1,541,551.55 RQ No.: 27460 Rep. No.: 19-13

Solon Road; Resurfacing

Solon Corporation Line to Maple Street in the Villages of Bentleyville and Chagrin Falls

Low Bidder	Specialized Construction Inc.	\$1,598,606.15	3.7011%
	Carron Asphalts Paving, Inc.	\$1,617,873.65	4.951%
	Burton Scot Contractors, LLC	\$1,658,581.00	7.592%
	Karvo Paving Company	\$1,671,414.50	8.424%
	The Shelly Company	\$1,677,496.70	8.819%
	Barbicas Construction Co., Inc.	\$1,820,042.12	18.066%

Notes:

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Specialized Construction, Inc.	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Canon Asphalt Paving, Inc.	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Burton Soil Contractors, LLC	
		ROADWAY												
1	201	CLEARING AND GRUBBING		LUMP	\$	6,000.00	\$	6,000.00	\$	3,000.00	\$	25,000.00	\$	25,000.00
2	202	HEADWALL REMOVED, AS PER PLAN	EACH	1	\$	8,000.00	\$	8,000.00	\$	8,000.00	\$	2,000.00	\$	2,000.00
3	202	PAVEMENT REMOVED	SQ YD	487	\$	7,005.00	\$	7,005.00	\$	7,005.00	\$	25.00	\$	11,875.00
4	202	WALK REMOVED	SQ FT	887	\$	887.00	\$	887.00	\$	887.00	\$	1.00	\$	887.00
6	202	CURB REMOVED	FT	2,532	\$	12,660.00	\$	12,660.00	\$	12,660.00	\$	2.50	\$	6,330.00
6	202	CURB AND GUTTER REMOVED	FT	29	\$	145.00	\$	145.00	\$	145.00	\$	6.00	\$	145.00
7	202	PIPE REMOVED, 24" AND UNDER	FT	980	\$	8,700.00	\$	8,700.00	\$	8,700.00	\$	20.00	\$	11,800.00
8	202	GUARDRAIL REMOVED, AS PER PLAN	FT	176	\$	5,280.00	\$	5,280.00	\$	1,050.00	\$	2.50	\$	440.00
9	202	MANHOLE REMOVED	EACH	3	\$	900.00	\$	900.00	\$	900.00	\$	900.00	\$	1,500.00
10	202	CATCH BASIN REMOVED	EACH	2	\$	1,000.00	\$	1,000.00	\$	800.00	\$	800.00	\$	1,000.00
11	202	ANCHOR ASSEMBLY REMOVED	EACH	4	\$	250.00	\$	1,000.00	\$	800.00	\$	140.00	\$	560.00
12	203	EXCAVATION	CU YD	233	\$	30.00	\$	6,990.00	\$	30.00	\$	15.00	\$	3,495.00
13	203	EMBANKMENT, AS PER PLAN	CU YD	403	\$	15.00	\$	6,045.00	\$	15.00	\$	20.00	\$	8,060.00
14	204	SUBGRADE COMPACTION	SQ YD	487	\$	834.00	\$	834.00	\$	934.00	\$	6.00	\$	2,935.00
15	209	DITCH CLEANOUT	FT	1,000	\$	10,000.00	\$	10,000.00	\$	10,000.00	\$	5.00	\$	5,000.00
16	209	LINEAR GRADING, AS PER PLAN	SQ YD	3,548	\$	10,638.00	\$	10,638.00	\$	2.50	\$	5.00	\$	17,730.00
17	512	SEALING OF CONCRETE SURFACE (NON-EPOXY)	SQ YD	37	\$	370.00	\$	370.00	\$	30.00	\$	50.00	\$	1,850.00
18	512	TYPE 2 WATERPROOFING	SQ YD	27	\$	270.00	\$	270.00	\$	25.00	\$	35.00	\$	945.00
19	604	RIGHT OF WAY MONUMENT	EACH	6	\$	1,500.00	\$	1,500.00	\$	1,500.00	\$	750.00	\$	3,750.00
20	604	MONUMENT BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	8	\$	2,700.00	\$	2,700.00	\$	2,700.00	\$	760.00	\$	4,500.00
21	604	CUYAHOGA COUNTY CENTERLINE MONUMENT BOX ASSEMBLY, TYPE 1	EACH	5	\$	2,250.00	\$	2,250.00	\$	2,250.00	\$	750.00	\$	3,750.00
22	SPECIAL	MONUMENT REFERENCING	EACH	5	\$	100.00	\$	500.00	\$	100.00	\$	200.00	\$	1,250.00
23	608	GUARDRAIL, TYPE 5	FT	100	\$	5,000.00	\$	5,000.00	\$	2,500.00	\$	21.60	\$	2,160.00
24	608	ROUNDED END SECTION	EACH	2	\$	50.00	\$	100.00	\$	200.00	\$	55.00	\$	110.00
25	608	ANCHOR ASSEMBLY, TYPE E	EACH	2	\$	250.00	\$	500.00	\$	5,700.00	\$	2,000.00	\$	4,000.00
26	608	ANCHOR ASSEMBLY, TYPE T	EACH	2	\$	250.00	\$	500.00	\$	1,700.00	\$	685.00	\$	1,370.00
27	608	4" CONCRETE WALK, AS PER PLAN	SQ FT	1,000	\$	7,000.00	\$	7,000.00	\$	7,000.00	\$	3.60	\$	3,600.00
28	608	CURB RAMP, TYPE A1, AS PER PLAN	EACH	10	\$	9,000.00	\$	9,000.00	\$	9,000.00	\$	750.00	\$	7,500.00
29	608	TRUNCATED DOMES, AS PER PLAN	EACH	2	\$	1,000.00	\$	1,000.00	\$	1,000.00	\$	500.00	\$	1,000.00
30	630	GROUND MOUNTED SUPPORT, NO. 3 POST	FT	150	\$	5.50	\$	825.00	\$	13.50	\$	5.50	\$	825.00
31	630	REMOVAL OF GROUND MOUNTED SIGN AND REERECTION	EACH	10	\$	55.00	\$	550.00	\$	45.00	\$	55.00	\$	550.00
32	SPECIAL	MAILBOX	EACH	5	\$	50.00	\$	250.00	\$	300.00	\$	115.00	\$	575.00
33	SPECIAL	MAILBOX SUPPORT SYSTEM, SINGLE	EACH	18	\$	90.00	\$	1,620.00	\$	2,250.00	\$	180.00	\$	2,850.00
34	SPECIAL	MAILBOX SUPPORT SYSTEM, DOUBLE	EACH	5	\$	125.00	\$	625.00	\$	625.00	\$	225.00	\$	1,125.00
					\$		\$	119,024.00	\$		\$	116,272.00	\$	139,457.00
		EROSION CONTROL												
35	659	SOIL ANALYSIS TEST	EACH	2	\$	50.00	\$	100.00	\$	50.00	\$	100.00	\$	200.00

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	CTS	Specialized Construction, Inc.	UNIT PRICE ESTIMATED DOLLARS	CTS	Cameron Asphalt Paving, Inc.	UNIT PRICE ESTIMATED DOLLARS	CTS	Burton Scot Contractors, LLC
36	659	TOPSOIL	CU YD	227	\$	32.00	7,284.00	\$	32.00	7,284.00	\$	50.00	11,350.00
37	659	SEEDING AND MULCHING, AS PER PLAN	SQ YD	4,075	\$	4.00	16,300.00	\$	6.00	24,450.00	\$	1.50	6,112.50
38	659	COMMERCIAL FERTILIZER	TON	0.55	\$	900.00	275.00	\$	900.00	275.00	\$	900.00	275.00
39	659	LIME	ACRE	0.84	\$	100.00	84.00	\$	150.00	128.00	\$	100.00	84.00
40	659	WATER	M GAL	22	\$	1.00	22.00	\$	10.00	220.00	\$	1.00	22.00
41	652	EROSION CONTROL	EACH	15,000	\$	1.00	15,000.00	\$	1.00	15,000.00	\$	1.00	15,000.00
					\$		39,045.00	\$		47,435.00	\$		33,043.50
DRAINAGE													
42	602	CONCRETE MASONRY, AS PER PLAN	CU YD	48.0	\$	250.00	12,000.00	\$	600.00	28,800.00	\$	800.00	38,400.00
43	603	6" CONDUIT, TYPE F FOR UNDERDRAIN OUTLETS, AS PER PLAN	FT	140	\$	10.00	1,400.00	\$	10.00	1,400.00	\$	12.00	1,680.00
44	603	8" CONDUIT, TYPE G, FOR DRAINAGE CONNECTION, AS PER PLAN	FT	4	\$	15.00	60.00	\$	15.00	60.00	\$	25.00	100.00
45	603	12" CONDUIT, TYPE B, 706.02, AS PER PLAN	FT	25	\$	65.00	1,625.00	\$	65.00	1,625.00	\$	60.00	1,500.00
46	603	12" CONDUIT, TYPE C, AS PER PLAN	FT	105	\$	53.00	5,565.00	\$	53.00	5,565.00	\$	55.00	5,775.00
47	603	12" CONDUIT, TYPE C, 706.02, AS PER PLAN	FT	25	\$	66.00	1,650.00	\$	66.00	1,650.00	\$	50.00	1,250.00
48	603	12" CONDUIT, TYPE D, AS PER PLAN	FT	50	\$	45.00	2,250.00	\$	45.00	2,250.00	\$	35.00	1,750.00
49	603	16" CONDUIT, TYPE D, AS PER PLAN	FT	50	\$	48.00	2,400.00	\$	48.00	2,400.00	\$	40.00	2,000.00
50	603	15" CONDUIT, TYPE C, AS PER PLAN	FT	308	\$	51.00	15,708.00	\$	51.00	15,708.00	\$	40.00	12,320.00
51	604	CATCH BASIN, NO. 2-2A, AS PER PLAN	EACH	1	\$	1,800.00	1,800.00	\$	1,800.00	1,800.00	\$	1,500.00	1,500.00
52	604	CATCH BASIN, AS PER PLAN	EACH	2	\$	2,000.00	4,000.00	\$	2,000.00	4,000.00	\$	1,250.00	2,500.00
53	604	CATCH BASIN ADJUSTED TO GRADE, AS PER PLAN	EACH	15	\$	650.00	9,750.00	\$	650.00	9,750.00	\$	500.00	7,500.00
54	604	CATCH BASIN RECONSTRUCTED TO GRADE, AS PER PLAN	EACH	2	\$	1,000.00	2,000.00	\$	1,000.00	2,000.00	\$	1,500.00	3,000.00
55	604	MANHOLE, NO. 1, AS PER PLAN	EACH	2	\$	1,000.00	2,000.00	\$	1,000.00	2,000.00	\$	2,000.00	4,000.00
56	604	MANHOLE, NO. 3, AS PER PLAN	EACH	1	\$	2,000.00	2,000.00	\$	2,000.00	2,000.00	\$	2,500.00	2,500.00
57	604	MANHOLE ADJUSTED TO GRADE, AS PER PLAN	EACH	21	\$	650.00	13,650.00	\$	650.00	13,650.00	\$	600.00	12,600.00
58	604	MANHOLE RECONSTRUCTED TO GRADE, AS PER PLAN	EACH	2	\$	850.00	1,700.00	\$	850.00	1,700.00	\$	1,500.00	3,000.00
59	604	PRECAST REINFORCED CONCRETE OUTLET	EACH	1	\$	250.00	250.00	\$	250.00	250.00	\$	500.00	500.00
60	605	8" DEEP PIPE UNDERDRAINS WITH FABRIC WRAP, AS PER PLAN	FT	1,558	\$	20.00	31,160.00	\$	16.00	24,928.00	\$	13.00	20,254.00
61	605	8" UNCLASSIFIED PIPE UNDERDRAINS WITH FABRIC WRAP, AS PER PLAN	FT	305	\$	16.00	4,880.00	\$	16.00	4,880.00	\$	25.00	7,625.00
62	605	6" BASE PIPE UNDERDRAINS WITH FABRIC WRAP, AS PER PLAN	FT	2,983	\$	15.00	44,745.00	\$	10.00	29,830.00	\$	15.00	44,745.00
63	638	VALVE BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	19	\$	350.00	6,650.00	\$	350.00	6,650.00	\$	300.00	5,700.00
64	638	SERVICE BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	5	\$	100.00	500.00	\$	100.00	500.00	\$	500.00	2,500.00
65	SPECIAL	MISCELLANEOUS METAL	POUND	15,000	\$	1.00	15,000.00	\$	1.00	15,000.00	\$	1.00	15,000.00
					\$		184,583.00	\$		179,812.00	\$		199,012.00
PAVEMENT													
66	262	FULL DEPTH PAVEMENT SAWING	FT	1,090	\$	1.50	1,635.00	\$	1.50	1,635.00	\$	2.00	2,180.00
67	263	PAVEMENT REPAIR, AS PER PLAN	CU YD	500	\$	89.00	44,500.00	\$	135.00	67,500.00	\$	190.00	95,000.00
68	264	PAVEMENT PLANING, ASPHALT CONCRETE, AS PER PLAN	SQ YD	3,165	\$	3.00	9,495.00	\$	5.00	15,825.00	\$	6.00	18,990.00

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Specialized Construction, Inc.	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Canon Asphalt Paving, Inc.	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Barton Scot Contractors, LLC
69	284	PAVEMENT PLANING, PORTLAND CEMENT CONCRETE, AS PER PLAN	SQ YD	728	\$ 2,184.00	3.00	\$ 2,184.00	\$ 2,184.00	5.00	\$ 3,840.00	\$ 7.00	\$ 5,696.00	
70	284	PAVEMENT PLANING, MISC. ASPHALT DRIVEWAYS	SQ YD	453	\$ 1,359.00	3.00	\$ 1,359.00	\$ 4,520.00	10.00	\$ 4,520.00	\$ 15.00	\$ 6,795.00	
71	304	AGGREGATE BASE, AS PER PLAN	CU YD	46	\$ 2,760.00	60.00	\$ 2,760.00	\$ 2,780.00	60.00	\$ 2,780.00	\$ 80.00	\$ 2,300.00	
72	407	TACK COAT	GALLON	3,034	\$ 6,068.00	2.00	\$ 6,068.00	\$ 6,828.50	2.25	\$ 6,828.50	\$ 2.50	\$ 7,595.00	
73	407	TACK COAT FOR INTERMEDIATE COURSE	GALLON	1,474	\$ 2,948.00	2.00	\$ 2,948.00	\$ 3,316.50	2.25	\$ 3,316.50	\$ 2.50	\$ 3,685.00	
74	422	SINGLE CHIP SEAL	SQ YD	28,715	\$ 51,687.00	1.80	\$ 51,687.00	\$ 48,815.50	1.70	\$ 48,815.50	\$ 1.75	\$ 50,251.25	
75	448	ASPHALT CONCRETE INTERMEDIATE COURSE (VARIABLE THICKNESS), TYPE 1, PG64-22 (DRIVEWAYS), AS PER PLAN	CU YD	27	\$ 4,725.00	175.00	\$ 4,725.00	\$ 10,665.00	395.00	\$ 10,665.00	\$ 280.00	\$ 7,600.00	
76	448	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, PG64-22, AS PER PLAN	CU YD	641	\$ 128,160.00	160.00	\$ 128,160.00	\$ 105,125.00	125.00	\$ 105,125.00	\$ 138.00	\$ 118,058.00	
77	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22, AS PER PLAN	CU YD	601	\$ 117,195.00	186.00	\$ 117,195.00	\$ 108,180.00	180.00	\$ 108,180.00	\$ 190.00	\$ 114,190.00	
78	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22 (DRIVEWAYS), AS PER PLAN	CU YD	72	\$ 14,400.00	200.00	\$ 14,400.00	\$ 28,440.00	395.00	\$ 28,440.00	\$ 280.00	\$ 20,160.00	
79	451	8" REINFORCED CONCRETE PAVEMENT USING CLASS MS CONCRETE, AS PER PLAN	SQ YD	173	\$ 10,360.00	60.00	\$ 10,360.00	\$ 10,380.00	60.00	\$ 10,380.00	\$ 65.00	\$ 11,245.00	
80	452	8" NON-REINFORCED CONCRETE PAVEMENT USING CLASS MS CONCRETE, AS PER PLAN	SQ YD	294	\$ 15,876.00	54.00	\$ 15,876.00	\$ 15,876.00	54.00	\$ 15,876.00	\$ 35.00	\$ 10,290.00	
81	609	COMBINATION CURB AND GUTTER, TYPE 3, AS PER PLAN	FT	28	\$ 890.00	20.00	\$ 890.00	\$ 590.00	20.00	\$ 590.00	\$ 25.00	\$ 725.00	
82	609	CURB, TYPE 6, AS PER PLAN	FT	2,539	\$ 44,896.40	17.60	\$ 44,896.40	\$ 44,686.40	17.60	\$ 44,686.40	\$ 12.50	\$ 31,737.50	
83	617	COMPACTED AGGREGATE, AS PER PLAN	CU YD	283	\$ 18,395.00	65.00	\$ 18,395.00	\$ 15,565.00	55.00	\$ 15,565.00	\$ 45.00	\$ 12,735.00	
84	825	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, FIBER A, AS PER PLAN	CU YD	424	\$ 103,880.00	245.00	\$ 103,880.00	\$ 97,944.00	231.00	\$ 97,944.00	\$ 225.00	\$ 95,400.00	
85	826	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, FIBER A, AS PER PLAN	CU YD	593	\$ 121,956.00	205.00	\$ 121,956.00	\$ 118,600.00	200.00	\$ 118,600.00	\$ 190.00	\$ 112,670.00	
86	SPECIAL	6" COLD IN-PLACE RECYCLING	SQ YD	25,548	\$ 102,198.00	4.00	\$ 102,198.00	\$ 125,190.10	4.80	\$ 125,190.10	\$ 4.00	\$ 102,198.00	
87	SPECIAL	CIR EMULSIFIED ASPHALT	GALLON	51,088	\$ 178,843.00	3.50	\$ 178,843.00	\$ 130,289.90	2.55	\$ 130,289.90	\$ 3.50	\$ 178,843.00	
88	SPECIAL	QUALITY CONTROL AND ASSURANCE	LUMP		\$ 7,600.00		\$ 7,600.00	\$ 5,000.00		\$ 5,000.00	\$ 7,600.00	\$ 7,600.00	
					\$ 994,110.40		\$ 994,110.40	\$ 971,384.90		\$ 971,384.90	\$ 1,019,287.75		
<b>TRAFFIC CONTROL</b>													
89	626	BARRIER REFLECTOR, TYPE A2	EACH	16	\$ 3,200.00	200.00	\$ 3,200.00	\$ 160.00	10.00	\$ 160.00	\$ 6.25	\$ 100.00	
90	632	DETECTOR LOOP, AS PER PLAN	EACH	4	\$ 3,200.00	800.00	\$ 3,200.00	\$ 3,200.00	800.00	\$ 3,200.00	\$ 800.00	\$ 3,200.00	
91	644	STOP LINE	FT	380	\$ 1,800.00	5.00	\$ 1,800.00	\$ 1,800.00	5.00	\$ 1,800.00	\$ 6.00	\$ 1,800.00	
92	644	CROSSWALK LINE, 8"	FT	365	\$ 987.25	2.65	\$ 987.25	\$ 987.25	2.65	\$ 987.25	\$ 2.65	\$ 987.25	
93	644	TRANSVERSE / DIAGONAL LINE	FT	210	\$ 987.50	4.75	\$ 987.50	\$ 987.50	4.75	\$ 987.50	\$ 4.75	\$ 997.50	
94	649	EDGE LINE, 4"	MI	4.60	\$ 8,280.00	1,800.00	\$ 8,280.00	\$ 8,280.00	1,800.00	\$ 8,280.00	\$ 1,800.00	\$ 8,280.00	
95	649	CENTER LINE	MI	2.30	\$ 9,970.00	3,900.00	\$ 9,970.00	\$ 8,970.00	3,900.00	\$ 8,970.00	\$ 3,900.00	\$ 8,970.00	
					\$ 27,414.75		\$ 27,414.75	\$ 24,374.75		\$ 24,374.75	\$ 24,314.75		
<b>STRUCTURES</b>													
96	503	COFFERDAMS AND EXCAVATION BRACING, AS PER PLAN	LUMP		\$ 25,000.00		\$ 25,000.00	\$ 20,000.00		\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	
97	508	EPOXY COATED REINFORCING STEEL	LB	1,620	\$ 3,040.00	2.00	\$ 3,040.00	\$ 2,280.00	1.50	\$ 2,280.00	\$ 3.50	\$ 5,320.00	
98	510	DOMEL HOLES WITH NON-SHRINK, NON-METALLIC GROUT	EACH	22	\$ 2,200.00	100.00	\$ 2,200.00	\$ 550.00	26.00	\$ 550.00	\$ 100.00	\$ 2,200.00	
99	511	CLASS C CONCRETE, CULVERT	CU YD	13	\$ 3,200.00	250.00	\$ 3,200.00	\$ 7,800.00	600.00	\$ 7,800.00	\$ 1,000.00	\$ 13,000.00	
100	511	CONCRETE, MISC., CULVERT TOP SLAB REPAIR	LUMP		\$ 4,500.00		\$ 4,500.00	\$ 2,000.00		\$ 2,000.00	\$ 10,000.00	\$ 10,000.00	

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Specialized Construction, Inc.	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Carroll Asphalt Paving, Inc.	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED I CTS	Burton Scot Contractors, LLC		
101	619	PATCHING CONCRETE STRUCTURE, AS PER PLAN	SQ. FT.	238	\$	15.00	\$ 3,570.00	\$	90.00	\$ 21,420.00	\$	60.00	\$ 14,280.00		
					\$		\$ 41,580.00	\$		\$ 54,050.00	\$		\$ 54,800.00		
MAINTENANCE OF TRAFFIC															
102	410	TRAFFIC COMPACTED SURFACE, TYPE A OR B, AS PER PLAN	CU YD	50	\$	50.00	\$ 2,500.00	\$	50.00	\$ 2,500.00	\$	40.00	\$ 2,000.00		
103	608	2" ASPHALT CONCRETE WALK	SQ. FT.	100	\$	10.00	\$ 1,000.00	\$	1.00	\$ 100.00	\$	5.00	\$ 500.00		
104	614	LAW ENFORCEMENT OFFICER WITH PATROL CAR FOR ASSISTANCE	HOUR	80	\$	50.00	\$ 4,000.00	\$	45.00	\$ 3,600.00	\$	50.00	\$ 4,000.00		
105	614	ASPHALT CONCRETE FOR MAINTAINING TRAFFIC	CU YD	100	\$	30.00	\$ 3,000.00	\$	100.00	\$ 10,000.00	\$	200.00	\$ 20,000.00		
106	614	PORTABLE CHANGEABLE MESSAGE SIGN	SIGN MONTH	20	\$	600.00	\$ 12,000.00	\$	900.00	\$ 18,000.00	\$	900.00	\$ 18,000.00		
107	614	WORK ZONE CENTER LINE, CLASS II, 642 PAINT	MILE	4.60	\$	1,000.00	\$ 4,600.00	\$	800.00	\$ 3,680.00	\$	435.00	\$ 2,001.00		
108	614	WORK ZONE EDGE LINE, CLASS I, 740.06, TYPE 1	MILE	9.20	\$	3,400.00	\$ 31,280.00	\$	2,200.00	\$ 20,240.00	\$	600.00	\$ 4,600.00		
109	614	WORK ZONE STOP LINE, CLASS I, 642 PAINT	FT	720	\$	3.00	\$ 2,160.00	\$	3.00	\$ 2,160.00	\$	2.00	\$ 1,440.00		
110	614	WORK ZONE CROSSWALK LINE, CLASS I, 642 PAINT	FT	150	\$	1.50	\$ 225.00	\$	1.50	\$ 225.00	\$	1.50	\$ 225.00		
111	615	ROADS FOR MAINTAINING TRAFFIC, AS PER PLAN	-	LUMP	\$	100.00	\$ 100.00	\$	5,000.00	\$ 5,000.00	\$	2,000.00	\$ 2,000.00		
112	616	WATER	M GAL	20	\$	1.00	\$ 20.00	\$	1.00	\$ 20.00	\$	1.00	\$ 20.00		
113	616	CALCIUM CHLORIDE	TON	2	\$	2.00	\$ 4.00	\$	10.00	\$ 20.00	\$	60.00	\$ 120.00		
					\$		\$ 60,889.00	\$		\$ 66,545.00	\$		\$ 54,906.00		
MISCELLANEOUS															
114	614	MAINTAINING TRAFFIC	-	LUMP	\$	64,500.00	\$ 64,500.00	\$	100,000.00	\$ 100,000.00	\$	90,000.00	\$ 90,000.00		
115	619	FIELD OFFICE, TYPE B, AS PER PLAN	MONTH	10	\$	500.00	\$ 5,000.00	\$	750.00	\$ 7,500.00	\$	1,500.00	\$ 15,000.00		
116	623	CONSTRUCTION LAYOUT STAKES, AS PER PLAN	-	LUMP	\$	4,500.00	\$ 4,500.00	\$	7,500.00	\$ 7,500.00	\$	3,750.00	\$ 3,750.00		
117	624	MOBILIZATION	-	LUMP	\$	53,000.00	\$ 53,000.00	\$	40,000.00	\$ 40,000.00	\$	30,000.00	\$ 30,000.00		
118	SPECIAL	RECONSTRUCTION PHOTOGRAPHIC PROJECT DOCUMENTATION (SEE PROPOSAL NOTE)	-	LUMP	\$	6,000.00	\$ 6,000.00	\$	2,000.00	\$ 2,000.00	\$	1,000.00	\$ 1,000.00		
					\$		\$ 132,000.00	\$		\$ 167,000.00	\$		\$ 139,750.00		
							\$ 1,598,606.15								\$ 1,617,873.65
							\$ 1,598,606.15								\$ 1,658,581.00

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	I CTS	Karvo Paving Company	UNIT PRICE ESTIMATED DOLLARS	I CTS	The Shely Company	UNIT PRICE ESTIMATED DOLLARS	I CTS	Bankman Construction Co., Inc.	
		ROADWAY												
1	201	CLEARING AND GRUBBING		LUMP	\$	1,200.00	\$	1,200.00	\$	5,000.00	\$	6,000.00	\$	1,000.00
2	202	HEADWALL REMOVED, AS PER PLAN	EACH	1	\$	5,200.00	\$	5,200.00	\$	8,000.00	\$	8,000.00	\$	5,100.00
3	202	PAVEMENT REMOVED	SQ YD	467	\$	10.00	\$	4,670.00	\$	15.00	\$	7,005.00	\$	7,005.00
4	202	WALK REMOVED	SQ FT	887	\$	4.50	\$	3,991.50	\$	1.00	\$	887.00	\$	2,881.00
5	202	CURB REMOVED	FT	2,532	\$	4.75	\$	12,027.00	\$	5.00	\$	12,660.00	\$	13,928.00
6	202	CURB AND GUTTER REMOVED	FT	29	\$	12.00	\$	348.00	\$	5.00	\$	145.00	\$	290.00
7	202	PIPE REMOVED, 24" AND UNDER	FT	590	\$	19.00	\$	11,020.00	\$	16.00	\$	8,700.00	\$	6,116.00
8	202	GUARDRAIL REMOVED, AS PER PLAN	FT	178	\$	2.50	\$	440.00	\$	2.50	\$	440.00	\$	440.00
9	202	MANHOLE REMOVED	EACH	3	\$	400.00	\$	1,200.00	\$	300.00	\$	900.00	\$	900.00
10	202	CATCH BASIN REMOVED	EACH	2	\$	445.00	\$	890.00	\$	300.00	\$	600.00	\$	600.00
11	202	ANCHOR ASSEMBLY REMOVED	EACH	4	\$	140.00	\$	560.00	\$	140.00	\$	560.00	\$	560.00
12	203	EXCAVATION	CU YD	233	\$	21.00	\$	4,893.00	\$	30.00	\$	6,990.00	\$	6,754.67
13	203	EMBANKMENT, AS PER PLAN	CU YD	403	\$	12.00	\$	4,836.00	\$	15.00	\$	6,045.00	\$	19,223.10
14	204	SUBGRADE COMPACTION	SQ YD	467	\$	1.00	\$	467.00	\$	2.00	\$	934.00	\$	233.50
15	208	DITCH CLEANOUT	FT	1,000	\$	8.50	\$	8,500.00	\$	10.00	\$	10,000.00	\$	3,000.00
16	209	LINEAR GRADING, AS PER PLAN	SQ YD	3,646	\$	3.00	\$	10,938.00	\$	1.95	\$	6,914.70	\$	3,548.00
17	512	SEALING OF CONCRETE SURFACE (NON-EPOXY)	SQ YD	37	\$	30.00	\$	1,110.00	\$	30.00	\$	1,110.00	\$	1,110.00
18	512	TYPE 2 WATERPROOFING	SQ YD	27	\$	26.00	\$	675.00	\$	26.00	\$	675.00	\$	675.00
19	604	RIGHT OF-WAY MONUMENT	EACH	5	\$	66.00	\$	325.00	\$	300.00	\$	1,500.00	\$	2,250.00
20	604	MONUMENT BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	6	\$	350.00	\$	2,100.00	\$	450.00	\$	2,700.00	\$	840.00
21	604	CUYAHOGA COUNTY CENTERLINE MONUMENT BOX ASSEMBLY, TYPE 1	EACH	6	\$	300.00	\$	1,800.00	\$	480.00	\$	2,880.00	\$	3,000.00
22	SPECIAL	MONUMENT REFERENCING	EACH	5	\$	75.00	\$	375.00	\$	100.00	\$	500.00	\$	250.00
23	606	GUARDRAIL, TYPE 5	FT	100	\$	21.60	\$	2,160.00	\$	21.60	\$	2,160.00	\$	2,160.00
24	606	ROUNDED END SECTION	EACH	2	\$	55.00	\$	110.00	\$	55.00	\$	110.00	\$	110.00
25	606	ANCHOR ASSEMBLY, TYPE E	EACH	2	\$	2,030.00	\$	4,060.00	\$	2,030.00	\$	4,060.00	\$	4,060.00
26	606	ANCHOR ASSEMBLY, TYPE T	EACH	2	\$	685.00	\$	1,370.00	\$	685.00	\$	1,370.00	\$	1,370.00
27	608	4" CONCRETE WALK, AS PER PLAN	SQ FT	1,000	\$	4.75	\$	4,750.00	\$	7.00	\$	7,000.00	\$	7,000.00
28	608	CURB RAMP, TYPE A1, AS PER PLAN	EACH	10	\$	555.00	\$	5,550.00	\$	900.00	\$	9,000.00	\$	15,000.00
29	608	TRUNCATED DOMES, AS PER PLAN	EACH	2	\$	250.00	\$	500.00	\$	500.00	\$	1,000.00	\$	3,000.00
30	630	GROUND MOUNTED SUPPORT, NO. 3 POST	FT	160	\$	5.50	\$	885.00	\$	13.50	\$	2,025.00	\$	825.00
31	630	REMOVAL OF GROUND MOUNTED SIGN AND REERECTION	EACH	10	\$	55.00	\$	550.00	\$	45.00	\$	450.00	\$	500.00
32	SPECIAL	MAILBOX	EACH	5	\$	115.00	\$	575.00	\$	115.00	\$	575.00	\$	575.00
33	SPECIAL	MAILBOX SUPPORT SYSTEM, SINGLE	EACH	16	\$	160.00	\$	2,560.00	\$	160.00	\$	2,560.00	\$	2,680.00
34	SPECIAL	MAILBOX SUPPORT SYSTEM, DOUBLE	EACH	5	\$	225.00	\$	1,125.00	\$	225.00	\$	1,125.00	\$	1,125.00
					\$		\$	101,420.50	\$		\$	116,270.70	\$	117,134.87
35	659	SOIL ANALYSIS TEST	EACH	2	\$	50.00	\$	100.00	\$	0.50	\$	1.00	\$	400.00
		EROSION CONTROL												



REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	CTS	Keavo Paving Company	UNIT PRICE ESTIMATED DOLLARS	CTS	The Shelly Company	UNIT PRICE ESTIMATED DOLLARS	CTS	Barbas Construction Co., Inc.
36	608	TOPSOIL	CU YD	227	\$	35.00	\$ 7,945.00	\$	32.00	\$ 7,284.00	\$	28.50	\$ 6,480.50
37	609	SEEDING AND MULCHING, AS PER PLAN	SQ YD	4,075	\$	1.60	\$ 6,520.00	\$	6.00	\$ 24,450.00	\$	3.00	\$ 12,225.00
38	609	COMMERCIAL FERTILIZER	TON	0.85	\$	680.00	\$ 383.00	\$	600.00	\$ 275.00	\$	400.00	\$ 220.00
39	609	LIME	ACRE	0.84	\$	125.00	\$ 105.00	\$	150.00	\$ 125.00	\$	100.00	\$ 84.00
40	609	WATER	M GAL	22	\$	1.00	\$ 22.00	\$	10.00	\$ 220.00	\$	10.00	\$ 220.00
41	832	EROSION CONTROL	EACH	15,000	\$	1.00	\$ 15,000.00	\$	1.00	\$ 15,000.00	\$	-	\$ -
					\$		\$ 30,055.00	\$		\$ 47,336.00	\$		\$ 19,818.50
		DRAINAGE											
42	602	CONCRETE MASONRY, AS PER PLAN	CU YD	48.0	\$	1,275.00	\$ 61,200.00	\$	600.00	\$ 28,800.00	\$	700.00	\$ 33,600.00
43	603	6" CONDUIT, TYPE F FOR UNDERDRAIN OUTLETS, AS PER PLAN	FT	140	\$	5.00	\$ 700.00	\$	10.00	\$ 1,400.00	\$	13.00	\$ 1,820.00
44	603	8" CONDUIT, TYPE C, FOR DRAINAGE CONNECTION, AS PER PLAN	FT	4	\$	95.00	\$ 380.00	\$	15.00	\$ 60.00	\$	15.00	\$ 60.00
45	603	12" CONDUIT, TYPE B, 706.02, AS PER PLAN	FT	26	\$	95.00	\$ 2,375.00	\$	65.00	\$ 1,625.00	\$	65.00	\$ 1,625.00
46	603	12" CONDUIT, TYPE C, AS PER PLAN	FT	105	\$	75.00	\$ 7,875.00	\$	53.00	\$ 5,585.00	\$	43.00	\$ 4,515.00
47	603	12" CONDUIT, TYPE C, 706.02, AS PER PLAN	FT	25	\$	75.00	\$ 1,875.00	\$	58.00	\$ 1,450.00	\$	35.00	\$ 875.00
48	603	12" CONDUIT, TYPE D, AS PER PLAN	FT	50	\$	30.00	\$ 1,500.00	\$	45.00	\$ 2,250.00	\$	30.00	\$ 1,500.00
49	603	16" CONDUIT, TYPE D, AS PER PLAN	FT	50	\$	30.00	\$ 1,500.00	\$	48.00	\$ 2,400.00	\$	30.00	\$ 1,500.00
50	603	16" CONDUIT, TYPE C, AS PER PLAN	FT	308	\$	55.00	\$ 17,248.00	\$	51.00	\$ 15,708.00	\$	45.00	\$ 13,860.00
51	604	CATCH BASIN, NO. 2-2A, AS PER PLAN	EACH	1	\$	1,800.00	\$ 1,800.00	\$	1,800.00	\$ 1,800.00	\$	1,688.00	\$ 1,688.00
52	604	CATCH BASIN, AS PER PLAN	EACH	2	\$	3,900.00	\$ 7,800.00	\$	2,000.00	\$ 4,000.00	\$	3,364.00	\$ 6,728.00
53	604	CATCH BASIN ADJUSTED TO GRADE, AS PER PLAN	EACH	15	\$	1,475.00	\$ 22,125.00	\$	650.00	\$ 9,750.00	\$	630.00	\$ 9,450.00
54	604	CATCH BASIN RECONSTRUCTED TO GRADE, AS PER PLAN	EACH	2	\$	2,150.00	\$ 4,300.00	\$	1,000.00	\$ 2,000.00	\$	800.00	\$ 1,600.00
55	604	MANHOLE, NO. 1, AS PER PLAN	EACH	2	\$	4,950.00	\$ 9,900.00	\$	1,000.00	\$ 2,000.00	\$	4,277.00	\$ 8,554.00
56	604	MANHOLE, NO. 3, AS PER PLAN	EACH	1	\$	2,150.00	\$ 2,150.00	\$	2,000.00	\$ 2,000.00	\$	3,010.00	\$ 3,010.00
57	604	MANHOLE ADJUSTED TO GRADE, AS PER PLAN	EACH	21	\$	1,400.00	\$ 29,400.00	\$	650.00	\$ 13,650.00	\$	365.00	\$ 7,665.00
58	604	MANHOLE RECONSTRUCTED TO GRADE, AS PER PLAN	EACH	2	\$	1,850.00	\$ 3,700.00	\$	840.00	\$ 1,700.00	\$	625.00	\$ 1,250.00
59	604	PRECAST REINFORCED CONCRETE OUTLET	EACH	1	\$	160.00	\$ 160.00	\$	250.00	\$ 250.00	\$	400.00	\$ 400.00
60	605	8" DEEP PIPE UNDERDRAINS WITH FABRIC WRAP, AS PER PLAN	FT	1,850	\$	12.50	\$ 20,737.50	\$	16.00	\$ 28,544.00	\$	12.00	\$ 19,808.00
61	605	6" UNCLASSIFIED PIPE UNDERDRAINS WITH FABRIC WRAP, AS PER PLAN	FT	305	\$	9.50	\$ 2,897.50	\$	16.00	\$ 4,880.00	\$	8.00	\$ 2,440.00
62	605	6" BASE PIPE UNDERDRAINS WITH FABRIC WRAP, AS PER PLAN	FT	2,983	\$	9.00	\$ 26,847.00	\$	10.00	\$ 29,830.00	\$	8.00	\$ 23,864.00
63	638	VALVE BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	19	\$	350.00	\$ 6,650.00	\$	350.00	\$ 6,650.00	\$	125.00	\$ 2,375.00
64	638	SERVICE BOX ADJUSTED TO GRADE, AS PER PLAN	EACH	5	\$	50.00	\$ 250.00	\$	100.00	\$ 500.00	\$	100.00	\$ 500.00
65	SPECIAL	MISCELLANEOUS METAL	POUND	15,000	\$	1.00	\$ 15,000.00	\$	1.00	\$ 15,000.00	\$	0.90	\$ 13,500.00
					\$		\$ 247,770.00	\$		\$ 179,812.00	\$		\$ 182,897.00
		PAVEMENT											
66	252	FULL DEPTH PAVEMENT SAWING	FT	1,090	\$	2.25	\$ 2,452.50	\$	1.50	\$ 1,635.00	\$	2.00	\$ 2,180.00
67	253	PAVEMENT REPAIR, AS PER PLAN	CU YD	600	\$	175.00	\$ 89,500.00	\$	75.00	\$ 37,500.00	\$	180.00	\$ 90,000.00
68	254	PAVEMENT PLANING, ASPHALT CONCRETE, AS PER PLAN	SQ YD	3,166	\$	3.45	\$ 10,922.70	\$	4.00	\$ 12,664.00	\$	10.00	\$ 31,660.00

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED CTS	Kaavo Paving Company	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED CTS	The Shelly Company	UNIT PRICE ESTIMATED DOLLARS	UNIT PRICE ESTIMATED CTS	Barbicas Construction Co., Inc.
69	254	PAVEMENT PLANING, PORTLAND CEMENT CONCRETE, AS PER PLAN	SQ YD	728	\$ 6.00	6.00	\$ 4,368.00	\$ 6.00	6.00	\$ 3,640.00	\$ 9.00	\$ 6,592.00	
70	254	PAVEMENT PLANING, MISC. ASPHALT DRIVEWAYS	SQ YD	453	\$ 9.00	9.00	\$ 4,077.00	\$ 15.25	15.25	\$ 6,903.25	\$ 30.00	\$ 13,590.00	
71	304	AGGREGATE BASE, AS PER PLAN	CU YD	46	\$ 85.00	85.00	\$ 3,910.00	\$ 120.00	120.00	\$ 5,520.00	\$ 40.00	\$ 1,840.00	
72	407	TACK COAT	GALLON	3,034	\$ 2.00	2.00	\$ 6,068.00	\$ 1.85	1.85	\$ 5,612.90	\$ 2.25	\$ 6,826.50	
73	407	TACK COAT FOR INTERMEDIATE COURSE	GALLON	1,474	\$ 2.00	2.00	\$ 2,948.00	\$ 1.85	1.85	\$ 2,728.90	\$ 2.25	\$ 3,316.50	
74	422	SINGLE CHIP SEAL	SQ YD	25,716	\$ 1.77	1.77	\$ 45,628.55	\$ 1.77	1.77	\$ 45,628.55	\$ 3.80	\$ 100,374.00	
75	448	ASPHALT CONCRETE INTERMEDIATE COURSE (VARIABLE THICKNESS), TYPE 1, PG64-22 (DRIVEWAYS), AS PER PLAN	CU YD	27	\$ 210.00	210.00	\$ 5,670.00	\$ 275.00	275.00	\$ 7,425.00	\$ 210.00	\$ 5,670.00	
76	448	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, PG64-22, AS PER PLAN	CU YD	841	\$ 115.00	115.00	\$ 96,715.00	\$ 115.50	115.50	\$ 97,135.50	\$ 180.00	\$ 151,380.00	
77	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22, AS PER PLAN	CU YD	601	\$ 178.00	178.00	\$ 106,978.00	\$ 177.00	177.00	\$ 102,771.00	\$ 180.00	\$ 108,180.00	
78	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22 (DRIVEWAYS), AS PER PLAN	CU YD	72	\$ 250.00	250.00	\$ 18,000.00	\$ 255.00	255.00	\$ 18,360.00	\$ 225.00	\$ 16,200.00	
79	451	6" REINFORCED CONCRETE PAVEMENT USING CLASS MS CONCRETE, AS PER PLAN	SQ YD	173	\$ 53.00	53.00	\$ 9,169.00	\$ 60.00	60.00	\$ 10,380.00	\$ 70.00	\$ 12,110.00	
80	452	6" NON-REINFORCED CONCRETE PAVEMENT USING CLASS MS CONCRETE, AS PER PLAN	SQ YD	254	\$ 49.00	49.00	\$ 12,446.00	\$ 54.00	54.00	\$ 13,716.00	\$ 60.00	\$ 15,240.00	
81	809	COMBINATION CURB AND GUTTER, TYPE 3, AS PER PLAN	FT	29	\$ 27.00	27.00	\$ 783.00	\$ 20.00	20.00	\$ 580.00	\$ 55.00	\$ 1,595.00	
82	809	CURB, TYPE 6, AS PER PLAN	FT	2,539	\$ 14.50	14.50	\$ 36,811.50	\$ 17.60	17.60	\$ 44,686.40	\$ 18.00	\$ 45,702.00	
83	617	COMPACTED AGGREGATE, AS PER PLAN	CU YD	283	\$ 45.00	45.00	\$ 12,735.00	\$ 50.25	50.25	\$ 25,540.75	\$ 60.00	\$ 16,980.00	
84	828	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, FIBER A, AS PER PLAN	CU YD	424	\$ 220.00	220.00	\$ 93,280.00	\$ 205.00	205.00	\$ 86,920.00	\$ 185.00	\$ 78,340.00	
85	826	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, FIBER A, AS PER PLAN	CU YD	583	\$ 189.00	189.00	\$ 110,777.00	\$ 174.00	174.00	\$ 101,182.00	\$ 185.00	\$ 107,725.00	
86	SPECIAL	6" COLD IN-PLACE RECYCLING	SQ YD	25,549	\$ 4.00	4.00	\$ 102,196.00	\$ 4.00	4.00	\$ 102,196.00	\$ 4.00	\$ 102,196.00	
87	SPECIAL	CIR EMULSIFIED ASPHALT	GALLON	51,098	\$ 3.50	3.50	\$ 178,843.00	\$ 3.50	3.50	\$ 178,843.00	\$ 3.80	\$ 178,843.00	
88	SPECIAL	QUALITY CONTROL AND ASSURANCE	LUMP		\$ 7,800.00	7,800.00	\$ 7,800.00	\$ 7,800.00	7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	
					\$		\$ 970,339.25	\$		\$ 928,528.25	\$	\$ 1,116,672.00	
<b>TRAFFIC CONTROL</b>													
89	628	BARRIER REFLECTOR, TYPE A2	EACH	16	\$ 6.25	6.25	\$ 100.00	\$ 6.25	6.25	\$ 100.00	\$ 6.25	\$ 100.00	
90	632	DETECTOR LOOP, AS PER PLAN	EACH	4	\$ 800.00	800.00	\$ 3,200.00	\$ 800.00	800.00	\$ 3,200.00	\$ 800.00	\$ 3,200.00	
91	644	STOP LINE	FT	380	\$ 5.00	5.00	\$ 1,900.00	\$ 5.00	5.00	\$ 1,900.00	\$ 6.00	\$ 2,280.00	
92	644	CROSSWALK LINE, 8"	FT	385	\$ 2.85	2.85	\$ 1,095.75	\$ 2.65	2.65	\$ 1,015.25	\$ 2.85	\$ 1,095.75	
93	644	TRANSVERSE / DIAGONAL LINE	FT	210	\$ 4.75	4.75	\$ 997.50	\$ 4.75	4.75	\$ 997.50	\$ 4.75	\$ 997.50	
94	645	EDGE LINE, 4"	MILE	4.60	\$ 1,800.00	1,800.00	\$ 8,280.00	\$ 1,800.00	1,800.00	\$ 8,280.00	\$ 1,800.00	\$ 8,280.00	
95	646	CENTER LINE	MILE	2.30	\$ 3,900.00	3,900.00	\$ 8,970.00	\$ 3,900.00	3,900.00	\$ 8,970.00	\$ 3,900.00	\$ 8,970.00	
					\$		\$ 24,314.75	\$		\$ 24,314.75	\$	\$ 24,314.75	
<b>STRUCTURES</b>													
96	503	COFFERDAMS AND EXCAVATION BRACING, AS PER PLAN	LUMP		\$ 6,000.00	6,000.00	\$ 6,000.00	\$ 25,000.00	25,000.00	\$ 25,000.00	\$ 15,550.00	\$ 15,550.00	
97	509	EPOXY COATED REINFORCING STEEL	LB	1,520	\$ 1.50	1.50	\$ 2,280.00	\$ 1.80	1.80	\$ 2,736.00	\$ 1.50	\$ 2,280.00	
98	510	DOWEL HOLES WITH NON-SHRINK, NON-METALLIC GROUT	EACH	22	\$ 25.00	25.00	\$ 550.00	\$ 25.00	25.00	\$ 550.00	\$ 25.00	\$ 550.00	
99	511	CLASS C CONCRETE, CULVERT	CU YD	13	\$ 650.00	650.00	\$ 8,450.00	\$ 600.00	600.00	\$ 7,800.00	\$ 600.00	\$ 7,800.00	
100	511	CONCRETE, MISC.: CULVERT TOP SLAB REPAIR	LUMP		\$ 2,000.00	2,000.00	\$ 2,000.00	\$ 2,000.00	2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	

REF NO.	ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE ESTIMATED DOLLARS	CTS	Karvo Paving Company	UNIT PRICE ESTIMATED DOLLARS	CTS	The Shelly Company	UNIT PRICE ESTIMATED DOLLARS	CTS	Barbicus Construction Co., Inc.
101	618	PATCHING CONCRETE STRUCTURE, AS PER PLAN	SQ FT	238	\$	90.00	\$ 21,420.00	\$	90.00	\$ 21,420.00	\$	90.00	\$ 19,040.00
					\$		\$ 40,760.00	\$		\$ 59,060.00	\$		\$ 47,220.00
		MAINTENANCE OF TRAFFIC											
102	410	TRAFFIC COMPACTED SURFACE, TYPE A OR B, AS PER PLAN	CU YD	50	\$	25.00	\$ 1,250.00	\$	3.00	\$ 150.00	\$	45.00	\$ 2,260.00
103	608	2" ASPHALT CONCRETE WALK	SQ FT	100	\$	3.00	\$ 300.00	\$	10.00	\$ 1,000.00	\$	2.00	\$ 200.00
104	614	LAW ENFORCEMENT OFFICER WITH PATROL CAR FOR ASSISTANCE	HOUR	80	\$	65.00	\$ 4,400.00	\$	65.00	\$ 4,400.00	\$	70.00	\$ 5,600.00
105	614	ASPHALT CONCRETE FOR MAINTAINING TRAFFIC	CU YD	100	\$	150.00	\$ 15,000.00	\$	125.00	\$ 12,500.00	\$	125.00	\$ 12,500.00
106	614	PORTABLE CHANGEABLE MESSAGE SIGN	SIGN MONTH	20	\$	900.00	\$ 18,000.00	\$	900.00	\$ 18,000.00	\$	700.00	\$ 14,000.00
107	614	WORK ZONE CENTER LINE, CLASS II, 642 PAINT	MI	4.80	\$	900.00	\$ 3,680.00	\$	900.00	\$ 3,680.00	\$	800.00	\$ 3,680.00
108	614	WORK ZONE EDGE LINE, CLASS I, 740.06, TYPE 1	MI	9.20	\$	4,400.00	\$ 40,480.00	\$	4,400.00	\$ 40,480.00	\$	4,400.00	\$ 40,480.00
109	614	WORK ZONE STOP LINE, CLASS I, 642 PAINT	FT	720	\$	3.00	\$ 2,160.00	\$	3.00	\$ 2,160.00	\$	3.00	\$ 2,160.00
110	614	WORK ZONE CROSSWALK LINE, CLASS I, 642 PAINT	FT	150	\$	1.50	\$ 225.00	\$	1.50	\$ 225.00	\$	1.50	\$ 225.00
111	615	ROADS FOR MAINTAINING TRAFFIC, AS PER PLAN	-	LUMP	\$	7,000.00	\$ 7,000.00	\$	10,000.00	\$ 10,000.00	\$	1,000.00	\$ 1,000.00
112	618	WATER	M GAL	20	\$	1.00	\$ 20.00	\$	10.00	\$ 200.00	\$	10.00	\$ 200.00
113	616	CALCIUM CHLORIDE	TON	2	\$	25.00	\$ 50.00	\$	150.00	\$ 300.00	\$	100.00	\$ 200.00
					\$		\$ 92,565.00	\$		\$ 93,895.00	\$		\$ 82,495.00
		MISCELLANEOUS											
114	614	MAINTAINING TRAFFIC	-	LUMP	\$	80,000.00	\$ 80,000.00	\$	155,000.00	\$ 155,000.00	\$	125,800.00	\$ 125,800.00
115	619	FIELD OFFICE, TYPE B, AS PER PLAN	MONTH	10	\$	1,750.00	\$ 17,500.00	\$	1,750.00	\$ 17,500.00	\$	600.00	\$ 6,000.00
116	623	CONSTRUCTION LAYOUT STAKES, AS PER PLAN	-	LUMP	\$	4,250.00	\$ 4,250.00	\$	15,000.00	\$ 15,000.00	\$	34,890.00	\$ 34,890.00
117	624	MOBILIZATION	-	LUMP	\$	60,000.00	\$ 60,000.00	\$	40,000.00	\$ 40,000.00	\$	80,000.00	\$ 80,000.00
118	SPECIAL	PRECONSTRUCTION PHOTOGRAPHIC PROJECT DOCUMENTATION (SEE PROPOSAL NOTE)	-	LUMP	\$	2,500.00	\$ 2,500.00	\$	790.00	\$ 790.00	\$	1,000.00	\$ 1,000.00
					\$		\$ 164,250.00	\$		\$ 228,290.00	\$		\$ 249,690.00
					\$		\$ 1,671,414.50	\$		\$ 1,577,496.70	\$		\$ 1,820,042.12

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0151

Sponsored by: <b>County Executive FitzGerald/Department of Workforce Development</b>	<b>A Resolution</b> making an award on RQ26659 to United Labor Agency, Inc. in the amount not-to-exceed \$1,339,500.00 for Employer Services 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.
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WHEREAS, the County Executive/Department of Workforce Development has recommended an award on RQ26659 to United Labor Agency, Inc. in the amount not-to-exceed \$1,339,500.00 for Employer Services for the period 07/01/2013 - 06/30/2014; and,

WHEREAS, the primary goal of the project is to assist in job search and placement activities for eligible adults and dislocated workers; and,

WHEREAS, funding for this project is 70% by Workforce Investment Act (“WIA”) and 30% by Temporary Assistance for Needy Families (“TANF”) 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.

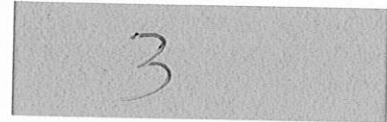
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ26659 to United Labor Agency, Inc. in the amount not-to-exceed \$1,339,500.00 for Employer Services for the period 07/01/2013 - 06/30/2014.

**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; 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,





**Item Details:**

<b>Agency/Dept. Name:</b>	Department of Workforce Development	<b>Agency/Dept. Head Name:</b>	Dave Reines
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**Type of Request:** Award Recommendation

<b>Request Prepared by:</b>	Rosie Dean	<b>Telephone No.</b>	216-698-2385
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**SUMMARY OF REQUESTED ACTION:**

A. Scope of Work Summary:

Recommending an award on RFP # WI-13-26659, for Employer Services for the period July 1, 2013 through June 30, 2014, with an option to extend for two additional year pending satisfactory performance and available grant funding (July 1, 2014 through June 30, 2016) - Requisition Number 26659 - authority to seek proposals. The recommended award is to:

United Labor Agency, Inc. - \$1,339,500.00

B. Procurement:

1. There were 2 grant applications that were submitted for review. Please see attached Tabulation Sheet and attached Evaluation results of the applications.

C. Contractor and Project Information:

United Labor Agency  
1020 Bolivar Road, Cleveland, OH 44115  
District Council #: 7

David Megenhardt is the Executive Director.

United Labor Agency is a non-profit organization with a 501 ( c ) 3 status, with a 40-year history of providing services to jobseekers and employers.

**D. Project Status and Planning:**

This is a new contract. The contractor has prior contracts with the department and the evaluation is superior (see attached). The proposed program activities and services will start with a new fiscal year through a new contract starting July 1, 2013.

**E. Funding:**

The project is funded by federal funds: 70% by WIA and 30% by TANF funds.

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

The purpose is to select an organization(s) to provide a wide array of services to employers. Through Workforce Development, employers would have a single point of contact to provide information about current and future skills needed by their workers and to list job openings. The selected organization(s) will perform the following:

- Identify a seamless process for matching job seekers from the One-Stop Centers to available jobs.
- Successfully engage businesses to identify jobs with large and emerging employers;
- Interact with the local Chambers of Commerce and other economic development organizations;
- Aid local employers with Human Resource services to assist by screening and qualifying applicants before they are referred on for consideration for employment.
- Market all available services and programs to employers, and to educate and motivate them to use One-Stop Center services and resources to benefit their businesses.

**Explanation for late submittal:**

contract negotiations

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source:**

Federal

**Explanation:**

70% funded by WIA and 30% from TANF funds

**Total Amount Requested:**

\$1,339,500.00

**ATTACHMENTS:**

Click to download

- [Tabulation Sheet](#)
- [Evaluation Sheet](#)
- [ULASStateCertAudit](#)
- [Contract](#)
- [cover memo](#)

Date sent to Dept: 7-13-13  
 Date Received from Dept: \_\_\_\_\_  
 (OPD Use Only)



**CUYAHOGA COUNTY**  
**TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Workforce Development

PROPOSAL DUE DATE: April 12, 2013

RFP TITLE: Employer Services

RFP #: WI - 13 - 26659 SBE: 0%

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
CGI Federal, Inc. 1001 Lakeside Avenue Suite 800 Cleveland, Ohio 44114-1151	YER 4-15-13 AP	SBE WANTED					
United Labor Agency 1020 Bolivar Road Cleveland, Ohio 44115	YER 4-15-13 AP						

DAVID R. REINES  
 Department Director Name  
 Rptab - Updated 11/10/2012

David R. Reines  
 Department Director Signature of Approval  
4/10/13  
 Date



**EMPLOYMENT CONNECTION  
RFP #: WI-13-26659  
Employer Services  
Proposal Group Evaluation Worksheet**

Vendor Proposal: CGI

Date: 5-10-2013

<b>1. ORGANIZATIONAL STRENGTH AND DEMONSTRATED EFFECTIVENESS (30 points)</b>				<b>Score</b>
<p>This category evaluates the performance and management capability of the applicant organization. The rating takes into consideration the bidder's experience in providing services similar to those being proposed.</p> <p>Comments:</p> <p>Strengths:</p> <ul style="list-style-type: none"> <li>- Has a global perspective</li> <li>- Very good operational controls</li> <li>- Clear plan for client engagement, especially Chamber of Commerce</li> </ul> <p>Weaknesses:</p> <ul style="list-style-type: none"> <li>- Vague on details with roll-out implementation</li> <li>- Healthcare s3ector not mentioned</li> <li>- Lacks details on suburban focus</li> <li>- Seems to be understaff with planned activities</li> <li>- Not clear on how it got its target industries</li> </ul> <p>Reviewer Scores:</p>				<b>22</b>
<b>2. PROGRAM STRATEGY, DESIGN, AND IMPLEMENTATION (50 points)</b>				<b>Score</b>
<p>This category evaluates the details of how the proposed program will be implemented and the degree to which the services proposed will enhance the attainment of the WIA Performance Outcomes (employees hired, retained and providing a sufficient wage). Proposals should address integration with the One-Stop system and Out-of-School Youth Providers to offer seamless real-time services for employers and job seekers.</p> <p>Comments:</p> <p>Strengths:</p> <ul style="list-style-type: none"> <li>- Very good employer engagement</li> <li>- User guide is noteworthy</li> <li>- Has national footprint</li> </ul> <p>Weaknesses:</p> <ul style="list-style-type: none"> <li>- Superficial program description</li> <li>- Issues about ADA, cultural diversity &amp; veterans not addressed</li> <li>- Short on details</li> <li>- Lack of involvement in Cuyahoga County in recent years</li> </ul> <p>Reviewer Scores:</p>				<b>37</b>

**EMPLOYMENT CONNECTION**  
**RFP #: WI-13-26659**  
**Employer Services**  
**Proposal Group Evaluation Worksheet**

CGI

3. COST REASONABLENESS AND COMPETITIVENESS (20 points)	Score				
<p>This category evaluates the cost of the proposed program to determine if it is fair and reasonable based on other program services and/or historical data, and the degree to which expenditure of funds relates to expected performance outcomes. Proposals should be reviewed for costs that are reasonable, allowable, necessary, fully justified, and competitive based on the review of the line item budget, the program design, and in comparison to all other proposals. A budget narrative must provide clarification regarding budget costs and leveraged resources by the activities specified in the proposal. The narrative should describe the cost allocation method to assign common operating costs. Proposals must clearly describe any funds and resources leveraged in support of the proposed strategies and demonstrate how these funds will be used to contribute to the goals of the proposal. Leveraged resources are cash or in-kind contributions devoted to advancing the strategies described in the applicant's proposal.</p> <p>Comments:</p> <p>Strengths:</p> <ul style="list-style-type: none"> <li>- Reasonable budget</li> <li>- Cost per placement is good</li> </ul> <p>Weakness:</p> <ul style="list-style-type: none"> <li>- Seems to be under resourced for the expected service outcomes</li> </ul> <p>Reviewer Scores:</p>	<p>15</p>				
<table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>					

**EMPLOYMENT CONNECTION**  
**RFP #: WI-13-26659**  
**Employer Services**  
**Proposal Group Evaluation Worksheet**

CGI

Point Total Summation-100 points possible	Score
1. ORGANIZATIONAL STRENGTH AND DEMONSTRATED EFFECTIVENESS (30 points)	22
2. PROGRAM STRATEGY, DESIGN, AND IMPLEMENTATION (50 points)	37
3. COST REASONABLENESS AND COMPETITIVENESS (20 points)	15
<b>Total Score (100 Maximum points):</b>	<b>74</b>

**REVIEWERS RECOMMENDATION:**

RECOMMEND

RECOMMEND AT REDUCED FUNDING

DO NOT RECOMMEND

Overall Comments:

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Signature(s):

REVIEWER:

*[Handwritten Signature]*

DATE:

5/10/13

REVIEWER:

*[Handwritten Signature]*

DATE:

5-10-2013

REVIEWER:

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DATE:

5/10/13

REVIEWER:

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DATE:

5/10/13

REVIEWER:

DATE:



**EMPLOYMENT CONNECTION**  
**RFP #: WI-13-26659**  
**Employer Services**  
**Proposal Group Evaluation Worksheet**

U.L.A

3. COST REASONABLENESS AND COMPETITIVENESS (20 points)	Score				
<p>This category evaluates the cost of the proposed program to determine if it is fair and reasonable based on other program services and/or historical data, and the degree to which expenditure of funds relates to expected performance outcomes. Proposals should be reviewed for costs that are reasonable, allowable, necessary, fully justified, and competitive based on the review of the line item budget, the program design, and in comparison to all other proposals. A budget narrative must provide clarification regarding budget costs and leveraged resources by the activities specified in the proposal. The narrative should describe the cost allocation method to assign common operating costs. Proposals must clearly describe any funds and resources leveraged in support of the proposed strategies and demonstrate how these funds will be used to contribute to the goals of the proposal. Leveraged resources are cash or in-kind contributions devoted to advancing the strategies described in the applicant's proposal.</p> <p>Comments:</p> <p>Strengths:</p> <ul style="list-style-type: none"> <li>- Good financial structure</li> <li>- Has leverage funds</li> </ul> <p>Weakness:</p> <ul style="list-style-type: none"> <li>- Cost per person is high</li> </ul> <p>Reviewer Scores:</p>	<p>17</p>				
<table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>					

**EMPLOYMENT CONNECTION**  
**RFP #: WI-13-26659**  
**Employer Services**  
**Proposal Group Evaluation Worksheet**

UWA

Point Total Summation-100 points possible		Score
1. ORGANIZATIONAL STRENGTH AND DEMONSTRATED EFFECTIVENESS	(30 points)	26
2. PROGRAM STRATEGY, DESIGN, AND IMPLEMENTATION	(50 points)	44
3. COST REASONABLENESS AND COMPETITIVENESS	(20 points)	17
Total Score	(100 Maximum points):	87

**REVIEWERS RECOMMENDATION:**

X **RECOMMEND**                      **RECOMMEND AT REDUCED FUNDING**                      **DO NOT RECOMMEND**

**Overall Comments:**

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**Signature(s):**

REVIEWER: Haydn J. Agate

DATE: 5/10/2013

REVIEWER: Walt

DATE: 5/10/2013

REVIEWER: M. John Cook

DATE: 5-10-2013

REVIEWER: J. Adams

DATE: 5/10/13

REVIEWER: \_\_\_\_\_

DATE: \_\_\_\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0152

<p>Sponsored by: <b>County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board</b></p>	<p><b>A Resolution</b> making awards on RQ26661 to various providers in the total amount not-to-exceed \$2,641,737.00 for Employment Connection One-Stop Operation and Services to Job Seekers for the period 7/1/2013 - 6/30/2014; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board, in partnership with the City of Cleveland/Cuyahoga County Workforce Board, has recommended making awards on RQ26661 in the total amount not-to-exceed \$2,641,737.00 for Employment Connection One-Stop Operation and Services to Job Seekers for the period 7/1/2013 - 6/30/2014 to the following training providers:

- 1) Mature Services, Incorporated in the amount not-to-exceed \$262,237.00,
- 2) United Labor Agency, Inc. (ULA) in the amount not-to-exceed \$2,379,500.00; and

WHEREAS, these services are necessary to offer employment connection services mandated by the Federal Workforce Investment Act (WIA) to adults and dislocated worker job seekers; and

WHEREAS, this project is funded as follows: (a) ULA will receive 81% of its funding from WIA and 19% from TANF funds; and (b) Mature Services will receive 53% of its funding from WIA, and 47% from TANF 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 hereby approves awards on RQ26661 in the total amount not-to-exceed \$2,641,737.00 for Employment Connection One-Stop Operation and Services to Job Seekers for the period 7/1/2013 - 6/30/2014 to the following training providers:

- 1) Mature Services, Incorporated in the amount not-to-exceed \$262,237.00,
- 2) United Labor Agency, Inc. (ULA) in the amount not-to-exceed \$2,379,500.00; and

**SECTION 2.** That the County Executive is hereby authorized to execute the contracts and all other 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, 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

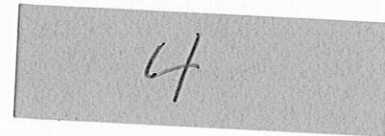
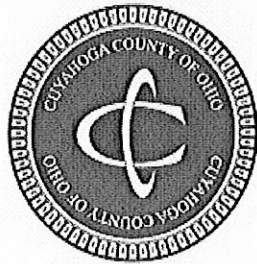


\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

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

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



**Item Details:**

<b>Agency/Dept. Name:</b>	Department Workforce Development	<b>of Agency/Dept. Head Name:</b>	Dave Reines
---------------------------	--	-----------------------------------	-------------

**Type of Request:**

<b>Request Prepared by:</b>	Rosie Dean	<b>Telephone No.</b>	216-698-2385
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**SUMMARY OF REQUESTED ACTION:**

A. Scope of Work Summary:

Recommending awards on RFP # WI-13-26661, for One-Stop operation and/or services to job seekers for the period July 1, 2013 through June 30, 2014, with an option to extend for two additional year pending satisfactory performance and available grant funding (July 1, 2014 through June 30, 2016) - Requisition Number 26661 - authority to seek proposals. The recommended awards are as follows:

- United Labor Agency, Inc. - \$2,379,500.00
- Mature Services, Incorporated - \$262,237.00

B. Procurement:

1. There were 5 grant applications that were submitted for review. Based on the results of the grant review conducted by an independent team of grant reviewers, only two grant applications have been recommended for funding. Please see attached Tabulation Sheet and attached Evaluation results of the applications.

C. Contractor and Project Information:

- 1. United Labor Agency  
1020 Bolivar Road, Cleveland, OH 44115  
District Council #: 7

The Principal Owner is David Megenhardt, Executive Director

United Labor Agency, Inc. is a non-profit organization that has provided workforce services to both job seekers and employers over the past 40 years.

2. Mature Services, Incorporated. - address 415 S. Portage Path., Akron, Oh. 44320. Services will be provided at 1020 Bolivar Road, Cleveland, Oh. 44115 - County Council District 7

The Principal Owner is Linda Valentine, Executive Director

Mature Services, Inc. is a non-profit organization that has provided workforce services to job seekers for over 25 years.

**D. Project Status and Planning:**

These are new contracts. However both contractors have prior contracts with the department and the evaluation results are very satisfactory (see attached evaluation).

**E. Funding:**

The project is funded by federal funds:

ULA, 81% comes from WIA and 19% from TANF funds;

Mature Services, 53% comes from WIA and 47% comes from TANF funds.

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

These services are necessary to offer employment connection services mandated by the federal Workforce Investment Act (WIA) to adults and dislocated worker job seekers. Contracted services include job search and placement assistance, career guidance, labor market information (which identifies job vacancies, skills needed for in-demand jobs, and local, regional and national employment trends), assessment of skills and needs, development of individual employment plans, case management, assisting eligible clients in choosing a certified training program that meets assessments and employment goals, work experience, and providing follow-up services after job placement. **The recommended providers will continue to be expected to ensure that the past successful performance will be maintained. The key performance measures set by the State of Ohio, that are currently being met include:** Entered Unsubsidized Employment Rate for Adults and for Dislocated Workers · Employment Retention Rate after six months for Adults and for Dislocated Workers · Average earnings for Adults and Dislocated Workers

**Explanation for late submittal:**

contract negotiations

**Contract/Agreement Information:**

**Procurement Method:**

Competitive Bid

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

**Financial Information:**

<b>Funding source:</b> Federal	<b>Explanation:</b> WIA & TANF funds
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**Total Amount Requested:**  
\$2,641,737

**ATTACHMENTS:**

Click to download

- [One Stop Evaluations](#)
- [Tabulation Sheet](#)
- [MatureServicesCertAudit](#)
- [ULASStateCertAudit](#)
- [MatureServices InsuranceNotary](#)
- [Mature Services contract](#)
- [ULA InsuranceNotary](#)
- [ULA contract](#)
- [Evaluation ULA](#)
- [evaluation MatureServices](#)
- [ULA cover memo](#)
- [Mature Services Cover memo](#)
- [acknowledgmentForm](#)
- [Provider's Proposal/Sig. Authorization](#)

**History**

Time	Who	Approval
6/25/2013 8:42 AM	Office of Procurement & Diversity Clerk of the Board	Yes



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

Contractor: Mature Services, Incorporated

Contract/Agreement No.: CE1000589-01      Time Period: 7/1/10 – 6/30/13

Service Description: Assist with the provision of one-stop job search and placement activities to WIA and TANF adult job seekers.

Original Contract/Agreement Amount: \$335,313.00

Prior Amendment(s) Amount(s): \$25,007.00, \$101,825 and \$107,139

Performance Indicators: Successfully assist with the provision of one-stop job search and placement activities to WIA and TANF eligible job seekers at the comprehensive One-Stop centers located at 1020 Bolivar Road and 11699 Brookpark Road. The performance indicators were the number of people receiving services including job search assistance and job placement and retention services; and the placement wage of those receiving jobs.

Actual performance versus performance indicators (include statistics): Mature Services is a key partner in ensuring that all federal performance measures are met (measures include employment, employment retention and earnings). The public workforce system has placed over 8,000 eligible job seekers in the past three years.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Contractor performs well; the Above Average rating was given based on performance indicators and meeting performance expectations.

Workforce Development  
User Department

1/29/13

Date

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

Contractor: United Labor Agency, Inc.

Contract/Agreement No.: CE1000591-01

Time Period: 7/1/10 – 6/30/13

Service Description: Assist with the provision of one-stop job search and placement activities to WIA eligible adults.

Original Contract/Agreement Amount: \$2,028,000.00

Prior Amendment(s) Amount(s): \$2,028,000, \$84,700 and \$2,228,000

Performance Indicators: Successfully assist with the provision of one-stop job search and placement activities to WIA eligible adults at the comprehensive One-Stop centers located at 1020 Bolivar Road and 11699 Brookpark Road. The performance indicators were the number of people receiving services including job search assistance and job placement and retention services; and the placement wage of those receiving jobs.

Actual performance versus performance indicators (include statistics): United Labor Agency is a key partner in ensuring that all federal performance measures are met (measures include employment, employment retention and earnings). The public workforce system has placed over 6,000 eligible job seekers over the past two years.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Contractor performs well; the Above Average rating was given based on performance indicators and meeting performance expectations.

Workforce Development  
User Department

11/19/12

Date



**CUYAHOGA COUNTY  
 TABULATION OF PROPOSALS RECEIVED**

**DEPARTMENT NAME:** Workforce Development **PROPOSAL DUE DATE:** April 12, 2013

**RFP TITLE:** One-Stop Operation Services to Job Seekers **RFP #:** WI - 13 - 26661 **SBE:** 0%

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
CGI Federal, Inc. 12601 Fair Lakes Circle Fairfax, VA 22033								
Linking Employment Abilities and Potential (LEAP) 2545 Lorain Road Cleveland, Ohio 44113								
Mature Services, Inc. 415 South Portage Path Akron, Ohio 44320								
The Spanish American Committee 4407 Lorain Avenue Cleveland, Ohio 44113								
United Labor Agency 1020 Bolivar Road Cleveland, Ohio 44115								

Department Director Name \_\_\_\_\_

Department Director Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0153

Sponsored by: <b>County Executive FitzGerald/Medical Examiner</b>	<b>A Resolution</b> authorizing the County Executive to accept, on behalf of the County, the donation of four cemetery lots within the Crown Hill Cemetery, Twinsburg, Ohio, from Charles A. Suhay, valued at approximately \$4,000.00, for the purpose of accommodating indigent burials; authorizing the County Executive to execute all documents that are necessary to effectuate such transfer; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Charles A. Suhay wish to donate four (4) cemetery lots located within the Crown Hill Cemetery, Twinsburg, Ohio; and

WHEREAS, said cemetery lots are valued at approximately \$4,000.00; and

WHEREAS, in Cuyahoga County, each year between sixty to ninety deceased bodies go unclaimed and result in the responsibility of indigent burial to be borne by the municipalities; and

WHEREAS, the County desires to accept this donation for the public purpose of assisting with the burial of indigent persons within Cuyahoga County, and help to alleviate some of the financial burden placed on the various municipalities with regard to such burials; and

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

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

**SECTION 1.** The County Executive is hereby authorized to accept, on behalf of the County, four (4) cemetery lots located within the Crown Hill Cemetery, Twinsburg, Ohio, valued at approximately \$4,000.00.

**SECTION 2.** That the County Executive is hereby authorized to execute all documents connected with the transfer of said property.



**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

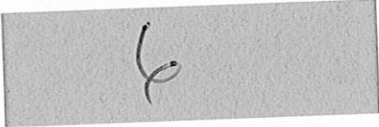
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



**Item Details:**

<b>Agency/Dept. Name:</b>	County Coroner	<b>Agency/Dept.Head Name:</b>	Dr. Thomas P. Gilson
<b>Type of Request:</b>			
<b>Request Prepared by:</b>	Hugh B. Shannon	<b>Telephone No.</b>	443-7173
<b>SUMMARY OF REQUESTED ACTION:</b>			
Recommending to accept a donation in the approximate value in the amount of \$4,000 from Mr. Charles Suhay for 4 burial plots at Crown Hill Cemetery in the Twinsburg, Ohio.			
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>			
For the public purpose of assisting with the burial of indigent persons within Cuyahoga County. Anywhere between 60-90 bodies go unclaimed annually and the financial burden falls upon the municipalities of Cuyahoga County. The acceptance of this donation will help alleviate this financial burden.			
<b>Explanation for late submittal:</b>			

**Contract/Agreement Information:**

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
<b>Total Amount Requested:</b>	
\$	

**ATTACHMENTS:**

- [Click to download](#)
- [Donation letter](#)

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0154

Sponsored by: <b>County Executive FitzGerald on behalf of Juvenile Court</b>	<b>A Resolution</b> authorizing an amendment to Contract No. CE1100151-02 with Guidestone fka Berea Children’s Home for Community-based Treatment Center Management Services for the period 1/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$1,153,828.80; 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.
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WHEREAS, the County Executive on behalf of Juvenile Court has submitted an amendment to Contract No. CE1100151-02 with Guidestone fka Berea Children’s Home for Community-based Treatment Center management services for the period 1/1/2011 – 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$1,153,828.80; and,

WHEREAS, funding for this project is 100% by 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 to Contract No. CE1100151-02 with Guidestone fka Berea Children’s Home for Community-based Treatment Center management services for the period 1/1/2011 – 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$1,153,828.80.

**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, 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

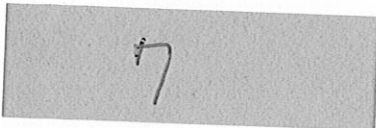
\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

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



**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, requesting the approval of a contract amendment to CE1100151-01 with Guidestone for Community-based Treatment Center Services to extend the time period of the contract through June 30, 2014 and to increase the funds in the amount of \$1,153,828.80 for a new not-to-exceed amount of \$4,069,086.40.
2. The primary goal of this project is to provide a Community-based Treatment Center for adjudicated youth who would otherwise be committed to the Ohio Department of Youth Service.
3. This program is part of the Targeted RECLAIM grant, funded entirely by the Ohio Department of Youth Services. **B. Procurement**

1. The procurement method for this project was through the RECLAIM Ohio grant agreement. The total value of the contract is currently \$2,915,257.60.

2. N/A

3. The proposed amendment to the contract is exempt from competitive bidding requirements under Cuyahoga County Ordinance #O2011-0044 Section 4.4(b) (12 & 18) and ORC 307.86 (j). **C. Contractor and Project Information**

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

Guidestone  
 202 East Bagley Road  
 Berea, Ohio 44107  
 Phone: 440-234-2006  
 Council District 5

2. Executive Director of Guidestone is Richard Frank.

Services are located in Berea, Ohio

- 3.a The address or location of the project is: 202 East Bagley Road, Berea Ohio 44107

3.b. The project is located in Council District 5.**D. Project Status and Planning**

- 1. The project is an on-going project from the last State fiscal year.
- 2. N/A
- 3. N/A
- 4. N/A

5. **N/AE. Funding**

- 1. The project is funded 100% by the State grant funds (RECLAIM Ohio).
- 2. The schedule of payments is monthly by invoice.
- 3. This is the 3<sup>rd</sup> amendment to the contract. The 1<sup>st</sup> amendment occurred in 2011, which extended the time until 6/30/12, with additional funding of \$1,153,828.80. The 2<sup>nd</sup> amendment occurred in 2012, which extended the time period to 6/30/13, with additional funding of \$1,253,828.80 to change the not-to-exceed amount to \$2,915,257.60.

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

The primary goal of this project is to provide a Community-based Treatment Center for adjudicated youth who would otherwise be committed to the Ohio Department of Youth Services.

**Explanation for late submittal:**

Awaiting documents from Vendor

**Contract/Agreement Information:**

**Procurement Method:**

Other

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

Extension of Contract

**Financial Information:**

**Funding source: Explanation:**

Other 100% Targeted RECLAIM Ohio Grant Funds

**Total Amount Requested:**

\$1,153,828.80

**ATTACHMENTS:**

Click to download

- [CBTC Justification](#)
- [CBTC Justification Approval](#)
- [CBTC Department Acknowledgement](#)
- [CBTC Contract \(Part1of1\) TAB](#)
- [CBTC Signature Authorization](#)
- [CBTC Liability Insurance](#)
- [CBTC Worker's Compensation](#)
- [CBTC W9](#)
- [CBTC Auditor od State](#)
- [CBTC Contract History](#)
- [CBTC Contract Evaluation](#)
- [CBTC LARE](#)

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

**Contractor:** Guidestone

**Contract/Agreement No.:** CE1100151-01      **Time Period:** 1.1.11 – 6.30.13

**Service Description:** The primary goal of this project is to provide a Community-Based Treatment Center for adjudicated youth who would otherwise be committed to the Ohio Department of Youth Services (ODYS).

**Original Contract/Agreement Amount:** \$507,600.00

**Prior Amendment(s) Amount(s):** The first amendment to this contract extended the time period through June 30, 2012 and increased the funds in the amount of \$1,153,828.80. The second amendment to the contract extended the time period through June 30, 2013 and also increased the funds in the amount of \$1,253,828.80.

**Performance Indicators:**

1. 85% of adjudicated youth admitted to the program during the contract period will successfully complete the program.
2. 75% of adjudicated youth admitted to the program will not recidivate within six (6) months of a successful release from the program.
3. 75% of adjudicated youth admitted to the program will not recidivate within twelve (12) months of a successful release from the program.
4. 100% of youth will demonstrate a drop in criminogenic risk factors at the time of discharge from the vendor's residential facility.

**Actual performance versus performance indicators (include statistics):** During the time frame of the contract, there were sixty two (62) youth referred to this vendor for Community Based Treatment Center Services, and out of those youth forty six (46) youth completed the program successfully, five (5) youth completed unsuccessfully, and eleven (11) youth are still involved with this service.

**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. The majority of the youth referred to this program are able to complete the program successfully.

Sarah Barber      5.23.13  
User Department      Date

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0155

Sponsored by: <b>County Executive FitzGerald/Department of Public Safety and Justice Services</b>	<b>A Resolution</b> making an award on RQ26143 to Emergency CallWorks, Inc. in the amount not-to-exceed \$11,612,184.00 for Vendor-hosted Next Generation 9-1-1 Services for the period 9/1/2013 - 12/31/2025; 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 Safety and Justice Services has recommended an award on RQ26143 to Emergency CallWorks, Inc. in the amount not-to-exceed \$11,612,184.00 for Vendor-hosted Next Generation 9-1-1 Services for the period 9/1/2013 – 12/31/2025; and,

WHEREAS, the primary goals of the project are: a) to replace all existing systems within the County with a Vendor-hosted solution which is Next Generation (“NG”) 9-1-1 ready according to National Emergency Number Association (“NENA”) i3 standards, and b) to position the County so that all software and hardware upgrades of the equipment will be included along the migration path from E9-1-1 to NG9-1-1 according to NENA i3 standards; and,

WHEREAS, the project is funded 100% by the 9-1-1 Wireless Assistance 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 RQ26143 to Emergency CallWorks, Inc. in the amount not-to-exceed \$11,612,184.00 for Vendor-hosted Next Generation 9-1-1 Services for the period 9/1/2013 – 12/31/2025.

**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; 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:

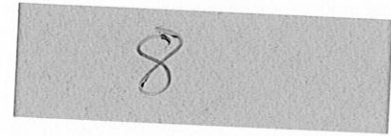
County Council President		Date

County Executive		Date

Clerk of Council		Date

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

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



**Item Details:**

<b>Agency/Dept. Name:</b>	Department of Justice Affairs	<b>Agency/Dept. Head Name:</b>	Norberto Colon
<b>Type of Request:</b>	Submission of Awarded Contract		
<b>Request Prepared by:</b>	Paula L. Young / Michelle Norton (443-7722)	<b>Telephone No.</b>	216-443-5924

**SUMMARY OF REQUESTED ACTION:**

**Title: Department of Public Safety & Justice Services, 2013, Emergency CallWorks, Inc., Contract, Cuyahoga County Vendor-Hosted Next Generation 9-1-1 RFP #26143 A. Scope of Work Summary**

1. Department of Public Safety & Justice Services requesting approval of a contract with Emergency CallWorks, Inc. for the anticipated cost not to exceed { \$11,612,184.00: Phase I - \$3,000,000.00; Phase II not to exceed \$861,218.40 annually over 10 years}. The anticipated start-completion dates are 08/01/2013 – 01/31//2025. 2. The primary goals of the project are (list 2 to 3 goals).

- Replace all existing systems within the County with a Vendor-Hosted solution which is NG9-1-1 ready according to NENA i3 standards
- Position the County so that all software and hardware upgrades of the equipment will be included along the migration path from E9-1-1 to NG9-1-1 according to National Emergency Number Association (NENA) i3 standards

3. The project is mandated by (not currently mandated, but will be with future legislation as the State builds out the ESINet). **B. Procurement** 1. The procurement method for this project was RFP #26143. The total value of the RFP is (). 2. The above procurement method was closed on 01/18/2013. There is an SBE participation goal of 20%. 3. There were 3 proposals pulled from OPD, 3 proposals submitted for review, 1 proposal approved.

**C. Contractor and Project Information** 1. The address of all vendors and/or contractors is (provide the full address in the following format): Emergency CallWorks, Inc. 1900 International Park Drive, Suite 300 Council District (N/A) 2. The President and owner for the contractor/vendor is Craig Dollar. 3.a The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following

format): The entire County 3.b. The project is located in Council District (all districts) **D. Project Status and Planning** 1. The project is new to the County. 2. The project has 2 phases. The next steps, dates, and anticipated cost of these are

- Move CAMA Trunks to host site locations (Phase I - \$3,000,000.00)
- Implement Contract (Phase II - \$861,218.40 annually over 10 years)

3. The project is on a critical action path because some municipalities have 9-1-1 hardware that is imminent danger of failing. **E. Funding** 1. The project is funded 100% by the 9-1-1 Wireless Assistance Fund. 2. The schedule of payments is going to be based on mutually agreed upon milestones and benchmarks of the project.

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

The purpose/outcomes of this contract are:

Replace all existing systems within the County with a Vendor-Hosted solution which is NG9-1-1 ready according to NENA i3 standards.

Position the County so that all software and hardware upgrades of the equipment will be included along the migration path from E9-1-1 to NG9-1-1 according to National Emergency Number Association (NENA) i3 standards.

The principal owner of Emergency Callworks is:

Craig Dollar, President  
Emergency Callworks, Inc.  
1900 Internation Park Drive, Suite 300  
Birmingham, AL 35243

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

RFP (Request for Proposal)

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

**Financial Information:**

**Funding source: Explanation:**

Other Wireless 9-1-1 Government Assistance Fund

**Total Amount Requested:**

\$11,612,184.00

**ATTACHMENTS:**

Click to download

- [W-9 ECW Inc](#)
- [Contract Cover - ECW Inc](#)
- [ECW Contract - Signed - TAB](#)
- [ECW Price Proposal Exhibit A](#)

Date Received from Dept: \_\_\_\_\_  
 (OPD Use Only)



**CUYAHOGA COUNTY  
 TABULATION OF PROPOSALS RECEIVED**

**DEPARTMENT NAME:** Justice Services **PROPOSAL DUE DATE:** January 25, 2013

**RFP TITLE:** Next Generation 9-1-1 **RFP #:** JA - 13 - 26143 **SBE:** 20%

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
AT&T 4005 Boxelder Drive Brecksville, Ohio 44141	Yes 12-05-13 MG	IC-NS Alton Inter- connected Cabling 13.2%		13.2%	N	Requesting a partial waiver due to this being their maximum commercially useful  *NEEDS TO DOCUMENT GOOD FAITH EFFORT TO ACHIEVE 1% SBE GOAL  AMG 1/29/13 mm 1/29/13	N
Emergency CallWorks 1900 International Park Drive Suite 300 Birmingham, AL 35243	Not Registered 1-29-13 MG	TEC Communications \$2,752,345.00 15.7% ICalls 4b Interconnect Cabling \$47,655.00 4%		19.7% say 20% and	and Y	Over a ten yr period.  AMG 1/29/13	Y
Motorola Solutions, Inc. 9150 South Hills Boulevard Suite 260 Broadview Heights, Ohio 44147	Yes 12-19-13 1-29-13 MG	Independent Communi- cations \$2,177,391.00 5.17%		5.17%	N*	Requested a partial waiver due to limited unique offering but they send their commitment statement that outlines their Corporate Supplier Diversity Program 1/29/13 *NEED TO DOCUMENT GOOD FAITH EFFORT TO ACHIEVE 1% SBE GOAL  AMG 1/29/13 mm 1/29/13	N

Department Director Signature of Approval  
 Date: 3/4/13

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0156

Sponsored by: <b>County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities</b>	<b>A Resolution</b> authorizing a revenue generating agreement with Warrensville Heights City School District in the amount not-to-exceed \$2.00 for lease of space at the Green Road Services Center, located at 4329 Green Road, Highland Hills, for operation of special education and early childhood programs for the period 8/1/2013 - 7/1/2015; authorizing the County Executive to execute the agreement 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 on behalf of the Cuyahoga County Board of Developmental Disabilities has submitted a revenue generating agreement with Warrensville Heights City School District in the amount not-to-exceed \$2.00 for lease of space at the Green Road Services Center, located at 4329 Green Road, Highland Hills, for operation of special education and early childhood programs for the period 8/1/2013 – 7/1/2015; and

WHEREAS, the primary goal of this lease is to help the CCBDD fulfill its mission of assisting local school districts with the provision for early childhood and special education services; and

WHEREAS, this lease will generate revenue of \$1.00 for each year of its two year term; and

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

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

**SECTION 1.** The Cuyahoga County Council authorizes a revenue generating agreements with Warrensville Heights City School District in the amount not-to-exceed \$2.00 for lease of space at the Green Road Services Center, located at 4329 Green Road, Highland Hills, for operation of special education and early childhood programs for the period 8/1/2013 – 7/1/2015.

**SECTION 2.** That the County Executive is authorized to execute the agreements 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, 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.

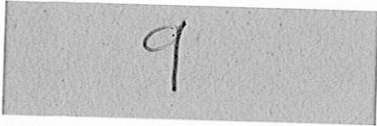
Yeas:

Nays:

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

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

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



**Item Details:**

**Agency/Dept. Name:** Cuyahoga County Board of Mental Retardation and Developmental Disabilities  
**Agency/Dept. Head Name:** Kelly A. Petty

**Type of Request:** Other

**Request Prepared by:** Chuck Corea  
**Telephone No.:** 216-736-4522

**SUMMARY OF REQUESTED ACTION:**

The CCBDD desires to lease space in its Green Road Services Center to the Warrensville Heights City School District (WCSD) for the purpose of allowing the WCSD to operate a special education and early childhood program to children residing within its boundaries.

**I. NovusAgenda Summary of Requested Action - Form**

Directions: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda "Summary of Requested Action" section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields. **Title:** Lease Agreement between the County of Cuyahoga, Ohio (County) on behalf of the Cuyahoga County Board of Developmental Disabilities (CCBDD) and the Warrensville Heights City School District for the lease of four classrooms (3,472 sq. ft.) in the CCBDD's Green Road Service Center located at 4329 Green Road, Highland Hills, Ohio 44128. The term of the lease is for a period of two years commencing on August 1, 2013 and ending on July 31, 2015. The WCSD is a political subdivision whose offices are located at 4500 Warrensville Center Road, Warrensville Heights, Ohio 44128. **A. Scope of Work Summary**

The CCBDD is requesting the approval of the lease with the WCSD because the Green Road Services Center is owned by the County. The Green Road facility has been operated/maintained/improved for the past thirty-one (31) years by the CCBDD exclusively with CCBDD funds. This lease will generate revenue of \$1.00 for each year its two year term. The primary goal of this lease is to help the CCBDD fulfill its mission of assisting local school districts with the provision for early childhood and special education services. The

WCSD currently does not have adequate space in its facilities to house its early childhood program. This lease will affect seventy-six (76) preschool age children with and without disability who reside within the WCSD boundaries.

**B. Procurement**

This lease was not established pursuant to a RFP, RFQ, etc. because WCSD is a political subdivision located within Cuyahoga County. Additionally, leasing the space to the WCSD fulfills the CCBDD's mission of assisting the local school district with the provision of special education and early childhood services.

**C. Contractor and Project Information**

Lessee WCSD is a political subdivision whose offices are located at 4500 Warrensville Center Road, Warrensville Heights, Ohio 44128.

**D. Project Status and Planning**

The CCBDD approved the lease on May 30, 2013. The full County Council needs to approve the lease as the rent is less than fair market value and its terms commence on August 1, 2013.

**E. Funding** No County or CCBDD funds will be expended.

Warrensville Heights City School District is registered with the Cuyahoga County Inspector General's Office as #13-0233 (copy of page attached).

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

For Cuyahoga County, Ohio to enter into this lease on behalf of the CCBDD so to allow the CCBDD to assist the Warrensville Heights City School District to provide special education and early childhood services.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source: Explanation:**

**Total Amount Requested:**

\$

**ATTACHMENTS:**

Click to download

- [CCBDD Board Memo GRD8g](#)
- [Resolution GRD 8g](#)
- [\(TAB 2\) Lease Agreement GRD](#)
- [Exhibit A demised areas GRD](#)
- [Exhibit B Classroom Use Agreement](#)
- [Warrensville Hts. City School Dist Vendor Registration proof](#)

History  
Time

Who

Approval



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0157

<p>Sponsored by: <b>County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities</b></p>	<p><b>A Resolution</b> authorizing various revenue generating agreements with Educational Service Center of Cuyahoga County, each in the amount not-to-exceed \$2.00, for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Help Me Grow Programs for the period 9/15/2013 - 9/14/2015; authorizing the County Executive to execute the agreements 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 on behalf of Cuyahoga County Board of Developmental Disabilities has submitted various revenue generating agreements with Educational Service Center of Cuyahoga County, each in the amount not-to-exceed \$2.00, for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers (CCBDD) for operation of the Help Me Grow (HMG) Programs for the period 9/15/2013 - 9/14/2015 for the following:

- 1) Green Road Services Center (GRSC), located at 4329 Green Road, Highland Hills, will generate revenue of \$1.00 for each year of its two year term, and
- 2) William Patrick Day Services Center (WPD), located at 2421 Community College Avenue, Cleveland, will generate revenue of \$1.00 for each year of its two year term; and

WHEREAS, primary goal of this leases is for the CCBDD to assist HMG in providing service coordination services to nine hundred eighty (980) families/children who receive Evidence Based Early Intervention services for the CCBDD and reside in Cuyahoga County;

WHEREAS, thirty two (32) HMG Service Coordinators will be housed between GRSC and WPD; 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 various revenue generating agreements with Educational Service Center of Cuyahoga County, each in the amount not-to-exceed \$2.00, for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers (CCBDD) for operation of the Help Me Grow (HMG) Programs for the period 9/15/2013 - 9/14/2015 for the following:

- 1) Green Road Services Center (GRSC), located at 4329 Green Road, Highland Hills, will generate revenue of \$1.00 for each year of its two year term, and
- 2) William Patrick Day Services Center (WPD), located at 2421 Community College Avenue, Cleveland, will generate revenue of \$1.00 for each year of its two year term; and

**SECTION 2.** That the County Executive is authorized to execute the agreements 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, 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\_\_



10

**Item Details:**

**Agency/Dept. Name:** Cuyahoga County Board of Mental Retardation and Developmental Disabilities  
**Agency/Dept. Head Name:** Kelly A. Petty

**Type of Request:** Other

**Request Prepared by:** Chuck Corea  
**Telephone No.:** 216-736-4522

**SUMMARY OF REQUESTED ACTION:**

The Cuyahoga County Board of Developmental Disabilities (CCBDD) desires to lease space in its Green Road (GRD) and William Patrick Day ter (WPD) Services Centers to the Educational Service Center of Cuyahoga County (ESC) on behalf of Help Me Grow of Cuyahoga County (HMG).

**I. NovusAgenda Summary of Requested Action - Form**

Directions: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda "Summary of Requested Action" section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

**Title:**

Two Lease Agreements by and between the County of Cuyahoga, Ohio (County), on behalf of the Cuyahoga County Board of Developmental Disabilities (CCBDD) and the ESC on behalf of HMG. ESC is HMG's fiscal agent. The lease of WPD will be for a total of 829.5 square feet while the GRD lease will be for designated space in four different classrooms. The CCBDD's Green Road Services Center is located at 4329 Green Road, Highland Hills, Ohio 44128. The William Patrick Day Services Center is located at 2421 Community College Avenue, Cleveland, Ohio 44115. The term of both leases is for a period of two years commencing on September 15, 2013 and ending on September 14, 2015.

**A. Scope of Work Summary**

The CCBDD is requesting the approval of these leases with the ESC because the Green Road and William Patrick Day Services Centers are owned by the County. Both facilities

have been operated/maintained/improved for the past thirty-one (31) years by the CCBDD exclusively with CCBDD funds. These leases will generate revenue of \$1.00 for each year of its two year term. The primary goal of this lease is for the CCBDD to assist HMG in providing service coordination services to nine hundred eighty (980) families/children who receive Evidence Based Early Intervention (EBEI) services from the CCBDD and reside in Cuyahoga County. A total of thirty-two (32) HMG Service Coordinators will be housed between GRD and WPD. The CCBDD is HMG's public partner in providing Evidence Based Early Intervention services to eligible children/families. As HMG's public partner, the CCBDD contracts with HMG to provide service coordination at the cost of \$250,000.00. This amount would be greater if HMG leased space for its service coordinators at facilities other than WPD and GRD.

**B. Procurement**

These leases were not established pursuant to a RFP, RFQ, etc. because ESC is a political subdivision located within Cuyahoga County. HMG is an Ohio Department of Health program and the public partner of the CCBDD regarding the provision of EBEI services.

**C. Contractor and Project Information**

Lessee ESC is a political subdivision whose offices are located at 5811 Canal Road, Cleveland, Ohio 44125. HMG is a program of the Ohio Department of Health with its offices located at 8111 Quincy Avenue, Suite 344, Cleveland, Ohio 44104.

**D. Project Status and Planning**

The CCBDD approved the leases on May 30, 2013. The full County Council needs to approve the leases because the rent is less than fair market value and their terms commence on September 15, 2013.

**E. Funding**

No County or CCBDD funds will be expended. The Educational Service Center of Cuyahoga is registered with the Cuyahoga County Inspector General's Office as #12-1185 and Help Me Grow is registered as #12-1184 (copies of pages attached).

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

For the Cuyahoga County, Ohio to enter into these leases on behalf of the CCBDD so the CCBDD can assist its public partner, HMG, in providing service coordination services to children 0 to three (3) years of age who receive EBEI services from the CCBDD.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source: Explanation:**

**Total Amount Requested:**

\$

**ATTACHMENTS:**

[Click to download](#)

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0124

<p>Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/ Division of Community Initiatives/Office of Early Childhood</b></p>	<p><b>A Resolution</b> 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.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Early Childhood has recommended 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; and,

WHEREAS, this project is funded 100% from the Health and Human Service levy 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 authorizes 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.

**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 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: Education, Environment & Sustainability

Journal CC011  
July 9, 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: June 25, 2013  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC011  
July 9, 2013

# 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.
---	--

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.

**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: June 25, 2013

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC011

July 9, 2013

# 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/Referred to Committee: June 25, 2013

Committee(s) Assigned: Economic Development & Planning

Journal CC011

July 9, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0090

<b>Sponsored by: County Executive FitzGerald/Department of Development</b>	<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.
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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



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

Committee Report/Second Reading/Referred to Committee: June 25, 2013

Committee(s) Assigned: Economic Development & Planning

Journal CC011

July 9, 2013

# 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

Committee Report/Second Reading/Referred to Committee: June 25, 2013  
Committee(s) Assigned: Economic Development & Planning

Journal CC011  
July 9, 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 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

Legislation Substituted on the Floor: June 25, 2013

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