



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JULY 23, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST 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) July 9, 2013 Committee of the Whole Meeting (See Page 20)
 - b) July 9, 2013 Regular Meeting (See Page 22)
 - c) July 10, 2013 Committee of the Whole Meeting (See Page 38)
 - d) July 11, 2013 Committee of the Whole Meeting (See Page 45)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
 - a) M2013-0022: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective: (See Page 52)

- 1) Brandon D. Cox
- 2) Roland J. DeMonte
- 3) Evan T. Byron

Sponsors: Councilmembers Connally and Conwell

- b) M2013-0023: A Motion confirming the County Executive's appointment of individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective: (See Page 61)

- 1) Steve Killpack
- 2) Eileen Saffran

Sponsors: Councilmembers Connally and Conwell

- c) M2013-0024: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective: (See Page 68)

- 1) Gwendolyn Bragg
- 2) Susan DiCocco
- 3) Melissa Federman
- 4) Jeffrey Hall
- 5) Richard Jason
- 6) Bryan Jones
- 7) Charles Mitchell
- 8) Jason Stevenson
- 9) Leisha Yarbrough-Franklin
- 10) Kimberlin Dennis

Sponsors: Councilmembers Connally and Conwell

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

- a) R2013-0158: 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, changing the appointing authority, 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 77)

Sponsors: Councilmembers Conwell and Miller

- b) R2013-0159: 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 83)

Sponsors: Councilmembers Connally and Miller

- c) R2013-0160: 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 86)

Sponsors: Councilmembers Simon and Miller

- d) R2013-0161: 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 89)

Sponsors: Councilmembers Connally and Greenspan

- e) R2013-0162: 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 92)

Sponsors: Councilmembers Connally, Greenspan and Miller

- f) R2013-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective. (See Page 95)

Sponsor: Councilmember Greenspan

- g) R2013-0164: 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 98)

Sponsors: Councilmembers Greenspan and Schron

11. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING

- a) R2013-0127: A Resolution directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective. (See Page 102)

Sponsor: Council President Connally

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

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

- 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 105)

Sponsors: Councilmembers Brady, Jones, Germana and Miller

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

13. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING [WITH RECOMMENDATION TO PLACE ON BALLOT]

- a) 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 become immediately effective. (See Page 109)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- b) 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 113)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- c) 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 117)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- d) 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 120)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- e) 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 become immediately effective. (See Page 123)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- f) 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 126)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- g) 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 129)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

14. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING [WITH RECOMMENDATION NOT TO PLACE ON BALLOT]

- a) 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 132)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- b) 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 135)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- c) 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 138)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- d) 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 141)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- e) 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 145)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- f) 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 148)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- g) 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 151)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

- h) 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 154)

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

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

- a) O2013-0017: An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective. (See Page 160)

Sponsors: Councilmembers Gallagher and Greenspan

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

- a) R2013-0165: 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; amending Resolution No. R2013-0118 dated 6/11/2013, to correct typographical errors; and declaring the necessity that this Resolution become immediately effective. (See Page 164)

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

- b) R2013-0166: A Resolution proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County: "Support is Key", and declaring the necessity that this Resolution become immediately effective. (See Page 176)

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

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

- a) R2013-0167: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 31 employees in 12 classifications in the Department of Public Works for the

period 1/1/2012 - 12/31/2014; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; 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 182)

Sponsor: County Executive FitzGerald/Departments of Law and Public Works

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

- a) R2013-0168: A Resolution authorizing the appropriation of real property in connection with right-of-way plans for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; 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 185)

- 1) Parcel No(s): 13-WD & T
Permanent Parcel No.: 019-05-016
Owner: Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company
Approved Appraisal (Fair Market Value Estimate): \$2,794.00

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

- b) R2013-0169: A Resolution making an award on RQ24534 to Welcome House, Inc. in the amount of \$650,000.00 for sale of the County Archives Building; authorizing a Lease for said building in the amount of \$12.00 for a 12-month period commencing on the closing date of said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective. (See Page 191)

Sponsor: County Executive FitzGerald/Department of Public Works

- c) R2013-0170: A Resolution making an award on RQ24534 to Halle Industrial Park, LLC in the amount of \$10,069,265.64 for lease of space for the period anticipated to be 6/1/2014 - 6/30/2024; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective. (See Page 195)

Sponsor: County Executive FitzGerald/Department of Public Works

- d) R2013-0171: A Resolution approving the retention of a criteria architect for the Convention Center Hotel Project pursuant to RQ27969; awarding an initial 90-day contract with a criteria architect pursuant to the RFQ for an amount not-to-exceed \$1,500,000.00; authorizing the County Executive to negotiate, enter into, and execute a contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 199)

Sponsor: County Executive FitzGerald/Department of Public Works

- e) R2013-0172: A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 - 8/23/2017; and declaring the necessity that this Resolution become immediately effective. (See Page 202)

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

- f) R2013-0173: A Resolution approving the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective. (See Page 210)

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

- g) R2013-0174: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 226)

- 1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:
 - i) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
 - ii) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
 - iii) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
 - iv) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
 - v) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
 - vi) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
 - vii) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
 - viii) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
 - ix) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).
 - x) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).
 - xi) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
 - xii) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:
 - xiii) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.

- xiv) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
 - xv) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
 - xvi) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
 - xvii) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
 - xviii) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
 - xix) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
 - xx) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
 - xxi) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
 - xxii) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
 - xxiii) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:
- xxiv) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

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

19. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- a) R2013-0101: A Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; total estimated construction cost

\$44,475,196.00; 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 261)

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

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

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

- a) R2013-0121: A Resolution adopting the 2013 Economic Development Plan in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective. (See Page 264)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning –
Schron

- b) R2013-0131: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 383)

Sponsor: County Executive FitzGerald on behalf of Juvenile Court

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

- c) 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 385)

- 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

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

- d) 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 388)

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

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

- e) 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 391)

Sponsor: County Executive FitzGerald/Department of Workforce
Development

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

- f) 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 393)
- 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

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

- g) 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 396)

Sponsor: County Executive FitzGerald/Medical Examiner

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

- h) 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 398)

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

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

- i) 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 8/1/2013 - 1/31/2025; 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 400)

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services and Councilmembers Rogers, Germana, Miller, Conwell and Greenspan

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

- j) 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 - 7/31/2015; 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 402)

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

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

- k) 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 405)

- 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 and Councilmember Germana

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

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

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's performance bond and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective. (See Page 408)

Sponsors: County Executive FitzGerald/Department of Law and Councilmember Jones

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

- a) O2013-0015: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective. (See Page 411)

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

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

23. MISCELLANEOUS COMMITTEE REPORTS

24. MISCELLANEOUS BUSINESS

25. PUBLIC COMMENT UNRELATED TO AGENDA

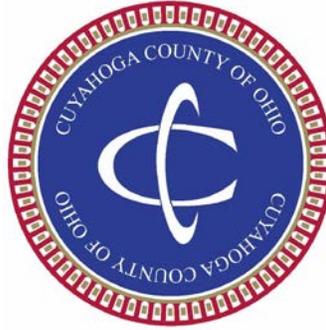
26. ADJOURNMENT

NEXT MEETING

REGULAR MEETING:

TUESDAY, AUGUST 13, 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, JULY 9, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
3:00 PM**

1. CALL TO ORDER

Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan, Chair of the Council Operations and Intergovernmental Relations Committee, preside over the meeting. Chairman Greenspan then called the meeting to order at 3:05 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

4. DISCUSSION

- a) Cuyahoga County Charter Review Commission Report

Mr. Greenspan made comments regarding the process and timeline for consideration of the proposed Charter amendments.

Mr. Bruce Akers, Chair of the Charter Review Commission, provided an overview of the Charter Review Commission and its recommendations contained in the final report. Chairman Greenspan and Councilmember Miller thanked the Commission and Mr. Jim Boyle, Clerk of the Charter Review Commission, for a job well performed.

Assistant Law Director Michael King then provided a brief explanation of the intent and rationale for each proposal and the minority reports.

Discussions were entertained regarding Item #9 relating to the allocation of legal duties between the County Prosecutor and the Law Director. Mr. Shawn Riley and Mr. Patrick McLaughlin addressed the Committee regarding the recommendation of the Charter Review Commission. Mr. Akers and Mr. William Tarter addressed the Committee regarding the views expressed in the minority report. Discussion ensued. Committee members asked questions of Mr. Riley, Mr. McLaughlin, Mr. Akers and Mr. Tarter pertaining to the item, which they answered accordingly.

Discussions were entertained regarding Item #14 relating to the term of appointment and removal of the County Sheriff. Mr. Akers, Mr. McLaughlin, Mr. King and Mr. Tarter addressed the Committee regarding the recommendation of the Charter Review Commission. Discussion ensued. Committee members asked questions of Mr. Akers, Mr. McLaughlin, Mr. King and Mr. Tarter pertaining to the item, which they answered accordingly.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 4:40 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JULY 9, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 5:04 p.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell 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 the 19 firefighters who heroically lost their lives in the wildfires in Arizona and for the victims of Asiana Airlines Flight 214 and the first responders who assisted in the rescue of the survivors.

5. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

6. APPROVAL OF MINUTES

- a) June 25, 2013 Committee of the Whole Meeting
- b) June 25, 2013 Regular Meeting

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the June 25, 2013 Committee of the Whole meeting and regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- 1) **Thanked the Cleveland Orchestra for its July 4th performance and related festivities; and**
- 2) **Several items on the agenda will be taken out of order.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

There were no messages from County Executive FitzGerald.

9. RECEPTION OF REPORTS SUBMITTED TO COUNCIL

- a) Cuyahoga County Charter Review Commission Final Report
- b) Cuyahoga County Veterans Service Commission 2014 Tax Budget

Council President Connally acknowledged receipt of the Cuyahoga County Charter Review Commission Final Report and the Cuyahoga County Veterans Service Commission 2014 Tax Budget.

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.

Sponsors: Councilmembers Connally, Greenspan, Brady and Gallagher

On a motion by Mr. Schron with a second by Mr. Gallagher, Motion No. M2013-0021 was considered and approved by majority roll-call vote with Councilmembers Jones, Rogers, Greenspan, Brady, Germana, Gallagher, Schron, and Connally voting in the affirmative and Councilmembers Simon, Miller and Conwell casting dissenting votes.

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

[Note: Item No. 11.a) was taken out of order and considered after Item No. 12.a) on the agenda.]

- 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.

Sponsors: Councilmembers Brady, Jones, **Germana and Miller**

Council President Connally referred Resolution No. R2013-0132 to the Health, Human Services & Aging Committee.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0133 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0134 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0135 to the Committee of the Whole.

- 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 become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0136 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0137 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0138 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0139 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0140 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0141 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0142 to the Committee of the Whole.

- 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 become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0143 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0144 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0145 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0146 to the Committee of the Whole.

- 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Council President Connally referred Resolution No. R2013-0147 to the Committee of the Whole.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0125 and R2013-0126.

[Note: Item No. 12.a) was taken out of order and considered before Item No. 11.a) on the agenda.]

- 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.

Sponsors: Councilmembers Brady, Jones **and Miller**

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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2013-0125 was considered and adopted by unanimous roll-call vote.

[Note: Item No. 12.b) was taken out of order and considered after Item No. 13.a) on the agenda.]

- 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

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

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2013-0126 was considered and adopted by unanimous vote.

13. 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. O2013-0016.

[Note: Item No. 13.a) was taken out of order and considered before Item No. 12.b) on the agenda.]

- 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

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

On a motion by Ms. Conwell with a second by Mr. Rogers, Ordinance No. O2013-0016 was considered and adopted by unanimous vote.

14. 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. R2013-0148.

- 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.

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

A motion was made by Mr. Rogers, seconded by Mr. Miller and approved by unanimous vote to amend Resolution No. R2013-0148 by adding Items N1. and N2. to Section 1 to decrease and increase grant related appropriations.

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2013-0148 was considered and adopted by unanimous vote, as amended.

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:

- 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

Council President Connally referred Resolution No. R2013-0149 to the Public Works, Procurement & Contracting Committee.

- 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.

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

Council President Connally referred Resolution No. R2013-0150 to the Public Works, Procurement & Contracting Committee.

- 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.

Sponsor: County Executive FitzGerald/Department of Workforce Development

Council President Connally referred Resolution No. R2013-0151 to the Education, Environment & Sustainability Committee.

- 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:
- 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

Council President Connally referred Resolution No. R2013-0152 to the Education, Environment & Sustainability Committee.

- 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.

Sponsor: County Executive FitzGerald/Medical Examiner

Council President Connally referred Resolution No. R2013-0153 to the Public Safety & Justice Affairs Committee.

- 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.

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

Council President Connally referred Resolution No. R2013-0154 to the Public Safety & Justice Affairs Committee.

- 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.

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

Council President Connally referred Resolution No. R2013-0155 to the Public Safety & Justice Affairs Committee.

- 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.

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

Council President Connally referred Resolution No. R2013-0156 to the Public Works, Procurement & Contracting Committee.

- 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:

- 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

Council President Connally referred Resolution No. R2013-0157 to the Public Works, Procurement & Contracting Committee.

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. R2013-0124, R2013-0129 and R2013-0130.

- 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.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmembers Jones, Rogers, Conwell and Miller**

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

On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2013-0124 was considered and adopted by unanimous vote.

- 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.

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

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0129 was considered and adopted by unanimous vote.

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

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

On a motion by Mr. Jones with a second by Mr. Greenspan, Resolution No. R2013-0130 was considered and adopted by unanimous vote.

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.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Tucker Ellis LLP

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2013-0093 was considered and adopted by unanimous vote.

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 9th 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.

Sponsors: County Executive FitzGerald/Department of Development **and Councilmembers Brady, Rogers, Jones, Simon and Conwell**

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0090 was considered and adopted by unanimous vote.

- 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.

Sponsors: County Executive FitzGerald/Department of Development **and Councilmember Conwell**

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Mr. Jones, Resolution No. R2013-0091 was considered and adopted by unanimous vote.

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.

Sponsor: County Executive FitzGerald/Director of Law

On a motion by Mr. Schron with a second by Mr. Greenspan, Ordinance No. O2013-0014 was considered and adopted by unanimous vote.

20. 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) **Wednesday, July 10th at 1:00 p.m.**
- 2) **Thursday, July 11th at 1:00 p.m.**

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, July 15th at 1:00 p.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, July 10th and Wednesday, July 17th at 11:00 a.m.

Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, July 17, 2013 at 3:00 p.m.

21. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

22. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment.

23. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:00 p.m., without objection.



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING

WEDNESDAY, JULY 10, 2013

CUYAHOGA COUNTY JUSTICE CENTER

COUNCIL CHAMBERS – 1ST FLOOR

1:00 PM

1. CALL TO ORDER

Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan, Chair of the Council Operations and Intergovernmental Relations Committee, preside over the meeting. Chairman Greenspan then called the meeting to order at 1:10 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

Mr. Greg Coleridge, representing Northeast Ohio American Friends Service Committee, addressed the Committee regarding issues of concern to him relating to Resolution No. R2013-0135, 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.

4. MATTERS REFERRED TO COMMITTEE

In general, Mr. Michael King, Assistant Law Director; Mr. Bruce Akers, Mr. William Tarter, Mr. Shawn Riley and Mr. Patrick McLaughlin, representing the Charter Review Commission; Mr. Majeed Makhoulf, Director of Law; and Mr. Jim Boyle, Clerk of the Charter Review Commission; addressed the Committee regarding Resolution Nos. R2013-0133, R2013-134, R2013-0135, R2013-0136, R2013-0137, R2013-0138, R2013-0139 and R2013-0140 as the items were discussed.

Councilmembers asked questions pertaining to the items, which were answered accordingly. Discussion ensued.

- a) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Mr. Greenspan made a motion to refer Resolution No. R2013-0133 to the full Council agenda with a recommendation that this Charter amendment be placed on the ballot. There was no second.

On a motion by Mr. Greenspan with a second by Ms. Connally, Resolution No. R2013-0133 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot.

- b) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Rogers to refer Resolution No. R2013-0134 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 2 yeas to 9 nays with Councilmembers Rogers and Greenspan voting in the affirmative and Councilmembers Simon, Connally, Miller, Brady, Germana, Gallagher, Schron, Conwell and Jones casting dissenting votes.

On a motion by Mr. Greenspan with a second by Ms. Connally, Resolution No. R2013-0134 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Simon, Connally, Miller, Brady, Germana, Gallagher, Schron, Conwell and Jones voting in the affirmative and Councilmembers Rogers and Greenspan casting dissenting votes.

- c) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Schron to refer Resolution No. R2013-0135 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 1 yea to 9 nays with Councilmember Schron voting in the affirmative and Councilmembers Rogers, Connally, Greenspan, Miller, Brady, Germana, Gallagher, Conwell and Jones casting dissenting votes.

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0135 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Rogers, Connally, Greenspan, Miller, Brady, Germana, Gallagher, Conwell and Jones voting in the affirmative and Councilmember Schron casting the only dissenting vote.

A short recess was taken after which Chairman Greenspan reconvened the meeting.

- d) 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 become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2013-0136 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- e) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Germana, Resolution No. R2013-0137 was considered and approved by a unanimous roll-call vote to be

referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- f) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Schron to refer Resolution No. R2013-0138 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 2 yeas to 7 nays with Councilmembers Germana and Rogers voting in the affirmative and Councilmembers Connally, Greenspan, Miller, Brady, Schron, Conwell and Jones casting dissenting votes.

On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2013-0138 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Rogers, Connally, Greenspan, Miller, Brady, Schron, Conwell and Jones voting in the affirmative and Councilmember Germana casting the only dissenting vote.

- g) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Rogers, Resolution No. R2013-0139 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- h) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Germana, Resolution No. R2013-0140 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

Resolution Nos. R2013-0141, R2013-0142, R2013-0143, R2013-0144, R2013-0145, R2013-0146 and R2013-0147 will be considered at the July 11, 2013 Committee of the Whole meeting.

- i) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0141.

- j) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0142.

- k) 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 become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0143.

- l) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0144.

- m) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0145.

- n) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0146.

- o) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0147.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 4:03 p.m., without objection.



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING

THURSDAY, JULY 11, 2013

CUYAHOGA COUNTY JUSTICE CENTER

COUNCIL CHAMBERS – 1ST FLOOR

1:00 PM

1. CALL TO ORDER

Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan, Chair of the Council Operations and Intergovernmental Relations Committee, preside over the meeting. Chairman Greenspan then called the meeting to order at 1:09 p.m.

2. ROLL CALL

Chairman Greenspan asked Clerk Schmotzer to call the roll. Councilmembers Simon, Connally, Miller, Germana, Gallagher, Conwell, Jones and Greenspan were in attendance and a quorum was determined. Councilmember Rogers entered the meeting shortly after the roll call was taken. Councilmembers Brady and Schron were absent from the meeting.

3. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

4. MATTERS REFERRED TO COMMITTEE

Resolution Nos. R2013-0133, R2013-0134, R2013-0135, R2013-0136, R2013-0137, R2013-0138, R2013-0139 and R2013-0140 were previously considered at the July 10, 2013 Committee of the Whole meeting.

- a) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0133.

- b) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0134.

- c) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0135.

- d) 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 become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0136.

- e) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0137.

- f) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0138.

- g) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0139.

- h) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0140.

In general, Mr. Michael King, Assistant Law Director; Mr. William Tarter and Mr. Patrick McLaughlin, representing the Charter Review Commission; Mr. Majeed Makhoulf, Director of Law; and Mr. Jim Boyle, Clerk of the Charter Review Commission; addressed the Committee regarding Resolution Nos. R2013-0141, R2013-0142, R2013-0143, R2013-0144, R2013-0145, R2013-0146, and R2013-0147 as the items were discussed. Councilmembers asked questions pertaining to the items, which were answered accordingly. Discussion ensued.

- i) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Specifically, Mr. Garrett Johnson, representing the Office of the Prosecutor, and Mr. Majeed Makhlouf, Director of Law; addressed Council regarding Resolution No. R2013-0141. Discussion ensued. Councilmembers asked questions of Mr. Johnson and Mr. Makhlouf pertaining to the item, which they answered accordingly.

A motion was made by Mr. Greenspan and seconded by Mr. Germana to refer Resolution No. R2013-0141 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 1 yea to 8 nays with Councilmember Gallagher voting in the affirmative and Councilmembers Simon, Connally, Miller, Germana, Conwell, Jones, Rogers and Greenspan casting dissenting votes.

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0141 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Simon, Connally, Miller, Germana, Conwell, Jones, Rogers and Greenspan voting in the affirmative and Councilmember Gallagher casting the only dissenting vote.

- j) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Ms. Conwell to refer Resolution No. R2013-0142 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 0 yeas to 8 nays with no Councilmembers voting in the affirmative and Councilmembers Simon, Connally, Miller, Germana, Conwell, Jones, Rogers and Greenspan casting dissenting votes.

On a motion by Mr. Greenspan with a second by Ms. Conwell, Resolution No. R2013-0142 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot.

- k) 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 become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Rogers, Resolution No. R2013-0143 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot with Councilmembers Connally, Miller, Germana, Jones, Rogers and Greenspan voting in the affirmative and Councilmembers Simon, Gallagher and Conwell casting dissenting votes.

A short recess was taken after which Chairman Greenspan reconvened the meeting.

- l) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Ms. Simon, Resolution No. R2013-0144 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- m) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

Specifically, Ms. Colleen Reali, Assistant Prosecuting Attorney, addressed Council regarding Resolution No. R2013-0145. Discussion ensued. Councilmembers asked questions of Ms. Reali pertaining to the item, which she answered accordingly.

On a motion by Mr. Greenspan with a second by Mr. Germana, Resolution No. R2013-0145 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot, with Councilmembers Miller, Germana, Gallagher, Jones, Rogers and Greenspan voting in the affirmative and Councilmembers Simon, Connally and Conwell casting dissenting votes.

- n) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Gallagher to refer Resolution No. R2013-0146 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 0 yeas to 8 nays with no Councilmembers voting in the affirmative and Councilmembers Simon, Connally, Miller, Germana, Gallagher, Conwell, Jones and Greenspan casting dissenting votes.

On a motion by Mr. Greenspan with a second by Mr. Germana, Resolution No. R2013-0146 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot.

- o) 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.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Ms. Conwell to refer Resolution No. R2013-0147 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 0 yeas to 8 nays with no Councilmembers voting in the affirmative and Councilmembers Simon, Connally, Miller, Germana, Gallagher, Conwell, Jones and Greenspan casting dissenting votes.

On a motion by Mr. Greenspan with a second by Ms. Conwell, Resolution No. R2013-0147 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot, which was not an item under consideration during this meeting.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

Ms. Erika Anthony, Mr. Bryce Sylvester and Mr. Jason Russell, representing the Next Generation Council; addressed the Committee regarding issues of concern to them relating to Resolution No. 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.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 4:26 p.m., without objection.

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0022

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective.

WHEREAS, on December 11, 2012, Cuyahoga County Council enacted Ordinance No. O2012-0026 which established the Cuyahoga County Debarment Law and Procedures and Review Board; and,

WHEREAS, the Cuyahoga County Debarment Board is set forth and codified in Cuyahoga County Code Section 205.06; and,

WHEREAS, the Cuyahoga County Debarment Law referencing the Cuyahoga County Debarment Review Board is now codified in Chapter 505 of the Cuyahoga County Code; and,

WHEREAS, the Cuyahoga County Debarment Review Board reviews decisions rendered by the Cuyahoga County Inspector General concerning contractors who seek to perform work on behalf of Cuyahoga County; and,

WHEREAS, pursuant to the Cuyahoga County Code Section 205.06, the Cuyahoga County Debarment Review Board consists of five (5) members: the Cuyahoga County Fiscal Officer, a member of the Cuyahoga County Council, and three residents of Cuyahoga County appointed by the County Executive and confirmed by the Cuyahoga County Council; and,

WHEREAS, members of the Cuyahoga County Debarment Review Board who are appointed by the County Executive and confirmed by the Cuyahoga County Council shall be appointed to serve a five (5) year staggered term; and,

WHEREAS, pursuant to the Cuyahoga County Code Section 205.06, "of the terms for the initial appointees, one shall be appointed for a term of five years commencing on February 1, 2013, and expiring on January 31, 2018, one shall be appointed for a term of four years commencing on February 1, 2013, and expiring on January 31, 2017, and one shall be appointed for a term of three years commencing on February 1, 2013, and expiring on January 31, 2016"; and,

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

WHEREAS, the County Executive has nominated the following individuals to serve on the Cuyahoga County Debarment Review Board:

- a) Brandon D. Cox for a term commencing February 1, 2013, and expiring January 31, 2018;
- b) Roland J. DeMonte for a term commencing February 1, 2013, and expiring January 31, 2017;
- c) Evan T. Byron for a term commencing February 1, 2013, and expiring January 31, 2016; and,

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

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

SECTION 1. The Council of Cuyahoga County hereby confirms the appointment of the following individuals to serve on the Cuyahoga County Debarment Review Board:

- a) Brandon D. Cox for a term commencing February 1, 2013, and expiring January 31, 2018;
- b) Roland J. DeMonte for a term commencing February 1, 2013, and expiring January 31, 2017;
- d) Evan T. Byron for a term commencing February 1, 2013, and expiring January 31, 2016.

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

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

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

Yeas:

Nays:

County Council President

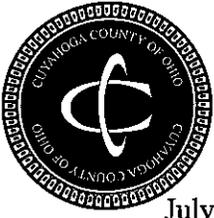
Date

Clerk of Council

Date

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

Journal _____
_____, 2013



EDWARD FITZGERALD
Cuyahoga County Executive

July 15, 2013

C. Ellen Connally, President
Cuyahoga County Council
1219 Ontario Street, 4th Floor
Cleveland, OH 44113

Re: Cuyahoga County Debarment Review Board

Dear President Connally:

Pursuant to the enactment of Ordinance No. 02012-0026, I submit the following nominees to serve on Cuyahoga County's Debarment Review Board:

- Brandon D. Cox;
- Roland J. DeMonte; and,
- Evan T. Byron

In the wake of the County corruption investigation, it became clear that Cuyahoga County needed to address the manner in which businesses conduct their operations and how they interact with our government. The Debarment Review Board is composed of five members: the Fiscal Officer, a member of the County Council and three county electors, who are nominated by the Executive and confirmed by the Council. The Board members serve staggered, five-year terms. They will rule on potential violations of the County's Ethics Policy and hand down rulings that may preclude companies from conducting business with this county.

I have attached the resumes of each nominee for your review. Each of these nominees brings necessary education and work experience to this position. The role of this Board is vital to the County's operations and the need for fair and transparent operations. As we move away from the troubles of our past, it is essential that this Board have excellent representatives. I believe these three individuals are ideally suited to this Board and I urge their confirmation

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

Sincerely,

Edward FitzGerald
Cuyahoga County Executive



BRANDON D. COX

Associate, Cleveland
216.696.2564 (direct dial)
216.592.5009 (fax)
brandon.cox@tuckerellis.com

Service Areas

Medical & Pharmaceutical Liability

Bar Admissions

Ohio, 2012

Education

Cleveland-Marshall College of Law (J.D., *cum laude*, 2012)
Georgetown University (B.S., 2007)

Bio

Brandon D. Cox is an Associate in the Cleveland office of Tucker Ellis LLP. He works in the Trial Department, focusing his practice on the representation of drug and device companies in nationwide litigation.

Brandon received his Bachelor of Science degree from Georgetown University. He earned his law degree at Cleveland-Marshall College of Law where he served on the Dean's Advisory Council, was a member of the Frederick Douglass Moot Court Team, and was a managing editor of the *Cleveland State Law Review*. While in law school, Brandon received several awards and scholarships including National Best Oral Advocate for the Frederick Douglass Moot Court Competition, Cleveland-Marshall Alumni Association Scholarship Award, OACTA Diversity Scholarship, Urban League Achievement Scholarship Award, and the CALI Award for Academic Excellence in both Contracts and Advanced Brief Writing.

A current mentor for members of the Cleveland-Marshall Black Law Students Association, Brandon is a former chapter president and associate editor of the Midwest Black Law Students Association's Law Journal.

Civic & Professional Involvement

Cleveland Metropolitan Bar Association

3Rs Instructor

Cleveland Mock Trial Competition Volunteer

Norman S. Minor Bar Association

Federal Bar Association

Cleveland-Marshall Black Law Students Association

Former President

Mentor

Cleveland-Marshall Minority Outreach Committee

Cleveland-Marshall Alumni Association

Gilmour Academy

Speech and Debate Volunteer

Mock Trial Volunteer

EVAN THOMAS BYRON

2142 West 7th Street, Apt. Front Down ■ Cleveland, Ohio 44113 ■ 216.903.1858 ■ evan_byron@msn.com

EDUCATION

Case Western Reserve University School of Law, *Cleveland, Ohio*

Juris Doctor, 2006

GPA: 3.17/4.00

Honors & Activities:

- Jonathan M. Ault Mock Trial Team, Member.
- Delta Theta Phi, Vice President.
- Dean's List.

Indiana University Purdue University – Indianapolis, *Indianapolis, Indiana*

Bachelor of Arts, 2002

GPA: 3.55/4.00

Major: History, **Minor:** Spanish

Honors & Activities:

- The National Dean's List.
- Phi Alpha Delta, Finance Committee.

CAREER EXPERIENCE

Chernett Wasserman, LLC, *Cleveland, Ohio*

Senior Associate, October 2009 – present

Head of litigation practice in five-attorney boutique litigation and transactional law firm specializing in the areas of commercial and residential real estate, business and entrepreneurial services, banking and finance, construction, creditor's rights and collections, and landlord/tenant disputes. Practice involves managing and leading all aspects of business/commercial litigation, including strategy development, budgeting, client interaction and reporting, preparation of pleadings and motions, discovery and depositions, and attendance at various court appearances, including trial and appellate arguments. Caseload regularly consists of in excess of 50 litigation matters pending in state and federal court, before the American Arbitration Association and FINRA, and before both the Equal Employment Opportunity Commission and the Ohio Civil Rights Commission.

Haber Polk Kabat, LLP, *Cleveland, Ohio*

Associate, August 2006 – May 2009

Practiced as one of seven attorneys in newly-founded boutique law firm specializing in employment, commercial, title insurance, and select personal injury litigation. Managed all aspects of litigation from inception to completion on plaintiff and defense cases as both lead counsel and co-counsel. Caseload included handling 30-40 matters at any one time. Experience specifically included: independently taking and defending approximately 75 depositions; extensive motion practice; sitting second chair in two-week long jury trial; successfully arguing before the Sixth District Court of Appeals; and serving as outside counsel for a Cleveland-based steel manufacturing and distributing company.

Reminger Co., L.P.A., *Cleveland, Ohio*

Law Clerk, October 2004 – November 2005

Participated in the firm's intensive law clerk program during both the summer of 2005 and while maintaining a full class load during law school. Drafted a variety of research memoranda and legal briefs, including complex dispositive motions; assisted with discovery preparation; and prepared materials for Continuing Legal Education seminars related to insurance coverage issues.

EVAN THOMAS BYRON

2142 West 7th Street, Apt. Front Down ■ Cleveland, Ohio 44113 ■ 216.903.1858 ■ evan_byron@msn.com

Cuyahoga County Prosecutor's Office, Cleveland, Ohio

Law Clerk (Major Trials Division), May 2004 – August 2004

Worked as one of two law clerks assigned to assist county prosecutors in the Major Trials Division. Drafted appellate brief and several research memoranda. Assisted with prosecution of month-long, high-profile murder case through the following: attending witness interviews and pre-trial conferences; preparation of discovery responses; assistance with motion practice; and providing support to prosecutors and detectives during trial.

OTHER EXPERIENCE

Kaplan TestPrep, Indianapolis, Indiana

LSAT Instructor, August 2002 – August 2003

Provided LSAT instruction in both classroom and private tutor setting.

Northwestern University School of Law, Chicago, Illinois

Participant in Summer Undergraduate Mock Trial Institute, June 2001

Participated in weeklong, intensive mock trial seminar taught by Chicago-based attorneys, professors, and judges. Seminar consisted of daily classroom instruction in each aspect of trial advocacy and culminated with a live mock trial competition.

BAR ADMISSIONS

Ohio.

United States District Court, Northern District of Ohio.

United States Bankruptcy Court, Northern District of Ohio.

United States Court of Appeals, Sixth Circuit.

MEMBERSHIPS/AFFILIATIONS

Ohio State Bar Association.

Cleveland Metropolitan Bar Association.

- Young Lawyers Section, Executive Council (2010 – present).
- Membership Committee (2010 – present).
- High School Mock Trial Instructor (2010 – present).
- Task Force on Judicial Excellence (2010 – present).

Cleveland Racquet Club, Member.

Roland J. De Monte

19840 Saranac Drive
Fairview Park, Ohio 44126
(330) 283-5537
RolandDeMonte@gmail.com

BAR/COURT ADMISSIONS

State of Ohio, 2006
United States District Court, Northern District of Ohio, 2007
United States District Court, Southern District of Ohio, 2012
United States Court of Appeals, Sixth Circuit, 2013

EXPERIENCE

Fisher & Phillips, LLP (August 2010-Present)

- Represent companies in state and federal courts in all manner of employment related lawsuits, including suits concerning discrimination, wrongful termination, retaliation and equal employment opportunity law.
- Advocate on behalf of companies before state and federal agencies, including Ohio Civil Rights Commission, Equal Employment Opportunity Commission, U.S. Department of Housing and Urban Development, and U.S. Department of Health and Human Services.
- Draft employment contracts/agreements for companies.
- Advise employers on compliance with state and federal employment and labor regulations, non-compete contracts, severance agreements and vendor contracts.

Mazanec, Raskin, & Ryder Co., L.P.A. (June 2007 – August 2010)

- Represented public entities in all stages of state and federal civil rights litigation.
- Defended public employers in state and federal court from employment law claims, constitutional tort claims, and contract claims.
- Advised municipalities on drafting legislation, compliance with state and federal constitutional provisions, and human resource matters.

Summit County Prosecutor's Office – Civil Division (January 2007 – June 2007)

- Represented Summit County in daily adjudications and legal custody hearings.
- Represented Summit County Children Services in permanent custody trial.

Contract Attorney (September 2006 – January 2007)

- Procure and review medical documents in national class action litigation.

Clerkships (May 2004 – May 2006)

- City of Akron Prosecutor's Office
- Portage County Prosecutor's Office
- City of Cleveland Prosecutor's Office

COMMUNITY

Cleveland Mediation Center (2011-present)

- Executive Board Member, Secretary

Crohn's and Colitis Foundation of America –NEO Chapter (2011-present)

- Executive Board Member, Secretary

Cleveland Leadership Center

- Cleveland Bridge Builders – Class of 2012
- Civic Leadership Institute – Fall 2011

EDUCATION

The University of Akron School of Law, Akron, Ohio

Juris Doctor, May 2006

- Mock Trial Team
 - National 1st Runner-up NITA Tournament of Champions, 2005
 - Sixth Circuit Champion ATLA Tournament, 2006
 - National Quarter Finalist ATLA Tournament, 2006
- Full Tuition Scholarship Recipient
- Second Year Class President

Mount Union College, Alliance, Ohio

Bachelor of Arts, *Cum Laude*, May 2003

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0023

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive's appointment of individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective.

WHEREAS, Ohio Revised Code Section 340.02 establishes the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County; and,

WHEREAS, the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County is responsible for the planning, funding and monitoring of public mental health and alcohol and other drug addiction services delivered to the residents of Cuyahoga County; and,

WHEREAS, pursuant to the Ohio Revised Code Section 340.02, the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County shall consist of eighteen (18) appointed members; and,

WHEREAS, members of the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County shall be appointed to serve a four year term; and,

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

WHEREAS, the County Executive has nominated the following individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County:

- a) Steve Killpack to fill a vacancy in an unexpired term ending June 30, 2016;
- b) Eileen Saffran to fill a vacancy in an expired term ending June 30, 2017; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter



EDWARD FITZGERALD
Cuyahoga County Executive

July 1, 2013

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

Re: Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County

Dear President Connally:

Pursuant to Ohio Revised Code Section 340.02, I have nominated the following individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County ("ADAMHS"):

- **Steve Killpack**
- **Eileen Saffron**

As you know, ADAMHS is an 18 member body that provides mental health and substance abuse guidance to Cuyahoga County's residents. The members of this body serve four year terms and are not compensated for their service. I have attached background information about both nominees for your review. These individuals have extensive background in relevant fields and will be excellent members of this important body. Both of these individuals have a passion for service and understand the needs of the ADAMHS Board.

The need for services in this County has grown and available resources are not as plentiful as they have been in the past. That only makes the needs of this body all that much more important. I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward FitzGerald
Cuyahoga County Executive

cc: William Denihan

James Boyle - Boards and Commissions Form - Office of Boards and Commissions

From: <donotreply@cuyahogacounty.us>
To: <Jboyle@cuyahogacounty.us>
Date: 5/22/2013 3:29 PM
Subject: Boards and Commissions Form - Office of Boards and Commissions

A Web site user submitted the Boards and Commissions Form with the following information:

Last Name : Killpack

First Name : Steve

City : Cleveland Heights

State : Ohio

Zip : 44106

Phone Number : 216.245.7842

Email Address : neofathering@gmail.com

Please select the boards/commissions/councils you would like to be considered for. : Alcohol, Drug Addiction and Mental Health Services (ADAMHS) -

Why are you interested in serving on this board/commission/council? : I am a career social worker and am committed to serving on community boards, commissions and advisory bodies that play a critical role in the health and well being of our county. The ADAMHS Board plays such a critical role and I would like to actively participate in its efforts to serve the citizens of the county. I know that the resources the Board has are dwindling and uncertain. This context requires careful research-based collaborative decision-making. Individuals living with drug, alcohol and mental health issues need high quality consistent treatment. In addition, we need to work as a community to prevent these problems in children and young people when we can. I believe that wise use of ADAMHS Board resources can save money in other areas of the county in the long term and would love to be part of that conversation.

What qualities do you possess that would make you a good candidate to serve on this board/commission/council? : I have served on a number of non-profit and public Boards and have a good sense of how these Boards can effectively operate. I have often served in the fiscal oversight position on Boards as well and am very comfortable with budgets as well as the difficult decisions that go along with that component of Board oversight. I am a community-organizer/collaborator by nature and bring these skills to Board work. I believe it is very important that Boards are diverse and that all members of a Board have a voice. I also believe in consensus decision-making when realistic and possible. Personally, I have been touched by mental illness and alcoholism in my own family. I bring this knowledge and empathy with me to the work. In addition, over a 25 direct service career in social services, I often worked with adolescents and young adults with substance abuse and behavioral health

issues. Through that work, I gained an understanding of the range of services available for this population as well as some of the best practices in the field.

What professional experience do you have that would make you a good candidate to serve on this board/commission/council? : As I mentioned above, I worked in direct social services for 25 years, primarily with adolescents and their families. I also worked with street youth and in institutional settings with young people. I have a Masters degree in Social Advocacy from the University of Michigan. I have 10 years experience managing an independent foundation. Our mission is to develop and promote services for fathers, primarily low income noncustodial fathers, over the lifespan of fatherhood. In my role with this foundation, I have participated on a number of advisory boards, collaboratives, and state or county Commissions. I am currently Co-Chair of the Cuyahoga County Domestic Violence Shelter Advisory Board and Vice Chair of the Ohio Commission on Fatherhood. I also serve as Co-Chair of a Goal Committee for Invest in Children that focuses on Effective Parents and Families. I also have experience with the various legal and financial filings associated with non-profit agencies.

Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the Board and/or Commission for which you have applied? If so, please detail the circumstances: : I don't believe I have any relationships that would be considered a conflict of interest related to the work of the ADAMHS Board.

James Boyle - Boards and Commissions Form - Office of Boards and Commissions

From: <donotreply@cuyahogacounty.us>
To: <Jboyle@cuyahogacounty.us>
Date: 5/9/2013 4:02 PM
Subject: Boards and Commissions Form - Office of Boards and Commissions

A Web site user submitted the Boards and Commissions Form with the following information:

Last Name : Saffran

First Name : Eileen

City : Orange Village

State : Ohio

Zip : 44022

Phone Number : 216-272-4325

Email Address : saffran@touchedbycancer.org

Please select the boards/commissions/councils you would like to be considered for. : Alcohol, Drug Addiction and Mental Health Services (ADAMHS) -

Why are you interested in serving on this board/commission/council? : Both my academic training and professional experience have focused on health and mental health. For almost 40 years, as a Licensed Independent Social Worker (LISW) as well as for the past 15 years having founded and run a cancer non-profit support center (The Gathering Place), I have both worked within and witnessed issues pertinent to quality and access to mental health services. With the upcoming drastic changes in health care as well as the potential for challenges and opportunities in mental health services, I would like to lend my clinical, non-profit administrative and community leadership skills to the work of the ADAMHS Board.

What qualities do you possess that would make you a good candidate to serve on this board/commission/council? : *Leadership *Expertise and experience in the mental health field *Knowledge of the mental health community *Excellent listener not afraid to challenge the status quo *Sensitivity to the challenges of managing and sustaining a non-profit in a challenging funding environment *Knowledge of the mechanics and operations of a Board *Ability to relate to a "garden variety" of people *A healthy respect of differences *Residency for the past 37 years in Cuyahoga County

What professional experience do you have that would make you a good candidate to serve on this board/commission/council? : *23 years as a clinical social worker in the health and mental health field

(Masters Degree in Social Work) *15 years as the Founder and Executive Director of a non-profit (building and sustaining an effective governing Board) *Work within and with the mental health and health care community in Cuyahoga County *Prior positions on professional and community boards *Volunteerism on Mayor Jackson's Quality Efficiency Task Force *Leadership Cleveland Class of 2003

Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the Board and/or Commission for which you have applied? If so, please detail the circumstances: : None in the past nor present time

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0024

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive’s appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective.

WHEREAS, the goal of the Regional HIV Health Services Planning Council is to identify HIV positive individuals and to link them into appropriate care and living situations to improve health outcomes comprised of the Transitional Grant Area of Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina Counties; and,

WHEREAS, the Cuyahoga Regional HIV Health Services Planning Council recommended the nominees based on satisfying the Membership guidelines as outlined in the 2009 Ryan White Treatment Extension Act, Section 2602, matching Membership positions that were needed on the Planning Council, and those who acknowledged the time requirements for Membership; and,

WHEREAS the Regional HIV Health Services Planning Council is a thirty-five (35) member body serving three (3) year staggered terms; and;

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

WHEREAS, the County Executive has nominated the following individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, commencing immediately:

- a) Gwendolyn Bragg to fill a vacancy for a term expiring July 2016
- b) Susan DiCocco to fill a vacancy for a term expiring July 2016
- c) Melissa Federman to fill a vacancy for a term expiring July 2016
- d) Jeffrey Hall to fill a vacancy for a term expiring July 2016

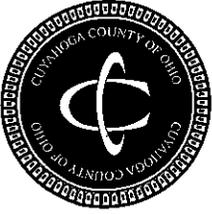
- e) Richard Jason to fill a vacancy for a term expiring July 2016
- f) Bryan Jones to fill a vacancy for a term expiring July 2016
- g) Charles Mitchell to fill a vacancy for a term expiring July 2016
- h) Jason Stevenson to fill a vacancy for a term expiring July 2016
- i) Leisha Yarbrough-Franklin to fill a vacancy for a term expiring July 2016
- j) Kimberlin Dennis as Consumer Co-Chair for a term expiring July 2016;
and,

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

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

SECTION 1. The Council of Cuyahoga County hereby confirms the appointment of the following individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, commencing immediately:

- a) Gwendolyn Bragg to fill a vacancy for a term expiring July 2016
- b) Susan DiCocco to fill a vacancy for a term expiring July 2016
- c) Melissa Federman to fill a vacancy for a term expiring July 2016
- d) Jeffrey Hall to fill a vacancy for a term expiring July 2016
- e) Richard Jason to fill a vacancy for a term expiring July 2016
- f) Bryan Jones to fill a vacancy for a term expiring July 2016
- g) Charles Mitchell to fill a vacancy for a term expiring July 2016
- h) Jason Stevenson to fill a vacancy for a term expiring July 2016
- i) Leisha Yarbrough-Franklin to fill a vacancy for a term expiring July 2016
- j) Kimberlin Dennis as Consumer Co-Chair for a term expiring July 2016.



EDWARD FITZGERALD
Cuyahoga County Executive

July 15, 2013

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

Re: Cuyahoga Regional HIV Health Services Planning Council

Dear President Connally:

Pursuant to the provisions contained in the Ryan White HIV/AIDS Treatment Extension Act of 2009, I am nominating the individuals listed in the attached documents to serve on the Cuyahoga Regional HIV Health Services Planning Council. The Council has specific membership requirements and a brief summary of the applicable mandates is attached for review as well.

The HIV Services Planning Council is formed pursuant to Federal Law and serves the Transitional Grant Area comprised of Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina Counties. The Council strives to identify HIV positive individuals and link them to appropriate care and living situations to improve quality of life and relevant health outcomes.

Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward FitzGerald
Cuyahoga County Executive

cc: Melissa Rodrigo

Ryan White Membership/Outreach Committee

Cleveland Transitional Grant

Planning Council Composition as of September 14th, 2011

# of Planning Council Members				30						
Representation Requirements										
1. Health-care providers, including federally-qualified health centers							X			
2. Community-based organizations serving affected populations and AIDS-service organizations							X			
3. Soc.-service providers, inc. housing and homeless-services providers							X			
4. Mental-health providers							X			
5. Substance-abuse providers							X			
6. Local public health agencies							X			
7. Hospital planning agencies or health-care planning agencies							X			
8. Affected communities, including individuals with HIV disease or AIDS, and historically under-served groups and subpopulations							X			
9. Non-elected community leaders							X			
10. State Medicaid agency							X			
11. State agency administering the Part B program							X			
12. RWTMA grantees under Part C							X			
13. RWTMA grantees under section 2671 (including Part D)							X			
14. Grantees under other Federal HIV programs, including HIV-Prevention Programs							X			
15. Formerly incarcerated PLWH/A or their representatives							X			
16. PLWH/A with Hepatitis C Co-Infection							X			
Cleveland Profile*										
Gender	Target	PC		Non-Conflicted HIV Status	Target	PC	Conflicted			
Men	65%	50%		Current	> 33%	36%	47%			
Women	35%	50%								
Members by Region	Target**	PC		Race / Ethnicity	Target	PC		HIV Status	Target	PC
Ashtabula	1%	0%		Afr. Am.	20%	36%		Positive	33%	42%
Cuyahoga	88%	83%		Other	3%	3%		Negative	NA	
Geauga	>1%	0%		Hispanic	4%	6%				
Lake	3%	7%		White	78%	53%				
Lorain	6%	10%								
Medina	1%	0%								

*Target percentage information provided by ODH website PLWHIV/AIDS by Sex, Race, Ethnic Background as of 12/31/09

CUYAHOGA COUNTY BOARD OF HEALTH

YOUR TRUSTED SOURCE FOR PUBLIC HEALTH INFORMATION

May 16, 2013

County Executive Edward FitzGerald
Cuyahoga County
1219 Ontario Street
Cleveland, OH 44113

Dear Executive FitzGerald:

Cuyahoga Regional HIV Health Services Ryan White Planning Council voted to approve the nominations of Ms. Gwendolyn Bragg, Ms. Susan DiCocco, Ms. Melissa Federman, Mr. Jeffrey Hall, Mr. Richard Jason, Mr. Brian Jones, Mr. Charles Mitchell, Mr. Jason Stevenson, Ms. Leisha Yarbrough-Franklin. The nominees were recommended by the Membership Retention and Marketing Committee because they: a) satisfied Membership guidelines as outlined in the 2009 Ryan White Treatment Extension Act; b) matched Membership positions needed on the Council; and, c) acknowledged the time requirements for Council membership. In addition, the Planning Council recently updated its bylaws to add a third co-chair in order to represent consumers. The Planning Council voted Kimberlin Dennis to be the first Consumer Co-Chair.

The Planning Council respectfully requests that the nominees be made to the Planning Council at the earliest convenience. Although these particular nominees help the Council meet its membership mandates, the Planning Council continues to recruit individuals who satisfy HRSA requirements for Planning Council membership. In the coming months, we intend to forward additional nominees for appointment so the Council may achieve compliance with federally mandated guidelines.

Thank you in advance for your ongoing support of the Council and for facilitating the membership appointment process. If you need any additional information about this request for Planning Council appointment, please contact Melissa Rodrigo at 216.201.2001 extension 1507.

Sincerely,

Terrance Allan
Health Commissioner

Planning Council Applicants' Bios:

1. Gwendolyn Bragg:

- African American Female
- Health Care Provider, Cuyahoga County DSAS
- “I am a registered nurse, with a background in home care. I am the Director of Nursing for the Cuyahoga County Department of Senior and Adult Services, which provides home care services under Ryan White Part A. I have been involved in the Ryan White program since 2008.”
- Conflicted—agency receives Ryan White Part A funding
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

2. Susan DiCocco:

- Caucasian Female
- Ohio Department of Health (Ryan White Part B) representative
- Non-Conflicted—agency does not receives Ryan White Part A funding
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

3. Melissa Federman:

- Caucasian Female
- Care giver/family member of person living with HIV; Staff of funder for HIV programs
- “I am a biology major in college and had a strong interest in immunology/microbiology and took course work both as an undergraduate and then in graduate school (public health) in HIV/AIDS. My first full time position after graduating from college was in an immunology research lab in Washington D.C., where I was a research assistant on an adolescent HIV project. I currently serve as the AIDS Funding Collaborative’s Director and in this role oversee the AFC’s grant making, AmeriCorps program and community initiatives as well as staff all standing committees”
- Non-Conflicted—agency does not receives Ryan White Part A funding
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

4. Jefferrey Hall:

- Caucasian Male
- Employed by a Community Based and AIDS Service Organization (ASO)
- “Jeff has been volunteering with Lorain County AIDS Task Force (LCATF) for five years. He is in charge of Public Relations. He is a good counselor and our clients have come to depend on him for support. He has helped LCATF functions, testing events, fundraising, etc... He has participated in ever event held that we are able to attend.”
- Non-Conflicted
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

5. Richard Jason:

- African American Male
- Non-conflicted
- Participated in World AIDS Day 2011-present
- Spoken and presented about HIV throughout the Greater Cleveland area
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

6. Bryan Jones:

- African American Male
- Non-Conflicted
- “I am an active HIV/AIDS advocate in the community. I am apart of most of the support groups throughout the Greater Cleveland area. I do quite a bit of public speaking to the infected as well as the affected. I am a member of the Compass Services program at MetroHealth serving as a peer mentor in the Navigator Program. I have my hand on the pulse of the HIV/AIDS community.”
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

7. Charles Mitchell:

- African American Male
- Employed by a Community Based and AIDS Service Organization (ASO)
- Non Conflicted
- Charles has been volunteering with Lorain County AIDS Task Force (LCATF) for three years. He is in charge of our food pantry and nutrition for LCATF clients. He is a good counselor and our clients have come to depend on him for support. He has participated in ever event held that we are able to attend.”
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

8. Jason Stevenson:

- African American Male
- Provider of HIV prevention services; Social Service Provider
- “I have great respect for the extended knowledge that comes from being a Planning Council member. It will not only enhance my personal life but flow into giving back to the community as I serve as a facilitator of the Free Zone which is a support group at University Hospital. I have also had a course at the Free Clinic with a certificate as an HIV prevention counselor while attending Tri-C earning an associates degree in case management.”
- Non-Conflicted—agency does not receives Ryan White Part A funding
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

9. Leisha Yarbrough-Franklin:

- African American Female
- ADAMHS Board of Cuyahoga County representative
- Conflicted—receives Ryan White Part A funding

- “I would be acting as the ADAMHS Board liaison between Ryan White Part A and the ADAMHS Board providers (both AOD and mental health agencies). The ADAMHS Board contracts with agencies to provide AOD individual and group counseling. The Board uses Ryan White Part A funds as a payor of last resort and monitors to ensure that it is followed.”
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

10. Consumer Chair Kimberlin Dennis:

- African American Female
- Planning Council Consumer Chair
- Non-Conflicted
- Kimberlin was elected by the full Planning Council to serve as the Planning Council’s Consumer Chair. Kimberlin is being reappointed to a new, three year term.
- Fills mandated Health Resource Service Administration (HRSA) slot as outlined under the Ryan White Treatment Modernization Act of 2009

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0158

Sponsored by: Councilmembers Conwell and Miller	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, changing the appointing authority, 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 12.10 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 change the appointing authority, 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 12.10 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 5th 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,~~**Council** shall appoint the members of **the Personnel Review Commission** ~~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~~ 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~~ **Council** 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. **The current members of the Personnel Review Commission at the time of the adoption of this charter amendment shall serve until their existing term expires and may be subject to be reappointed by Council.**

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~~**Council** 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, subject to confirmation by Council, and shall serve at the pleasure of the County Executive. The Director of Human Resources shall 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, Section 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 provide that the County Council shall have the authority to appoint and remove members of 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(s) Assigned:

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0159

Sponsored by: Councilmembers Connally and Miller	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.
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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, 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, Section 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 5th 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. The County Executive and the Council shall use good faith efforts to reflect the diversity of people of the County 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, Section 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, 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(s) Assigned:

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0160

Sponsored by: Councilmembers Simon and Miller	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.
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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, Section 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 5th 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.

The Director of Law shall be the legal advisor to and representative of the **County, the County Executive, and County Council, and all County departments, offices, agencies or 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.

Notwithstanding any other provision of this Charter or of general law, the Director of Law shall give written opinions as to the law when specifically requested to do so by the Council or the County Executive, and shall act as counsel in any 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 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.

Notwithstanding any other provision of the Charter or of general law, the County Council may employ outside counsel in the event a conflict of interest arises that precludes the dual representation of the County Executive and the Council, or when needed to provide proper legislative oversight.

SECTION 2. Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 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(s) Assigned:

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0161

Sponsored by: Councilmembers Connally and Greenspan	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.
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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, Section 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 5th 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.

Following the appointment of the initial Charter Review Commission in 2012, 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. **Charter Review Commission appointments shall be subject to Council confirmation. The Charter Review Commission shall consist** ~~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, Section 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 that the County Executive, before the first day of July, appoint a Charter Review Commission subject to the confirmation of the Council 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(s) Assigned:

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0162

Sponsored by: Councilmembers Connally, Greenspan and Miller	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.
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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, Section 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 5th 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.

(1) Powers and Duties. 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.

(2) Qualifications. 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.

(3) Term. The Sheriff shall be appointed for a term of four years. Each four-year term shall commence on the first day of January of the year following the beginning of the term of office of the County Executive.

(4) Removal. The County Executive may remove the Sheriff from office subject to the approval of at least two-thirds of the Council.

(5) Vacancy. In the case of a vacancy prior to the expiration of the four-year term, the County Executive shall appoint a Sheriff to complete the unexpired term, subject to confirmation by Council. In the case of a vacancy prior to but within two years of the expiration of the four-year term, the County Executive may appoint a Sheriff to complete the unexpired term and a subsequent four-year term, subject to confirmation by Council.

SECTION 2. Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 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(s) Assigned:

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0163

Sponsored by: Councilmember Greenspan	A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective.
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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 Investment Advisory Committee 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, Section 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 5th day of November, 2013, the question of adding Article VI, Section 6.03 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added, crossed out text being deleted and subsequent sections renumbered as follows:

SECTION 6.03 INVESTMENT ADVISORY COMMITTEE.

(1) Establishment and Composition. There shall be an Investment Advisory Committee which shall consist of the County Treasurer, a member of the County Council appointed by the President of Council, and the Prosecuting Attorney.

The initial appointment of the member of County Council to serve on the Investment Advisory Committee shall take place within thirty (30) days of the effective date of this section. The term of the member of County Council serving on the Investment

Advisory Committee shall continue until a successor is appointed in accordance with this section.

Subsequent appointments of the member of County Council to serve on the Investment Advisory Committee shall be made by the Council President within thirty (30) days after each organizational meeting of Council following a regular election for members of the Council.

In the case of a vacancy of the member of the County Council serving on the Investment Advisory Committee prior to the appointment of a successor, the Council President shall appoint another member of the County Council to complete the unexpired term.

(2) Powers and Duties. Members of the Investment Advisory Committee may not appoint deputies to serve on their behalf. The Investment Advisory Committee shall exercise all powers and perform all duties of a county investment advisory committee as prescribed by general law unless otherwise specified herein.

(3) County Investment Policies. The establishment or amendment of county investment policies by the Investment Advisory Committee shall be subject to the approval of the County Council.

(4) Operational Rules and Procedures. The Investment Advisory Committee shall establish its own rules and procedures, subject to approval by Council.

SECTION 6.034 OTHER BOARDS AND COMMISSIONS.

Any board or commission of the County and any joint board or commission in which the County is a participant that is in existence when this Charter becomes effective, but not provided for in this Charter, shall continue to exist until reorganized or discontinued by action of Council, unless its continuance is required by general law.

SECTION 6.045 SPECIAL BOARDS AND COMMISSIONS.

When general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council.

SECTION 2. Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment creating Article VI, Section 6.03 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 VI, Section 6.03 Investment Advisory Committee of the Charter of the County of Cuyahoga be added to establish the Investment Advisory Committee in the Charter and provide for its 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 VI, to the extent that they 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(s) Assigned:

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0164

Sponsored by: Councilmembers Greenspan and Schron	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.
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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, Section 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 5th 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.

(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 successor 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 Agency of Inspector General may independently contract to provide similar services to any other governmental funded entity, county hospital, agency, authority, municipality, district, or political subdivision.

(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 and shall not be considered a public record. 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.

(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.

(c) The Inspector General shall appoint employees of the Agency of Inspector General who shall serve at the pleasure of the Inspector General.

(d) In the event that the Agency of Inspector General's budget is reduced by Council it shall not be reduced greater than the average percentage of budget reductions for all other County agencies.

(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, Section 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. 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 4. 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 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

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0127

Sponsored by: Council President Connally	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.
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WHEREAS, the Department of Public Works' Rules and Regulations currently discourage ride sharing by limiting the use of parking passes to one employee; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: June 25, 2013

Committee(s) Assigned: Education, Environment & Sustainability

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0132

<p>Sponsored by: Councilmembers Brady and Jones</p> <p>Co-sponsored by: Councilmembers Germana and Miller</p>	<p>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.</p>
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WHEREAS, the County Council adopted Resolution No. R2013-0125 on July 9, 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 \$27,652,473,090.00 and that the replacement of the 2.9 mills and an increase of 1.0 mill levy will generate \$107,844,645.00 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, this levy will provide a constant and reliable funding source to support health and human services and mental health services, which benefits the most vulnerable citizens of Cuyahoga County; 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 acknowledges its receipt of and accepts the Fiscal Officer's certification of July 15, 2013, in accordance with Resolution No. R2013-0125, that the total current tax valuation of the County is \$27,652,473,090.00 and that the replacement of the 2.9 mills and an increase of 1.0 mill levy will generate \$107,844,645.00 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: July 9, 2013
Committee(s) Assigned: Health, Human Services & Aging

Additional Sponsorship Requested on the Floor: July 9, 2013

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0136

Sponsored by: Council President Connally on behalf of Charter Review Commission	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 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 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 5th 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

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: July 9, 2013
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0137

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0139

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0140

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0143

<p>Sponsored by: Council President Connally on behalf of Charter Review Commission</p>	<p>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 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 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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0144

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0145

<p>Sponsored by: Council President Connally on behalf of Charter Review Commission</p>	<p>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.</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 5th 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.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0133

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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 ~~thirtysixty~~ 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: July 9, 2013
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0134

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0135

<p>Sponsored by: Council President Connally on behalf of Charter Review Commission</p>	<p>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.</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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0138

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0141

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0142

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0146

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0147

Sponsored by: Council President Connally on behalf of Charter Review Commission	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.
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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 5th 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: July 9, 2013
Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0017

Sponsored by: Councilmembers Gallagher and Greenspan	An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article III, Section 3.09(7) of the Charter of Cuyahoga County provides Council “to provide for the acquisition, construction, maintenance, administration, rental, and leasing of property, including buildings and other public improvements”; and

WHEREAS, the County Council would like to provide inspections for Heating Ventilation Air Condition (hereinafter “HVAC”) fire and smoke dampers located within all County owned and/or leased buildings; and

WHEREAS, the fire and smoke dampers are fire prevention products used in HVAC ducts to prevent the spread of fire and smoke inside HVAC ducts through walls and floors, and

WHEREAS, the County Council desires to establish a Cuyahoga County Fire and Smoke Damper Inspection Program for all County buildings in order to protect the health and welfare of all County workers, visitors and safety forces of County owned buildings;

WHEREAS, providing said inspections will ensure that the County is in compliance with the most up-to-date National Fire Protection Association regulations; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order to ensure the safety within County buildings and to provide for the usual, daily operation of the County.

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

SECTION 1. Chapter 603 of the Cuyahoga County Code is hereby enacted as follows:

Chapter 603: FIRE AND DAMPER INSPECTION PROGRAM

603.01 Fire and Damper Inspection Program

There is hereby created a Cuyahoga County Fire and Smoke Damper Program for the purpose of ensuring all fire and smoke dampers in County owned or leased buildings are in working order to prevent the spread of fire and smoke inside walls and floors.

603.02 Regularity and Monitoring Inspections

All fire and smoke damper units in buildings that are County owned or leased shall be tested and inspected every four (4) years. Compliance with this testing and inspections shall be monitored by the Department of Public Works and the Director of Public Works. The initial testing and inspecting of these units shall begin one-hundred and eighty day (180) after this program becomes effective.

603.03 Regulations Governing Testing and Inspections and Requirements for the Inspectors

The fire and smoke damper unit testing and inspections shall be conducted in accordance with National Fire Protection Association standards. The testing and inspections shall be conducted by independent third party technicians and contractors who have been certified by the International Certification Board and American National Standards Institute to ensure the quality and knowledge of the inspection process. Procurement of these technicians and contractors shall be made in accordance of Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.04 Repairs or Replacements

If any fire and smoke damper unit is found to be faulty or inoperable, repairs or replacements shall begin as soon as possible and be completed within sixty days (60) from the date the unit was found to be faulty or inoperable. All repairs or replacements of the fire and smoke damper units shall be completed and approved by independent third party technicians and contractors who are certified by the International Certification Board and American National Standards Institute. Compliance with the repairs or replacements shall be monitored by the Department of Public Works and the Director of Public Works. Procurement of these technicians and contractors shall be made in accordance of Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.05 Record and Reporting of Inspections and Repairs

All testing and inspections shall be documented indicating the location of each fire and smoke damper, date of the inspection, name of the inspector, deficiencies discovered, and any repairs or replacements completed. The results of the testing and inspections shall be given by the independent third party technicians and contractors to the Department of Public Works and the Director of Public Works within thirty (30) days of the completion of each County owned or leased building tested and inspected. The Department of Public Works and the Director of Public Works shall keep those testing and inspection reports until the next testing and inspection is

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

Journal _____
_____, 2013

Funding Source: This appropriation will return to the General Fund. The funding period is from January 1, 2013 to December 31, 2013

B.	40A069 – Capital Project Future Debt Issuance		BA1301366
	CC767897 – Elevator Upgrade – Board of Elections		
	Personal Services	\$	22,520.00
	Capital Outlays	\$	90,750.00

Funding Source: The increase of \$113,270 will be funded by excess bond proceeds from the 2009 bond offering and the General Fund.

C.	40A069 – Capital Project Future Debt Issuance		BA1301367
	CC768226 – HPG Design & Construction Phase II		
	Capital Outlays	\$	500,000.00

Funding Source: Funding for the rehabilitation of the Huntington Park Garage, Phase II will come from future debt Issuance.

D.	40A521 – Countywide Maintenance Program		BA1301387
	CE785279 – Countywide Maintenance Program		
	Capital Outlay	\$	1,932,370.00

Funding Source: The funding source is municipal project reimbursement.

E.	20A550 – County Wellness Fund		BA1301384
	ND570002 – County Wellness Program		
	Other Expenses	\$	50,000.00

Funding Source: Funding for the Wellness Fund is from unclaimed dollars from the flexible spending accounts.

F.	40A526 – Ohio Department of Transportation (ODOT) Local Projects Administration		BA1301386
	CE785006 – ODOT Local Projects Administration		
	Personal Services	\$	74,349.72
	Other Expenses	\$	11,309.44
	Capital Outlay	\$	64,271.42

Funding Source: The funding source is 80% from Federal Highway Administration dollars passed through Ohio Department of Transportation Local Projects Administration and 20% from County Road and Bridge funds.

G.	20A820 – Delinquent Real Estate Tax Assessment-Prosecutors		BA1301376
	PR495572- Delinquent Real Estate Tax Assessment-Prosecutors		
	Other Expenses	\$	15,000.00

Funding Source: Funding is from fees collected on delinquent real estate tax assessments covering the period January 1, 2013 through December 31, 2013.

H1.	01A001 – General Fund		BA1301364
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IT601104 – Mainframe Operation Services
 Other Expenses \$ 395,697.06

H2. 01A001 – General Fund
 IT601138 – Wide Area Network
 Other Expenses \$ 74,450.71

Funding Source: This appropriation equals current appropriation levels in General Fund budgets which will now be paid directly through the Department of Information Technology budget.

I1. 01A001 – General Fund **BA1301365**
 IT601104 - Mainframe Operation Services
 Other Expenses \$ 117,868.14

I2. 01A001 – General Fund
 IT601138 – Wide Area Network
 Other Expenses \$ 313,251.41

I3. 01A001 – General Fund
 IT601047 – Web & Multi-Media Development
 Other Expenses \$ 1,042,536.07

Funding Source: General Fund.

J. 21A653 – Title VI-B School Age **BA1302017**
 MR741611 – FY14 School -Age IDEA Grant
 Personal Services \$ 278,687.12
 Other Expenses \$ 150,000.00

Funding Source: The source of funding is the Ohio Department of Education. There is no cash match required, and no general fund impact.

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

<u>Fund Nos./Budget Accounts</u>		<u>Journal Nos.</u>
A. FROM:	21S276 – Recovery Act ICAC Task Force PR722009 – Recovery Act ICAC Task Force Capital Outlays \$ 100,000.00	BA1301359
TO:	21S276 – Recovery Act ICAC Task Force PR722009 – Recovery Act ICAC Task Force Other Expenses \$ 100,000.00	

Funding Source: Funding is from the United States Department of Justice, Justice Programs from Recovery Act funding covering the period April 1, 2009 through September 30, 2013.

B. FROM: 20A658 – Fiscal Certificate of Title Administration **BA1301374**

FS109694 – Fiscal Certificate of Title Administration
Other Expenses \$ 23,000.00

TO: 20A658 – Fiscal Certificate of Title Administration
FS109694 – Fiscal Certificate of Title Administration
Capital Outlay \$ 23,000.00

Funding Source: Funding comes from fees for the titling of motor vehicles and boats.

C. FROM: 21A837 – State Homeland Security (SHSG) **BA1301360**
JA763441 – State Homeland Security (SHSP) 2010/2013
Capital Outlays \$ 21,070.74

TO: 21A837 – State Homeland Security (SHSG)
JA763441 – State Homeland Security (SHSP) 2010/2013
Other Expenses \$ 21,070.74

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 3. That items approved in Resolution No. R2013-0118, adopted on June 11, 2013, be corrected as follows to reconcile appropriations for 2013 in the County’s financial system:

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

Original Item

G1. FROM: 29A391 – Health and Human Services Levy 4.8 **JT1305187**
SU514430 – Children & Family Services Subsidy
Transfer Out \$ 7,622,100.50

FROM: 29A390 – Health and Human Services Levy 2.9
SU513960 – Children & Family Services Subsidy
Transfer Out \$ 7,622,100.50

TO: 24A301 – Public Assistance Children and Family Services
CF135467 – Administrative Services - CFS
Revenue Transfer \$ 15,244,201.00

Corrected Item

G1. FROM: 29A391 – Health and Human Services Levy 4.8 **JT1305187**
SU514299 – Children & Family Services Subsidy
Transfer Out \$ 7,622,100.50

FROM: 29A390 – Health and Human Services Levy 2.9
SU513960 – Children & Family Services Subsidy
Transfer Out \$ 7,622,100.50

TO: 24A301 – Public Assistance Children and Family Services
 CF135467 – Administrative Services - CFS
 Revenue Transfer \$ 15,244,201.00

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 23, 2013



EDWARD FITZGERALD
Cuyahoga County Executive

CUYAHOGA COUNTY
FISCAL OFFICER



July 16, 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 23, 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
Child Support Enforcement Agency – Decreasing appropriation related to a contract decertification for a prior year contract. Funding is from the General Fund.	-\$602,825.00
Information Technology – Additional appropriation to cover contractual expenses for General Fund user agencies to be paid directly from the Information Technology budget pursuant to Ordinance O2012-0012.	\$470,147.77
Information Technology – Increase to establish appropriations to consolidate contractual expenses for various user agencies that require the appropriation remain within their budgets to meet reimbursement requirements and will be charged-back for expenses. Funding is from the General Fund.	\$1,473,655.62
TOTAL	\$1,340,978.39

Other Operating Funds	Amount
County Wellness Fund – Additional appropriation to cover influenza shots and a wellness fair. Funding for the Wellness Fund is from unclaimed dollars from the flexible spending accounts.	\$50,000.00
Prosecutor – Additional appropriation to cover data processing charges for 2013. Funding is from fees collected on delinquent real estate tax assessments.	\$15,000.00
TOTAL	\$65,000.00

Grants/Projects	Amount
Capital Projects – Additional appropriation to cover higher than projected costs for the elevator renovation project at the Board of Elections. Funding is from residual 2009 GO bond proceeds.	\$113,270.00
Capital Projects – Additional appropriation to cover design services for Phase II of the Huntington Park Garage project. Funding is from a future debt issuance.	\$500,000.00
Public Works/Road & Bridge – To establish appropriations for two countywide maintenance program projects. Funding is from municipal project reimbursements.	\$1,932,370.00
Public Works/Road & Bridge – To establish appropriations for two road improvement projects on St. Clair Avenue in the City of Cleveland. Funding is 80% Federal Highway Administration dollars and 20% from the County Road and Bridge funds.	\$149,930.58
Board of Developmental Disabilities – To establish appropriation for the School Age IDEA FY2014 grant from the Ohio Department of Education.	\$428,687.12
TOTAL	\$3,124,257.70

Total Additional Appropriations - All Funds	\$4,530,236.09
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The following represents the overall changes made to the Annual Appropriation Measure for 2013 since its adoption on December 11, 2012 Resolution R2012-0232. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

APPROPRIATION STATUS SUMMARY:

	<u>07/23/2013 Agenda</u>	<u>Year to Date*</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 1,340,978.39	\$ 361,708,846.00	\$ 374,488,890.49
HHS Levy Impact	\$ 0.00	\$ 222,615,901.00	\$ 206,017,738.40
Other Fund Impact	\$ <u>3,189,257.70</u>	\$ <u>919,467,552.00</u>	\$ <u>991,586,527.36</u>
Total Impact	\$ 4,530,236.09	\$ 1,503,792,299.00	\$ 1,572,093,156.25

* 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.

Other Operating Funds	Amount
Fiscal Office – Realigning appropriation within the Fiscal Certificate of Title Administration budget to cover the purchase of security cameras for branch offices. Funding is from fees assessed on titling of motor vehicles and boats.	\$23,000.00
TOTAL	\$23,000.00

Grants/Projects	Amount
Prosecutor – Realigning appropriation within the Recovery Act Internet Crimes Against Children (ICAC) Task Force grant from the U.S. Department of Justice, Justice Programs in preparation of grant closure.	\$100,000.00
Justice Services – Realigning appropriation within the State Homeland Security (SHSP) grant to cover a cash transfer to the Regional Collaboration grant. Funding is from the U.S. Department of Homeland Security.	\$21,070.74
TOTAL	\$121,070.74

Total Appropriation Transfers - All Funds	\$144,070.74
--	---------------------

Amend Resolution 2013-0118 - Request for corrective action to amend a previously approved fiscal resolution to correct a typographical error in the original item.

Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino
 Director, Office of Budget & Management
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 16, 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 23, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A. 20A600 – Cuyahoga Support Enforcement Agency **BA1301397**
SE496000 – Child Support Enforcement Agency
Other Expenses \$ (602,825.00)

The Child Support Enforcement Agency is requesting a reduction in appropriation following contract decertification for a prior year contract. This appropriation will return to the General Fund. The funding period is from January 1, 2013 to December 31, 2013

B. 40A069 – Capital Project Future Debt Issuance **BA1301366**
CC767897 – Elevator Upgrade – Board of Elections
Personal Services \$ 22,520.00
Capital Outlays \$ 90,750.00

Additional appropriation is requested for the Board of Elections elevator renovation project. The new total cost estimate for the project is \$1,039,270.00. Bonds were issued in 2012 to cover the initial estimate of the project totaling \$926,000. The increase of \$113,270 will be funded by excess bond proceeds from the 2009 general obligation bond offering.

C. 40A069 – Capital Project Future Debt Issuance **BA1301367**
CC768226 – HPG Design & Construction Phase II
Capital Outlays \$ 500,000.00

Appropriation is requested for initial design services to assist the County in the rehabilitation of the Huntington Park Garage, Phase II. The total cost of Phase II is not available yet, but \$4.8 million has been budgeted in the Capital Improvement Plan (CIP). Funding for the rehabilitation of the Huntington Park Garage, Phase II will come from proceeds from a future debt Issuance.

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.	40A521 – Countywide Maintenance Program		BA1301387
	CE785279 – Countywide Maintenance Program		
	Capital Outlay	\$	1,932,370.00

Appropriation is requested to establish two countywide maintenance program projects for the Department of Public Works. The projects consist of 2013-2014 countywide maintenance program-road striping and 2013-2014 countywide maintenance program-road crack sealing. Each capital project will include construction in various municipalities throughout Cuyahoga County. The Department of Public Works will provide management and oversight of each project. The funding source is municipal project reimbursement.

E.	20A550 – County Wellness Fund		BA1301384
	ND570002 – County Wellness Program		
	Other Expenses	\$	50,000.00

Appropriation is requested by the Department of Human Resources' Wellness program to provide influenza shots and a Wellness Fair. The influenza shot program allows Cuyahoga County employees reduced-rate access to preventative influenza vaccine. The Wellness Fair provides access to health and wellness providers and educational forums. Funding for the Wellness Fund is from unclaimed dollars from the flexible spending accounts.

F.	40A526 – Ohio Department of Transportation (ODOT) Local Projects Administration		BA1301386
	CE785006 – ODOT Local Projects Administration		
	Personal Services	\$	74,349.72
	Other Expenses	\$	11,309.44
	Capital Outlay	\$	64,271.42

Appropriation is requested to allocate project expenses for the Department of Public Works implementation of the Ohio Department of Transportation Local Projects Administration program. The projects consist of two road improvements on St. Clair Avenue in the City of Cleveland. The first is between East 72 Street to East 140 Street. The second is St. Clair Avenue phase II. Each project will include construction in various municipalities throughout Cuyahoga County. The funding source is 80% from Federal Highway Administration dollars passed through Ohio Department of Transportation Local Projects Administration and 20% from County Road and Bridge funds.

G.	20A820 – Delinquent Real Estate Tax Assessment-Prosecutors		BA1301376
	PR495572- Delinquent Real Estate Tax Assessment-Prosecutors		
	Other Expenses	\$	15,000.00

Increase appropriations in the Prosecutors Delinquent Real Estate Tax Assessment account for a data processing charges in 2013. Sufficient cash exists in this special revenue fund for the request. Funding is from fees collected on delinquent real estate tax assessments covering the period January 1, 2013 through December 31, 2013.

H1.	01A001 – General Fund		BA1301364
	IT601104 – Mainframe Operation Services		
	Other Expenses	\$	395,697.06

H2.	01A001 – General Fund		
	IT601138 – Wide Area Network		
	Other Expenses	\$	74,450.71

This request would provide appropriation in the Department of Information Technology for contractual expenses to be moved to the Department of Information Technology (IT) budget from various user agency budgets to meet the IT consolidation objective detailed in Ordinance No. O2012-0012. This appropriation equals current appropriation levels in General Fund budgets which will now be paid directly through the Department of Information Technology budget. The 2013 appropriation for these contractual expenses no longer be housed in the various agency budgets.

I1.	01A001 – General Fund IT601104 - Mainframe Operation Services Other Expenses	\$ 117,868.14	BA1301365
I2.	01A001 – General Fund IT601138 – Wide Area Network Other Expenses	\$ 313,251.41	
I3.	01A001 – General Fund IT601047 – Web & Multi-Media Development Other Expenses	\$ 1,042,536.07	

Increase in appropriation to consolidate contractual expenses from various agency budgets into a single expense from the Department of Information Technology budget to meet the consolidation objective detailed in Ordinance No. O2012-0012. Some of the agency budgets will continue to pay for the consolidated IT services if they use non-General Fund appropriation, especially when those expenditures are eligible for reimbursements from other sources. The Dept. of IT would charge those agencies so that the expenses show in their budgets. The appropriation must remain in user agency budgets to pay the chargeback expenses, but the contract expense must also be appropriated in the IT budget to pay for the contractual service upfront before the chargeback. This request would provide appropriation in the Department of Information Technology for those expenses formerly paid from non-General budgets.

The requested amount is reduced by the amount needed to remove the remainder of the \$2,563,763 temporary appropriation (R2013-0057/BA1302037) that was provided to the Department of Information Technology to allow the contracts to be moved from the old ISC budget to the new IT budget. To date, \$2,113,1557.56 has been removed (R2013-0118/BA1302249), and this request incorporates the remaining \$450,605.44 appropriation decrease by decreasing the amount needed in IT601047 by that amount. Funding for the Information Services Center came from data processing charges to user agencies.

J.	21A653 – Title VI-B School Age MR741611 – FY14 School -Age IDEA Grant Personal Services Other Expenses	\$ 278,687.12 \$ 150,000.00	BA1302017
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The Cuyahoga County Board of Developmental Disabilities (CCBDD) requests an increase in appropriation to cover staff salaries and professional development for the School Age IDEA Grant for FY2014. The source of funding is the Ohio Department of Education. There is no cash match required, and no general fund impact.

Resolution: Appropriation Transfers:

A.	FROM:	21S276 – Recovery Act ICAC Task Force PR722009 – Recovery Act ICAC Task Force Capital Outlays	\$	100,000.00	BA1301359
	TO:	21S276 – Recovery Act ICAC Task Force PR722009 – Recovery Act ICAC Task Force Other Expenses	\$	100,000.00	

Transfer appropriations within the Prosecutor’s Recovery Act Internet Crimes Against Children (ICAC) Task Force grant to reverse the previous transfer on 12/15/2011, document BA1101128 Council Resolution R2011-0340 in preparation to close out the grant. Funding is from the United States Department of Justice, Justice Programs from Recovery Act funding covering the period April 1, 2009 through September 30, 2013.

B.	FROM:	20A658 – Fiscal Certificate of Title Administration FS109694 – Fiscal Certificate of Title Administration Other Expenses	\$	23,000.00	BA1301374
	TO:	20A658 – Fiscal Certificate of Title Administration FS109694 – Fiscal Certificate of Title Administration Capital Outlay	\$	23,000.00	

An appropriation transfer is requested to allow the purchase of security cameras for the branch offices of the Fiscal Office Certificate of Title Administration. Funding comes from fees for the titling of motor vehicles and boats.

C.	FROM:	21A837 – State Homeland Security (SHSG) JA763441 – State Homeland Security (SHSP) 2010/2013 Capital Outlays	\$	21,070.74	BA1301360
	TO:	21A837 – State Homeland Security (SHSG) JA763441 – State Homeland Security (SHSP) 2010/2013 Other Expenses	\$	21,070.74	

Transfer appropriations within Justice Services State Homeland Security Grant Program 2010/2013 for an operating transfer to the Regional Collaboration grant for the periods April and May 2013. 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.

Corrective Action Resolution: R2013-0118 dated June 11, 2013:

Amending Resolution R2013-0118 dated June 11, 2013 in Section 3, Item G1 as follows:

Original Item

G1.	FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Children & Family Services Subsidy Transfer Out	\$	7,622,100.50	JT1305187
	FROM:	29A390 – Health and Human Services Levy 2.9 SU513960 – Children & Family Services Subsidy Transfer Out	\$	7,622,100.50	
	TO:	24A301 – Public Assistance Children and Family Services CF135467 – Administrative Services - CFS Revenue Transfer	\$	15,244,201.00	

Corrected Item

G1.	FROM:	29A391 – Health and Human Services Levy 4.8 SU514299 – Children & Family Services Subsidy Transfer Out	\$	7,622,100.50	JT1305187
	FROM:	29A390 – Health and Human Services Levy 2.9 SU513960 – Children & Family Services Subsidy Transfer Out	\$	7,622,100.50	
	TO:	24A301 – Public Assistance Children and Family Services CF135467 – Administrative Services - CFS Revenue Transfer	\$	15,244,201.00	

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0166

Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County: “Support is Key”, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services recommends proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County, using this year’s statewide theme - “*Support is Key*”; and,

WHEREAS, children rely on both parents to help them grow up safe and healthy as they strive to achieve their full potential; and,

WHEREAS, the Cuyahoga Job and Family Services/Office of Child Support Services is committed to the best interests of children in our community by ensuring the financial responsibility of parents, supporting child well-being and promoting healthy relationships; and,

WHEREAS, the Cuyahoga Job and Family Services/Office of Child Support Services provides many important services, which include collecting child support for families, establishing the legal relationship between children and their parents, enforcing court orders and determining health insurance coverage; and,

WHEREAS, the Cuyahoga Job and Family Services/Office of Child Support Services pursues partnerships and collaborations with many organizations, all of which are key to the child support program’s success, including the courts and justice system, jobs and financial education programs, responsible fatherhood programs, and employers, who collect nearly \$1.4 billion in child support payments in Ohio each year; and,

WHEREAS, through the efforts of the Cuyahoga Job and Family Services/Office of Child Support Services and its partners and collaborations, many children’s lives are brighter because of the following CY 2012 accomplishments:

- Provided 6,543 children with legal fathers through paternity establishment;
- Recovered \$10.5 million in public assistance reimbursement for State of Ohio taxpayers; and

- Collected \$237 million for families, of which 73 percent is collected by employers; and,

WHEREAS, the theme for Child Support Awareness Month is “Support is Key” to a child’s emotional, social, and academic success; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to ensure timely recognition of this celebration.

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

SECTION 1. That the Cuyahoga County Council hereby supports and proclaims August 2013 as Child Support Awareness Month in Cuyahoga County: “Support is Key”.

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

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

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

Yeas:

Nays:

County Council President

Date

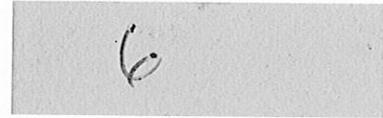
County Executive

Date

Clerk of Council

Date

Journal CC011
July 23, 2013



Item Details:

Agency/Dept. Name: Cuyahoga Support Enforcement Agency **Agency/Dept. Head Name:** Joseph Gauntner

Type of Request: Other

Request Prepared by: Carol A. Bilski **Telephone No.:** 216.443.5216

SUMMARY OF REQUESTED ACTION:

Administrator Joseph Gaunter is requesting authorization from the County Executive to declare the month of August as Child Support Awareness Month. This year's statewide theme - "**Support is Key**" emphasizes that a healthy child development along with strong child support enforcement program is fostered by concrete working partnerships between County; State and Federal agencies. Children benefit when they receive support from both parents.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: **Explanation:**

Total Amount Requested:

\$

ATTACHMENTS:

Click to download

[Letter to Counties](#)

Child Support – It's a Great Investment!!!

The Ohio CSEA Directors' Association and its membership wish to express appreciation for the budget proposal that maintains current levels of funding for Ohio's child support program.

Ohio's Child Support Program

- 1 in 3 children are affected by this program and annual collections average \$2 Billion.
- 40% of the children in Ohio are born out of wedlock – over 55,000 paternities established in FFY12.
- Child support is the second largest source of income for single parent families, making up 39% of their total income.
- Ohio's General Revenue Fund retained \$26.8 million in child support collections & \$7.7 million in medical collections in FFY12.
- The Child Support program collects \$6.57 for every dollar expended. This is 37% higher than the national average. For every \$4 expended on child support, \$5 is saved in other programs. In fact, if a County CSEA establishes an order for a family on OWF, the family will leave OWF three times faster than if no order is established.

Cuyahoga County's Child Support Program

- 137,000 children (18 & Under) are in the program and collections average
- \$238 Million per year; total program participants – 443,000
- 6,500 Paternities established annually
- 4,600 Modifications completed annually
- 30,000 Enforcement actions taken
- 135,000 Number of incoming phone calls answered annually
- \$21.7 Million Federal dollars brought in to offset costs of other county partners
- (\$10.5 Million TANF Re-Imbursement annually)
- **Add any Innovative partnerships or program efforts that you have undertaken or WOULD undertake if you had additional funding**
- **Share any feel good story about your program**

What's next for Ohio's Child Support Program?

- Embrace the family centered model approach
 - Collaborate with workforce in order to assist parents in employment search and training.
 - Explore establishing parenting time orders for children born to parents who are not married. Twelve counties were awarded a Federal Grant to identify best practices and share results, including training to recognize potential domestic violence situations.
 - Develop educational programs, early intervention and other strategies to assist families that desire to take care of their children but lack the skills, abilities and opportunities to be successful.
- Promote innovative programs and the ability to create individual case plans for success. This requires us to re-think, re-tool and re-train our staff, court partners, and the families we serve. This also requires more labor intensive case management.
- Utilize modern technology and enhanced automated processes to allow staff to focus efforts on more intensive case management.
- Ease the burden on Ohio employers by utilizing technology and innovative practices to assist them in meeting their responsibilities for income withholding and medical insurance. 70% of collections come from employer withholdings, therefore, we must continue to partner with the employer community for better outcomes for families.

Please refer to the insert in the Child Support Insight Document for more information.

Cuyahoga Job and Family Services
Office of Child Support Services

presents our **6th** Annual

Street**F**est

August 5, 2013

Join us from 10am-2pm
East 17th street between Superior & Payne

free activities & entertainment

Family Resource Booths

Prizes & Giveaways

Treats For The Kids!

KIDS ZONE

For more information contact:

Christine Clements at (216)443-5130 / Cassandra Campbell: (216)344-2912

Email : CUYAHOGA_CSEA_STREETFEST@odjfs.state.oh.us



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0167

Sponsored by: County Executive FitzGerald/Departments of Law and Public Works	A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 31 employees in 12 classifications in the Department of Public Works for the period 1/1/2012 - 12/31/2014; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; 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 Cuyahoga County Department of Law has been engaged in negotiations with the Teamsters, Local 436 affiliated with the International Brotherhood of Teamsters Union in an effort to negotiate a successor collective bargaining agreement (“CBA”) that includes approximately 31 employees in 12 classifications from the Cuyahoga County Department of Public Works; and,

WHEREAS, the parties have met on multiple occasions in a consolidated effort to negotiate new terms and have reached a tentative agreement on a single successor collective bargaining agreement; and,

WHEREAS, on or about July 1, 2013, the members of the bargaining unit met and voted to ratify the proposed successor collective bargaining agreement in full; and,

WHEREAS, O.R.C. 4117.10 (B) requires that a public employer submit a request for funds necessary to implement an agreement, and for approval of any other matter requiring the approval of the appropriate legislative body to the legislative body within thirty days of the date on which the parties finalize the agreement, unless otherwise specified or if the legislative body is not in session at the time, then within fourteen days after it convenes; and,

WHEREAS, O.R.C. 4117.10(B) further states that the legislative body must approve or reject the submission as a whole, and the submission is deemed approved

if the legislative body fails to act within thirty days after the public employer submits the agreement; and,

WHEREAS, the Department of Law and the County Executive are recommending that Council approve the proposed Collective Bargaining Agreement for the period of January 1, 2012 – December 31, 2014; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Department of Public Works.

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

SECTION 1. The Cuyahoga County Council hereby approves the Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 31 employees in 12 classifications in the Cuyahoga County Department of Public Works for the period January 1, 2012 – December 31, 2014, and authorizes the County Executive to execute all documents consistent with this Resolution.

SECTION 2. Funds necessary to implement the CBA between the County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, shall be budgeted and appropriated.

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

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0168

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p>	<p>A Resolution authorizing the appropriation of real property in connection with right-of-way plans for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; 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 December 11, 2012, County Council adopted Resolution R2012-0244, which authorized the County Executive to acquire the necessary Right-of-Way to proceed with the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; 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, 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): 13WD & T, warranty deed and temporary easement
Owner(s): Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company
Approved Appraisal (Fair Market Value Estimated): \$2,794.00; 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 replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale, 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:

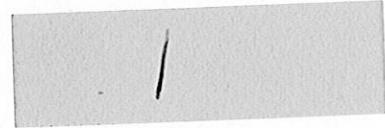
Parcel No(s): 13WD & T, warranty deed and temporary easement
Owner(s): Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company
Approved Appraisal (Fair Market Value Estimated): \$2,794.00.

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.



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept.Head Name:	Jamal Husani, P.E.
Type of Request:	Other		
Request Prepared by:	Fred Whatley	Telephone No.	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. This appropriation action will be filed in connection with the Bellaire Road Bridge No. 24 project which consists of the rehabilitation of Bellaire Road Bridge No. 24, including replacing the double concrete box end sections through which Big Creek flows, and the reconstruction of a portion of Kensington Ave., including storm sewers and waterline, in the City of Cleveland and the Village of Linndale and **declaring the necessity that this Resolution become immediately effective.**

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 parcel:

Parcel No. 13-WD [Warranty Deed, fee simple] and T [Temporary Easement], legal descriptions attached.

Owner - Clear Channel Outdoor, Inc., a Delaware Corporation
f/k/a/ Eller Media Company

Address - 2850 East Camelback Road, Suite 300
Phoenix, AZ 85016

Statutory Agent - C T Corporation System
1300 East 9th St.

Cleveland, OH 44114

Fair Market Value Estimate for Parcel 13-WD, T = \$2,794.00 [see, value analysis attached].

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 August 1, 2013.

2. The primary goal of acquiring right-of-way for this project is to allow for the rehabilitation of Bellaire Road Bridge No. 24 and the reconstruction of a portion of Kensington Ave., including storm sewers and waterline.

3. N/A

B. Procurement

1. The procurement method for the acquisition of right-of-way for this project is that consultant O.R. Colon visits the properties, its ODOT pre-qualified appraiser prepares a Fair Market Value Estimate [FMVE] of the property being taken, the FMVE is then reviewed by an independent ODOT pre-qualified appraiser, and then one of O.R. Colon's pre-qualified negotiators negotiates with the property owners. 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 listed above.

The property's address is:

No Number [vacant land] Bellaire Road

Cleveland, OH 44111

Council District 3

2. N/A

3.a. The address or location of the project is the Bellaire Road Bridge located over Big Creek near the intersection of Kensington Avenue and Bellaire Road, City of Cleveland and Village of Linndale, Ohio.

3.b. The project is located in Council Districts 3 and 4.

D. Project Status and Planning

1. This particular project is the first such project for Bellaire Road Bridge No. 24.

2. N/A

3. N/A

4. N/A

5. N/A

E. Funding

There is an estimated cost of \$100,000.00 for the acquisition of right-of-way. This will be paid by the County through the Road and Bridge Fund.

2. N/A

3. N/A

On May 21, 1996, Resolution 962007 was adopted, which declared that the public convenience and welfare required the rehabilitation of Bellaire Road Bridge No. 24 over Big Creek. Said Resolution was amended by Resolution No. 041201, on March 23, 2004, to include the Village of Linndale. On December 11, 2012, R2012-0244 was adopted, which

approved the revised Right-of-Way plans for the project and authorized the acquisition of required Right-of-Way.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The purpose/outcome of this action is to equitably pay for required right-of-way acquired in connection with the Bellaire Road Bridge No. 24 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

- [Legal Description Parcel 13-WD](#)
- [Legal Description 13-T](#)
- [Fair Market Value Estimate of Parcel 13-WD, T](#)
- [Requisition Parcel 13-WD, T](#)

History

Time

Who

Clerk of the Board

Approval



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0169

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution making an award on RQ24534 to Welcome House, Inc. in the amount of \$650,000.00 for sale of the County Archives Building; authorizing a Lease for said building in the amount of \$12.00 for a 12-month period commencing on the closing date of said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County engaged the services of Allegro Realty Advisors (“Allegro”) to conduct an audit of the County’s real-estate needs and come forth with a set of recommendations for the County; and,

WHEREAS, Allegro recommended that the County place 13 properties currently owned by the County for sale, including County Archives Building on 2843 and 2905 Franklin Avenue in Cleveland, Ohio; and,

WHEREAS, the County engaged the services of CBRE, Inc. (“CBRE”), a commercial real estate services firm, to serve as the real estate portfolio program manager, provide brokerage services, and represent the County in connection with the real estate portfolio program; and,

WHEREAS, CBRE worked with the County to prepare and issue a request for proposals, RFP # 24534, (the “RFP”) for the real property consolidation project in accordance with the County’s Contracting and Purchasing Procedures Ordinance; and,

WHEREAS, the County received a proposal from Welcome House, Inc., to purchase the land and all buildings and improvements commonly known as the County Archives Building (“County Archives Building”) located at 2843 and 2905 Franklin Avenue, Cleveland, Ohio 44113; and,

WHEREAS, the proposal is to sell the property for Six Hundred Fifty Thousand and 00/100 Dollars (\$650,000.00); and,

WHEREAS, Fifty Thousand and 00/100 Dollars (\$50,000.00) of the purchase price will be used to fund an escrow for certain repairs to the property during the lease term; and,

WHEREAS, the County is to also lease the property to continue the County Archives functions until such time as they can be relocated to space to be leased by the County at the Halle Warehouse located at 1890 E. 40th Street, Cleveland, Ohio; and,

WHEREAS, the lease term is for up to twelve months; and,

WHEREAS, the County may terminate the lease at any time upon thirty days advance written notice; and,

WHEREAS, rent for the property is \$1.00 per month; and,

WHEREAS, the County is responsible for all operating expenses incurred by it during the term of the proposed lease; and,

WHEREAS, Welcome House is responsible for all costs associated with repairs to the roof and structural portions of the property and mechanical, electrical, plumbing, and other building systems and for the cost of materials associated with ordinary and necessary maintenance and repairs; and,

WHEREAS, the County will provide the labor for such ordinary and necessary maintenance and repairs during the term; 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 awards the sale of the County Archives Building to Welcome House, Inc. and authorizes the County Executive to enter into the a Purchase and Sale Agreement and Lease with Welcome House, Inc. for same.

SECTION 2. That the County Executive or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a Purchase and Sale Agreement, a lease agreement and all documents to be executed by the County thereunder, and all financing-related documents (including but not limited to subordination, non-disturbance and

attornment agreements, pledges, and security agreements), (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, in all cases containing such terms and conditions as may be approved by the County's Director of Law, (b) agree to such payments, prorations, credits, deposits, holdbacks, escrows and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions, and (c) prosecute and/or defend any actions or proceedings that may be necessary or advisable relative to any of the foregoing matters.

SECTION 3. That the Director of Public Works is authorized to administer the project through its milestones and be responsible for any ongoing approval rights under the Lease.

SECTION 4. That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director's approval as to legal form and correctness.

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 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 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__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0170

<p>Sponsored by: County Executive FitzGerald/Department of Public Works</p>	<p>A Resolution making an award on RQ24534 to Halle Industrial Park, LLC in the amount of \$10,069,265.64 for lease of space for the period anticipated to be 6/1/2014 - 6/30/2024; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County engaged the services of Allegro Realty Advisors (“Allegro”) to conduct an audit of the County’s real-estate needs and come forth with a set of recommendations for the County; and

WHEREAS, Allegro recommended that the County place 13 properties currently owned by the County for sale, including County Archives Building on 2843 and 2905 Franklin Avenue in Cleveland, Ohio, and the consolidation of the county’s storage facilities; and

WHEREAS, the County engaged the services of CBRE, Inc. (“CBRE”), a commercial real estate services firm, to serve as the real estate portfolio program manager, provide brokerage services, and represent the County in connection with the real estate portfolio program; and,

WHEREAS, CBRE worked with the County to prepare and issue a request for proposals, RFP # 24534, (the “RFP”) for the real property consolidation project in accordance with the County’s Contracting and Purchasing Procedures Ordinance; and,

WHEREAS, Halle Industrial Park, LLC proposed leasing approximately 207,710 square feet to the County in the Halle Warehouse at 1890 E. 40th Street, Cleveland, Ohio, where the County currently leases a smaller amount of space; and

WHEREAS, the property is proposed to be leased for various County functions, including Archives, Board of Elections and Children and Family Services; and

WHEREAS, the proposed lease is for an initial term of 10 years and 1 month, with two five-year renewal options; and

WHEREAS, rent of the leased property begins at \$4.76 per square foot (\$988,440.36 annually) and escalates through the Initial Term to \$4.99 per square foot (\$1,036,213.68 annually), subject to annual appropriations; and

WHEREAS, the proposed lease contains options to expand into additional space currently occupied by another tenant, rights to contract the size of the County's Premises, a right of first refusal and an option to purchase the Building at fair market value and an option to purchase the Building at the end of the term (including renewals) for \$1.00; and

WHEREAS, the Landlord is obligated to perform substantial renovations to the Building and is providing an additional Tenant Improvement Allowance for the County's build-out in the amount of \$2,147,500.00; and

WHEREAS, the County Council has determined that it is in the County's interest to award the proposed lease to Halle Industrial Park, LLC and to enter into a Lease with Halle Industrial Park, LLC for same; 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 awards Initiative II of the RFP for a consolidated storage facility to Halle Industrial Park, LLC and authorizes the County Executive to enter into the proposed Lease with Halle Industrial Park, LLC.

SECTION 2. That the County Executive or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a lease agreement and all documents to be executed by the County thereunder, and all financing-related documents (including but not limited to subordination, non-disturbance and attornment agreements, pledges, and security agreements), (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of

the transactions contemplated hereby, in all cases containing such terms and conditions as may be approved by the County's Director of Law, (b) agree to such payments, prorations, credits, deposits, holdbacks, escrows and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions, and (c) prosecute and/or defend any actions or proceedings that may be necessary or advisable relative to any of the foregoing matters.

SECTION 3. That the Director of Public Works is authorized to administer the project through its milestones and be responsible for any ongoing approval rights under the Lease.

SECTION 4. That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director's approval as to legal form and correctness.

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 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 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__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0171

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution approving the retention of a criteria architect for the Convention Center Hotel Project pursuant to RQ27969; awarding an initial 90-day contract with a criteria architect pursuant to the RFQ for an amount not-to-exceed \$1,500,000.00; authorizing the County Executive to negotiate, enter into, and execute a contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Chapter 501 of the Cuyahoga County Code, the Department of Public Works issued a request for qualifications (RFQ # RQ27969) seeking statements of qualifications from criteria architects for the Convention Center Hotel project; and,

WHEREAS, the County received 17 statements of qualifications in response to the RFQ; and,

WHEREAS, the County is evaluating the qualifications pursuant to Chapter 501 of the County Code; and,

WHEREAS, due to the complexity of the project and the scope involved, it is not possible to determine with a reasonable amount of certainty the maximum not-to-exceed value of the contract with the criteria architect before completion of some preliminary investigation and design work by the criteria architect; and,

WHEREAS, it is necessary to authorize the criteria architect selected pursuant to the RFQ to proceed with the initial phase of work necessary to keep the project on schedule; and,

WHEREAS, Council has determined to award an initial 90-day contract to the criteria architect selected pursuant to the RFQ for an amount not exceed \$1.5 million; and,

WHEREAS, once the initial work is completed and it becomes necessary to retain the criteria architect for the project, the definitive agreement with the criteria architect shall be subject to Council's approval; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure that the Convention Center Hotel project can stay on schedule.

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

SECTION 1. County Council hereby approves the retention of a criteria architect for the Convention Center Hotel project pursuant to RFQ # RQ27969 and awards an initial 90-day contract with the criteria architect selected pursuant to the RFQ for an amount not to exceed \$1.5 million and authorizes the County Executive to negotiate and enter into such contract.

SECTION 2. The initial contract shall maintain the County’s rights to any intellectual property rights to the completed work.

SECTION 3. The final definitive agreement with the criteria architect for the Convention Center Hotel project shall be subject to Council’s approval.

SECTION 4. The County Executive is hereby authorized to execute a contract and all other documents, as approved by the Director of Law as to legal form and correctness, in accordance with this Resolution.

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__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0172

Sponsored by: County Executive FitzGerald/Fiscal Officer/County Treasurer	A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 - 8/23/2017; and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, the County Executive/Fiscal Officer/County Treasurer have recommended an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including depository and lockbox services, travel card services, procurement card services and implementation of the County's College Savings Account Program, for the period 8/24/2013 – 8/23/2017; and,

WHEREAS, KeyBank Inc. has agreed to establish the College Savings Account Program in accordance with Section 804.02 of the Cuyahoga County Code; and,

WHEREAS, the expenses for all the aforementioned banking and treasury services depend on volume, but are reasonably anticipated to be approximately \$255,000.00 annually; and,

WHEREAS, the cost of providing a \$100.00 seed investment per eligible student for the College Savings Account Program depends on volume, but is anticipated not-to-exceed \$1,700,000.00 in the first year of the program; 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 RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 – 8/23/2017.

SECTION 2. That the Cuyahoga County Council hereby authorizes the County Treasurer to deposit an amount not-to-exceed \$1,700,000.00 with KeyBank Inc. to make \$100.00 seed investments for each eligible student, as defined in Section 804.02

of the Cuyahoga County Code. This deposit shall fund the first year of the College Savings Account Program, and all subsequent deposits shall be authorized by Resolution of Council.

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 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:	County Treasurer	Agency/Dept. Head Name:	Mark A Parks Jr.
Type of Request:	Award Recommendation		
Request Prepared by:	Jerry Murphy	Telephone No.	216-443-7408
SUMMARY OF REQUESTED ACTION:			
<p>Recommending an award on RQ #27791 to Key Bank, in the amount to be determined, for Depository and Treasury Management Services, Corporate Credit Card (Travel Card), Procurement Card (P-Card) and the College Savings Account Program (CSA) for the period August 24, 2013 and ending August 23, 2017. The contract shall contain a County option to renew for an additional four years</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Explanation for late submittal:			

Contract/Agreement Information:

Procurement Method:	RFP (Request for Proposal)
Explanation for Increase/Decrease in \$ Amount for current request:	

Financial Information:

Funding source:	Explanation:
Total Amount Requested:	
\$	

ATTACHMENTS:

- Click to download
- [RFP Evaluation - Scoring](#)
 - [RFP TAB Sheet](#)

Date sent to Dept: 7/8/13
 Date Received from Dept: _____
 (OPD Use Only)



**CUYAHOGA COUNTY
 TABULATION OF PROPOSALS RECEIVED**

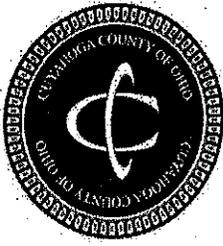
DEPARTMENT NAME: County Treasurer **PROPOSAL DUE DATE:** July 8, 2013
RFP TITLE: Banking & Treasury Services **RFP #:** TR-13-27791 **SBE:** 0%

TO BE COMPLETED BY OPD	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER					USER DEPT.	
	IG/ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N		COMMENTS & INITIALS
Huntington 200 Public Square Cleveland, Ohio 44114	IG#12-1512 Vendor List ✓ NCA ✓ VCF ✓ **Price Sheet ✓ <u>SP 7-8-13</u>						N
KeyBank 127 Public Square Cleveland, Ohio 44114	IG#12-1666 Vendor List ✓ NCA ✓ VCF ✓ **Price Sheet ✓ <u>SP 7-8-13</u>						K
PNC Financial Services Group, Inc. 249 Fifth Avenue One PNC Plaza Pittsburgh, Pennsylvania 15222	IG#12-2226 Vendor List ✓ NCA ✓ VCF ✓ **Price Sheet ✓ <u>SP 7-8-13</u>						N

Mark A. Paris Jr.
 Department Director
 Signature of Approval
 Date: 7-16-13
 Department Director Signature of Approval
 Date from Addendum # _____

Rptab - Updated 11/10/2012

** Reviewers: Please make sure the Bank Services pricing sheets submitted are those from Addendum # _____



**CUYAHOGA COUNTY
TREASURER'S OFFICE**

Review of Qualified Responses to Request For Proposal (RFP#27791)

		Points Received		
		KEY	PNC	HBAN
Total Points Available (Including pricing)	500	463	438	378
Points needed to be considered (85%, not including pricing)	340	378	353	308
Provider Background	25	25	25	25
Banking Services (300 pts)				
a. Depository Services	50	46	48	46
b. Reconciliation Services	25	23	23	19
c. Web Services	25	23	23	24
d. Wire Transfers	20	20	18	18
e. ZBA Account	5	4	3	5
f. Controlled Disbursements	10	10	8	9
g. Image Services	10	10	10	9
h. Positive Pay Services	10	9	6	5
i. Retail Lockbox	50	48	48	48
j. ACH Services	10	10	10	9
k. Remote Capture/Image Cash Letter	10	10	9	9
l. Compensation	10	10	7	6
m. Investment Services	5	5	5	5
n. Disaster Recovery	10	10	10	10
o. Implementation	50	50	40	40
Corporate Credit Card Program	10	10	10	8
Procurement Card Program	15	15	15	13
College Savings Account Program	50	40	35	0
Pricing	100	85	85	70

Qualifying financial institution responses were reviewed, compared, and rated against each other based on a response by response basis. Points were deducted and then tabulated.

Point reductions occurred when responses:

- 1) Did not meet the RFP stated requirements, or
- 2) Were not as advantageous to competitor responses

Reason for point reductions are as follows:

	KeyBank	PNC Bank	Huntington
Banking Services			
a. <u>Depository Services</u>	-4	-2	-4
Key - deposit adjustment timing and associated fees			
PNC - added requirements for strapped cash deposits			
HBAN - deposit adjustment timing and associated fees			
b. <u>Reconciliation Services</u>	-2	-2	-6
Key - shorter time for late fee charges			
PNC - per item overdraft fee and overdraft interest fees			
HBAN - uncollected funds charge calc different, ARP reports are uncustomized			
c. <u>Web Services</u>	-2	-2	-1
Key - availability of proir day information is worst			
PNC - shorter retainage time for historic information			
HBAN - availability of proir day information is moderate			
d. <u>Wire Transfers</u>		-2	-2
PNC - use of token for initiation and release of wires / ACHs			
HBAN - use of token for initiation and release of wires / ACHs			
e. <u>ZBA Account</u>	-1	-2	
Key - cutoff time is earlier			
PNC - cutoff time is earliest			
f. <u>Controlled Disbursements</u>		-2	-1
PNC - later timing to receive controlled disbursements and fees to customers for check cashing			
HBAN - later timing to receive controlled disbursements			
g. <u>Image Services</u>			-1
HBAN - shorter image retainage			
h. <u>Positive Pay Services</u>	-1	-4	-5
Key - deadline to notify customers of exceptions is later in the day			
PNC - later deadline for pay/return & check issuance files to bank, no 'same-day' positive pay			
HBAN - later deadlines, no 'same-day' positive pay, no reverse positive pay			
i. <u>Retail Lockbox</u>	-2	-2	-2
Key - lockbox pickup schedule is not as often			
PNC - lockbox activity report updated once, not throughout day			
HBAN - no access to database to reduce unapplied remittances			
j. <u>ACH Services</u>			-1
HBAN - earlier ach cutoff for next day credit			

k. <u>Remote Capture/Image Cash Letter</u>	-1	-1
PNC - earlier cutoff time for sending ICL file for same day credit		
HBAN - earlier cutoff time for sending ICL file for same day credit		

l. <u>Compensation</u>	-3	-4
PNC - ECR not as competitive, reserve requirement in place, later access for analysis		
HBAN - ECR is very low, reserve requirement in place		

o. <u>Implementation</u>	-10	-10
PNC - customized implementation needed		
HBAN - customized implementation needed - 60 day lead time for implementation		

Corporate Credit Card Program		-2
HBAN - program seems inferior compared to competitors		

Procurement Card Program		-2
HBAN - program seems inferior compared to competitors		

College Savings Account Program	-10	-15	-50
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Ken Surratt Scoring & Reasons	Key - deposits to county, implement in 'waves', no siblings, no marketing
	PNC - interest rate and fees, deposits to county, implement in 'waves', no siblings, no marketing
	HBAN - no commitment

Pricing	-15	-15	-30
Key - monthly service fee calculation is slightly higher			
PNC - ECR is 40 basis points lower and implementation fees could be extensive			
HBAN - ECR is 60 basis points lower and the calculated monthly fees are very high			

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0173

Sponsored by: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission	A Resolution approving the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Human Resource Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and,

WHEREAS, Section 2.10 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinances No. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and,

WHEREAS, the Director of Human Resources submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, the Human Resource Commission considered this matter and has undergone significant review, evaluation and modification of such submitted changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, on June 5, 2013, the Human Resource Commission met and recommended the classification changes (attached hereto as Exhibits A through D), and recommend to County Council the formal adoption and implementation of the attached changes; 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 the adoption of the following changes to the Cuyahoga County Non-Bargaining Classification Plan:

New Classifications: (See Attached Classification Specifications)

Exhibit A: Class Title: *Sewer Maintenance Superintendent*
Number: 1042514
Pay Grade: 15

Exhibit B: Class Title: *Chief Section Architect*
Number: 1063113
Pay Grade: 17

Revised Classifications: (See Attached Classification Specifications)

Exhibit C: Class Title: *Sewer Maintenance Supervisor*
Number: 1043121
Pay Grade: 11

Exhibit D: Class Title: *Senior Sewer Maintenance Supervisor*
Number: 1043122
Pay Grade: 12

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 adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Sewer Maintenance Superintendent	Class Number:	1042514
FLSA:	Exempt	Pay Grade:	15
Dept:	Department of Public Works		

Classification Function

The purpose of this classification is to manage and supervise the operations and personnel of the Sewer Maintenance Division of the Public Works Office; may provide administrative support to the Maintenance Administrator.

Distinguishing Characteristics

This is a management classification with responsibility for planning, directing and controlling the Sewer Maintenance section of the Public Works Office under general direction. This class requires the solution of operational, technical, administrative and management problems related to maintenance. The employee is expected meet, consult and collaborate with the Maintenance Administrator to discuss plans, projects, and objectives, and to present solutions to identified concerns. The incumbent exercises discretion in applying policies and procedures to resolve organizational issues and to ensure that assigned activities are completed in a timely and efficient manner.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 30% +/- 10%
- Manages the operations of the Sewer Maintenance division; establishes goals for production and project completion; oversees the maintenance of the County’s sewer systems, plans and directs daily operations through subordinate supervisors; delegates authority for projects; coordinates work operations with administration, other departments, contractors and the public; governs labor costs and overtime hours for cost effectiveness; participates in matters of safety and security.

- 30% +/- 10%
- Supervises the assigned division; assigns and reviews work; recommends hiring, promotions, discharges, and disciplinary actions; documents misconduct; assesses staffing requirements; implements and encourages cross training and staff development; evaluates training needs and provides instruction; evaluates performance; establishes and promotes employee morale; participates on discipline committee; participates in resolving grievances; investigates all grievances within the department; confers with labor attorney on labor/trade, union issues; answers staff questions and provides information and conflict resolution as appropriate.

- 30% +/- 5%
- Develops and oversees procedures and practices; researches equipment and technology improvements and secures as available; evaluates, reviews and recommends budget disbursements for materials, parts, supplies, equipment and tools; reviews daily work distribution, reports, labor and materials costs and work done; approves payroll and all departmental purchases and establishes costs of work needed.

10% +/- 5%

- Reviews and responds to citizen requests and complaints; plans, coordinates and attends meetings with public officials, contractors, vendors, staff, department heads, and unions.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in Civil Engineering or a related field with six (6) years of related experience including three (3) years of supervisory experience; or any combination of education and experience that provides equivalent knowledge, skills and abilities.

Additional Requirements

Ohio Class II Wastewater Collections License and CPR may be required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including computers and peripheral equipment and a two way radio.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees and to act on employee problems.
- Ability to prepare employee performance evaluations.
- Ability to recommend the discipline or discharge of employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

Mathematical Ability

- Ability to understand and apply high school algebra, geometry, calculus and statistics.

Language Ability & Interpersonal Communication

- Ability to perform mid to high level data analysis requiring managing of data and people deciding the time, sequence of operations or events within the context of a process, system or organization. Involves determining the necessity for revising goals, objectives, policies, procedures or functions based on the analysis of data/information and includes performance reviews pertinent to such objectives, functions and requirements.
- Ability to comprehend a variety of informational documents including overtime reports, labor reports, time sheets, activity sheets, fuel reports, dispatch call logs, work orders, employee grievances, job descriptions, quotes from contractors plans, maps, certifications, and reports.

Sewer Maintenance Superintendent

- Ability to comprehend a variety of reference books and manuals including departmental and County personnel policy manual, Ohio Revised Code, reference manuals, union contracts, specifications, standards, guidelines, and codes.
- Ability to prepare timesheets, billable hours reports, performance appraisals, correspondence, agreements, contracts, work order sheets, schedules, budgets, grievance response, injury accident reports, memos and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to develop and maintain effective working relationships with a variety of individuals within and outside the Department.
- Ability to use and interpret maintenance, legal, human resource terminology and language.
- Ability to communicate with staff, directors of other sections, homeowners, contractors, vendors, public officials, consultants, departmental employees, and administrators.

Environmental Adaptability

- Work is typically performed in an office environment and in the field.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Chief Section Architect	Class Number:	1063113
FLSA:	Exempt	Pay Grade:	17
Dept:	Public Works		

Classification Function

The purpose of this classification is to plan, organize, manage, and control a section in the Public Works Office that may include directing the application of sound architectural principles in the preparation of plans, reports, and the improvement of buildings and other county facilities by coordinating the internal and external design, construction, and manufacturing efforts associated with the proposed improvement that addresses the end user's needs.

Distinguishing Characteristics

This is a senior management classification with responsibility for planning, directing and controlling a section of the Public Works Office, under general direction. This class requires the analysis and solution of operational, technical, administrative and management problems related to architecture and facilities design. The employee is expected meet, consult and collaborate with Chief Deputy Engineer to discuss plans, programs, and objectives, and to present solutions to identified concerns. The incumbent exercises discretion in applying policies and procedures to resolve organizational issues and to ensure that assigned activities are completed in a timely and efficient manner.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 40% +/- 10%
- Plans, organizes, directs, and controls assigned functions in compliance with State and local laws, regulations, and architectural requirements; in conjunction with the Department Administrators, directs projects, programs, objectives, policies, procedures, and staffing plans; designs and approves plans; develops funding strategies for projects; advises the Director of Public Works on policy and project status.

- 25% +/- 10%
- Supervises the assigned section; assigns and reviews work; recommends hiring, promotions, discharges, and disciplinary actions; documents misconduct; assesses staffing requirements; evaluates training needs and provides instruction; evaluates performance; establishes and promotes employee morale; answers staff questions and provides information and conflict resolution as appropriate

- 25% +/- 5%
- Evaluates project progress and prioritizes work assignments; evaluates consultants for new projects; observes and inspects field projects under construction; develops solutions to project problems; observes field conditions of proposed projects.

- 10% +/- 5%
- Reviews all incoming and outgoing correspondence; drafts letters to respond to correspondence; responds to inquiries from other public agencies; serves on various committees; attends and conducts meetings.

Chief Section Architect

Minimum Training and Experience Required to Perform Essential Job Functions

A Bachelor's Degree in architectural or a related field desirable with eight (8) years previous experience, including one year of supervisory experience.

Additional Requirements

License as a professional architect with the State of Ohio.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines including computers and peripheral equipment.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees and to act on employee problems.
- Ability to prepare employee performance evaluations.
- Ability to recommend the discipline or discharge of employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

Mathematical Ability

- Ability to understand and apply college level algebra, geometry, calculus and statistics.

Language Ability & Interpersonal Communication

- Ability to perform mid to high level data analysis requiring managing of data and people deciding the time, sequence of operations or events within the context of a process, system or organization. Involves determining the necessity for revising goals, objectives, policies, procedures or functions based on the analysis of data/information and includes performance reviews pertinent to such objectives, functions and requirements.
- Ability to comprehend a variety of informational documents including project plans, project work schedules, timesheets, leave requests, various functional reports, legislative agreements, data and invoices.
- Ability to comprehend a variety of reference books and manuals including architectural design manuals, departmental and County personnel policy manual, reference manuals, Ohio Revised Code, contracts, and codes.
- Ability to prepare memos, performance appraisals, correspondence, agreements, contracts, plans, estimates, requests for proposal, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.

Chief Section Architect

- Ability to supervise and counsel employees, convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to develop and maintain effective working relationships with a variety of individuals within and outside the Department.
- Ability to use and interpret architectural, legal, construction and accounting terminology and language.
- Ability to communicate with staff, chiefs of other sections, consultants, vendors, departmental employees, and administrators.

Environmental Adaptability

- Work is typically performed in an office environment and in the field.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Sewer Maintenance Supervisor	Class Number:	1043121
FLSA:	Exempt	Pay Grade:	11
Dept:	Department of Public Works		

Classification Function

The purpose of this is to supervise crew of employees assigned to sewer maintenance activities, inspect work in progress and review completed work assignments.

Distinguishing Characteristics

This is first-line supervisor classification with responsibility for overseeing projects under a framework of defined policies, procedures, regulations and guidelines. The incumbents exercise discretion in applying procedures and regulations to resolve project issues. The employees in this classification assist in ensuring that projects are completed on time and with adherence to requirements. The employees in this class work under directions from the Senior Sewer Maintenance Supervisor.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 40% +/- 10%
- Supervises crew of employees assigned to sewer maintenance activities; establishes daily itinerary and assigns work; inspects work in progress and videos; reviews completed work assignments; instructs and trains employees; investigates and resolves employee problems; recommends employee discipline; prepares and reviews performance evaluations; ensures training requirements are met.

- 35% +/- 10%
- Checks progress of field crews; reviews and evaluates various reports; prepares various activity and project reports; assigns vehicles; responds to concerns of residents; ensures appropriate equipment is available.

- 15% +/- 5%
- Assists with planning and coordinating of sewer maintenance function; recommends maintenance programs and initiatives for sanitary and storm system maintenance; assists establishing goals and plans to achieve goals; assists with capital planning.

- 10% +/- 5%
- Performs administrative functions; orders supplies and equipment; conducts meetings; attends presentations.

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or GED supplemented with vocational or technical training in plumbing, maintenance and/or sanitation with three (3) years of sewer maintenance experience; or any equivalent combination of training and experience.

**Additional Requirements**

An Ohio EPA Wastewater Collections Class I Certification may be required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**Physical Requirements**

- Ability to operate a variety of equipment and tools including personal computer and peripheral e, fax machine, video cassette recorder, and telephone.
- Ability to perform on-site inspections, drive a truck, use hand tools, metal detector, flow meters and digital cameras.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.

Mathematical Ability

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and apply basic algebraic equations.

Language Ability & Interpersonal Communication

- Ability to comprehend a variety of informational documents including reports such as time sheets, attendance records, maintenance work orders, smoke test reports, dye test reports, invoices, daily logs, maps, blue prints, correspondence, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including maps, blue prints, safety manuals, equipment operation manuals, materials texts and personnel policy manuals.
- Ability to prepare reports such as daily activity reports, daily maintenance reports, flow meter reports, dye and smoke meter test reports, map reports, payroll documents, service requests, disciplinary forms, vehicle reports, performance evaluations, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to communicate with manager, employees, mechanics, engineers, residents, County and City employees.

Environmental Adaptability

- Work is typically performed in an office environment, at a wastewater treatment facility or in the field.

□

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Senior Sewer Maintenance Supervisor	Class Number:	1043122
FLSA:	Exempt	Pay Grade:	12
Departments:	Department of Public Works		

Classification Function

The purpose of this is to supervise the Sewer Maintenance Supervisor and sewer maintenance activities.

Distinguishing Characteristics

This is second-line supervisor classification, working under direction of a superintendant within the Sewer Maintenance Section of the Public Works Department. The employee works within a broad framework of polices, procedures and regulations. The incumbent ensures that activities are performed in a timely manner and according policies, procedures and related regulations. This class is distinguished from the Sewer Maintenance Supervisor in that the later is a first line supervisor.

Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 40% +/- 10%
- Supervises Sewer Maintenance Supervisors; instructs and trains employees; investigates and resolves employee problems; recommends employee discipline; prepares and reviews performance evaluations; ensures training requirements are met. .

- 30% +/- 10%
- Supervises sewer maintenance activities; oversees daily itinerary; oversees work assignments; inspects work in progress and reviews completed work assignments in field; schedules utility locations for excavations; oversees maintenance of department vehicles; responds to concerns of residents; may be on-call during weekends, evenings and holidays.

- 20% +/- 10%
- Assists Sewer Maintenance Superintendent with planning and coordinating of sewer maintenance functions; recommends maintenance programs and initiatives for sanitary and storm system maintenance; establishes goals and plans to achieve goals; assists with capital planning.

- 10% +/- 10%
- Performs administrative functions; attends various meetings; conducts meetings; answers questions and responds to requests for information.

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or GED supplemented with vocational or technical training in plumbing, maintenance and/or sanitation with five (5) years of sewer maintenance experience; or any equivalent combination of training and experience.

Additional Requirements

An Ophio EPA Wastwarter Collections Class I Certifictin may be required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of equipment and tools including personal computer, pager, fax machine, and telephone.
- Ability to perform on-site inspections and drive a truck.
- Ability to operate pumps, saws, air compressors, metal detectors, snake machines, flow meter hand tools and other tools and equipment.

Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.

Mathematical Ability

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and apply basic algebraic equations.

Language Ability & Interpersonal Communication

- Ability to comprehend a variety of informational documents including reports such as time sheets, attendance records, maintenance work orders, smoke test reports, dye test reports, invoices, maps, blue prints, correspondence, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including maps, blue prints, safety manuals, equipment operation manuals, materials texts and personnel policy manuals.
- Ability to prepare reports such as payroll documents, service requests, flow meter reports, die and smoke meter test reports, map reports, disciplinary forms, vehicle maintenance reports, performance evaluations, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret engineering, mechanical and human resources terminology and language.
- Ability to communicate with Assistant Director, Sewer Maintenance Administrator Manager, employees, residents, mechanics, engineers, and the general public.

Environmental Adaptability

- Work is typically performed in an office environment, at a wastewater treatment facility or in the field.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.



4

Item Details:

Agency/Dept. Name:	Office of Human Resources	Agency/Dept. Head Name:	Elise Hara
Type of Request:	Other		
Request Prepared by:	Kelli Neale	Telephone No.	443-5611
SUMMARY OF REQUESTED ACTION:			
A Resolution providing for the adoption of various changes to the Cuyahoga County Non-bargaining Classification Plan.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Creating two new classifications and two revised classifications to the County's existing Classification Plan.			
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

- [Proposed & Revised Classification for Public Works](#)

History

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0174

Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services	A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Children and Family Services has recommended amendments to contracts with various providers for placement services for the period 10/1/2011–12/31/2013 as follows:

1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:

- a) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
- b) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
- c) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
- d) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
- e) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
- f) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
- g) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
- h) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
- i) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).

- j) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).
 - k) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
 - l) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:**
- m) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
 - n) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
 - o) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
 - p) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
 - q) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
 - r) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
 - s) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
 - t) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
 - u) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
 - v) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
 - w) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:**
- x) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

WHEREAS, the amendments are for placement services of children who have been abused and/or neglected. These contracts will help to expand the range of services available to children; and

WHEREAS, these Board and Care contracts are mandated by the Ohio Administrative Code Section 5101:2-42-05; and

WHEREAS, the funding for this project is 29% from Federal Funds and 71% from the HHS Levy. The schedule of payments will be by invoice; 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 County departments, offices, and agencies.

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

SECTION 1. The County Council hereby approves the amendments to contracts with various providers for placement services for the period 10/1/2011–12/31/2013 for:

1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:

- a) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
- b) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
- c) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
- d) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
- e) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
- f) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
- g) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
- h) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
- i) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).
- j) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).

- k) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
 - l) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:**
- m) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
 - n) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
 - o) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
 - p) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
 - q) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
 - r) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
 - s) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
 - t) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
 - u) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
 - v) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
 - w) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:**
- x) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

SECTION 2. That the County Executive is authorized to execute all documents required in connection with said amendments.

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



71a-g-2h-0

Item Details:

Agency/Dept. Name:	Department of Children and Family Services	Agency/Dept. Head Name:	Patricia Rideout
Type of Request:	Contract/Amendment		
Request Prepared by:	Kurtisene Cunningham	Telephone No.	216-881-4729

SUMMARY OF REQUESTED ACTION:

Title: DCFS 2011-2013 Board and Care Contract Amendments for 2% per diem rate increase, and contract increase/ decreases for various providers (15 of the 30) (RQ20366)

A. Scope of Work Summary

1. The Division of Children and Family Services (DCFS) is requesting authorization to amend various board and care contracts that will reflect the Council approved 2% per diem increase; the amendments will also increase or decrease providers contracts due to utilization. **Although a 2% rate increase will occur; overall DCFS is reducing the line appropriation by (\$2,950,000), because some contracts originally had more funds than were needed, based on current usage; so there is a need to reduce the overall contract amounts of some of the providers. See below for breakdown. These are 15 of the 30 contract amendments.**

<u>Amendment Amounts:</u>	<u>\$Amount</u>
1. Alliance Human Services, Inc. decrease	(\$738,830.00)
2. Applewood Centers Inc. decrease	(\$631,738.00)
3. Beech Brook increase	\$799,406.00
4. Bellefaire Jewish Children's Bureau decrease	(\$268,079.00)
5. Caring for Kids, Inc. increase	\$60,055
6. Carrington Youth Academy LLC increase	\$134,512.00
7. Catholic Charities Services Corp. decrease	(\$611,817.00)
8. Guidestone decrease	(\$616,600.00)
9. National Youth Advocate increase	\$79,717.00

Program, Inc.

10. New Directions, Inc. decrease (\$300,000.00)

11. Specialized Alternatives for increase \$373,299.00

Families and Youth of Ohio, Inc.

12. The Bair Foundation decrease (\$153,673)

13. The Cleveland Christian increase \$197,303.00

Home Incorporated

14. The Twelve of Ohio, Inc. decrease (\$426,754.00)

15. The Village Network increase \$239,083.00

Total increase amount- \$1,883,375.00

Total decrease amount-(\$3,747,491.00)

2. Community-based residential services provider agencies serve the Division of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to expand the range of services available to children.

3. Board and Care contracts are mandated by the Ohio Administrative Code (OAC) Section 5101:2-42-05

B. Procurement

1. The procurement method for this project was an exemption from Full and Open Competition.

2. NA

3. NA

C. Contractor and Project Information

1. The address of the vendor is: See attached

D. Project Status and Planning

1. The project reoccurs bi-annually.

2. NA

3. NA

4. The project term has already began.

5. NA

E. Funding

1. The project is funded Federal 29% / HHS Levy 71%. The schedule of payments will be by invoice.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

These contracts are for placement services which include foster care, residential care,

independent living, group homes, shelter care and/or day treatment.

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

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

Explanation for late submittal:

Waiting for per diem approval and for vendors' to meet revised insurance standards.

Contract/Agreement Information:

Procurement Method:

Other

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

Financial Information:

Funding source: Explanation:

Other Federal 29% / HHS Levy 71%.

Total Amount Requested:

See above for breakdown

ATTACHMENTS:

Click to download

- [OPD Approved Justification](#)
- [Alliance Human Services](#)
- [Alliance Human Services](#)
- [Alliance Human Services SA](#)
- [Alliance Human Services Cert Ins](#)
- [Alliance Human Services WC](#)
- [Alliance Human Services FR](#)
- [Alliance Human Services Eval](#)
- [Applewood Centers, Inc](#)
- [Applewood Centers, Inc](#)
- [Applewood Centers, Inc SA](#)
- [Applewood Centers, Inc Cer Ins](#)
- [Applewood Centers, Inc WC](#)
- [Applewood Centers, Inc FR](#)
- [Applewood Centers, Inc Eval](#)
- [Beech Brook](#)
- [Beech Brook](#)
- [Beech Brook SA](#)
- [Beech Brook Cer Ins](#)
- [Beech Brook WC](#)
- [Beech Brook FR](#)
- [Bellefaire JCB](#)
- [Bellefaire JCB](#)
- [Bellefaire JCB SA](#)

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

Contractor: Beech Brook
Contract/Agreement No.: CE1100618-01 Time Period: 10/1/11 – 12/31/2013
Service Description: Beech Brook is a non-profit organization offering traditional and specialized levels of foster care, intensive treatment and residential care for children 6 through 13, in-home, community based, and adoption services. CCDCFs currently contracts for all these services.
Original Contract/Agreement Amount: \$3,602,430.00
Prior Amendment(s) Amount(s): \$280,000.00, and \$7,294,950.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Beech Brook has communicated effectively with our agency by providing documentation of services rendered for the clients served. The provider has completed this evaluation period with approximately 24% children experiencing lateral or more restrictive moves. Beech Brook received two indicated abuse dispositions and no substantiated abuse/neglect dispositions. Beech Brook received 98% during their County Contract Audit regarding documentation.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Beech Brook has serviced approximately 550 children during this evaluation period. Beech Brook has provided effective services during this evaluation period. This provider specializes in providing services for our younger children in need of intensive residential services along with foster care.

Cuyahoga County Division of Children and Family Services
User Department

April 16, 2013
Date

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

Contractor: Caring for Kids, Inc.
Contract/Agreement No.: CE1100622-01 Time Period: 10/1/11 – 12/31/13
Service Description: Caring for Kids, Inc., a non-profit organization founded in 1995, provides traditional and specialized foster care services. CFS contracts for both levels of care, and principally uses this provider for sibling groups when there is no availability in the county.
Original Contract/Agreement Amount: \$36,000.00
Prior Amendment(s) Amount(s): \$35,000.00, \$105,030.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Caring For Kids, Inc. has serviced approximately 20 children during this evaluation period. Caring For Kids, Inc. has communicated effectively with our agency by providing documentation of services rendered for the clients serviced. The provider has completed this evaluation period with minimal children experiencing a lateral or more restrictive moves. They have had no indicated and or substantiated allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Caring For Kids has the ability to accept emergency out of home placements. The agency addresses the need of foster home that can accept large sibling groups. Caring For Kids foster families tend to adopt children that are in Permanent Custody within our agency.

Cuyahoga County Division of Children and Family Services
User Department

April 15, 2013
Date

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

Contractor: Carrington Youth Academy, LLC
Contract/Agreement No.: CE1100771-01 Time Period: 10/1/11 – 12/31/13
Service Description: Carrington Youth Academy is a for-profit organization, licensed by the Ohio Dept. of Job and Family Services to serve boys and girls between the ages of 8 to 21 in a comprehensive residential setting and capabilities of maintaining youth in their shelter care program. CCDCFS primarily uses this provider for residential care.
Original Contract/Agreement Amount: \$153,000.00
Prior Amendment(s) Amount(s): \$312,390.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Carrington Youth Academy has serviced approximately 15 children during this evaluation period. Carrington Youth Academy is compliant with CCDCFS requests for documents and attempts to effectively communication with our agency receiving 100% compliance during the DCFS contract monitoring audit. This provider has completed this evaluation period with approximately 33% of children experiencing lateral or more restrictive setting. Carrington Youth Academy received no substantiated or indicated abuse/neglect.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Carrington Youth Academy provides services that address residential services for our clients. This provider demonstrates a team approach in providing case management, education and individual care of the client.

Cuyahoga County Division of Children and Family Services
User Department

April 16, 2013
Date

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

Contractor: National Youth Advocate Program, Inc.
Contract/Agreement No.: CE1100624-01 Time Period: 10/1/11 –12/31/13
Service Description: National Youth Advocate Program, Inc., formerly the Ohio Youth Advocate Program (OYAP), was founded in 1978. The national organization operates programs in six other states besides Ohio. OYAP has approximately 200 homes throughout Ohio, including approximately thirty in Cuyahoga County. CFS contracts for traditional and three levels of specialized foster care.
Original Contract/Agreement Amount: \$1,485,000.00
Prior Amendment(s) Amount(s): \$20,000.00; \$2,936,790.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): National Youth Advocate Program services approximately 370 children during this evaluation period. The provider increased their compliance rate by 12% during 2012 DCFS contract monitoring audit receiving 81%. National Youth Advocate Program completed this period with minimal children experiencing a lateral or more restrictive moves. This provider had no substantiated or indicated abuse/neglect allegations. NYAP has maintained good communication with the agency and has been open to suggestions.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: National Youth Advocate Program continues to service Cuyahoga County with specialized and therapeutic foster care. They continue to make improvements as needed and are willing to go the extra mile.

Cuyahoga County Division of Children and Family Services

April 17, 2013

User Department

Date

s: evaluation

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

Contractor: Specialized Alternatives for Families & Youth of Ohio, Inc.	
Contract/Agreement No.: CE1100627-01	Time Period: 10/1/11 – 12/31/13
Service Description: Specialized Alternatives for Families and Youth of Ohio (SAFY) was founded in 1984. Today SAFY provides traditional and treatment level foster care services, adoption, in-home crisis counseling, and independent living services. It also offers foster care services for specialized populations such as medically fragile and MR/DD children. SAFY has programs in eight states including homes throughout Ohio.	
Original Contract/Agreement Amount: \$2,493,000.00	
Prior Amendment(s) Amount(s): \$5,487,138.00, \$95,000.00	
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.	
Actual performance versus performance indicators (include statistics): Specialized Alternative for Family and Youth of Ohio Inc., (SAFY) has serviced approximately 200 children during this evaluation period. SAFY provides an array of services for our children through their Continuum of Care from foster care to Independent Living. SAFY is currently a provider for the Multidimensional Foster Care program. This program has been doing very well since it started 2 years ago. The provider has maintained the placement they receive with a minimal amount of children experiencing a lateral or more restrictive move. SAFY have recruited 90 foster homes located in Cuyahoga county or a contiguous counties. SAFY has maintains good communication with the agency at all times. SAFY received an 83% on it's compliance audit.	

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: The rating was given based upon the performance that SAFY has displayed thus far through this contract period. SAFY continues to grow as a program and has continued to work with some of our toughest children to place through the Multidimensional Treatment Foster Care Program.

Cuyahoga County Division of Children and Family Services

April 17, 2013

User Department

Date

s: evaluation

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

Contractor: Cleveland Christian Home Incorporated
Contract/Agreement No.: CE1100630-01 Time Period: 10/1/11 –12/31/13
Service Description: The Cleveland Christian Home, founded in 1903, has evolved from an orphanage to a multi-service organization providing residential services, adoption, community based, and in-home programs. CCDCFS currently contracts for residential, family preservation and adoption services.
Original Contract/Agreement Amount: \$1,800,000.00
Prior Amendment(s) Amount(s): \$4,325,796.00, \$404,000.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): The Cleveland Christian Home serviced approximately 200 children during this evaluation period with of the clients receiving services from the Independent Living program, sexual offender Residential Program, Intensive Treatment Unit, and Open Residential Program. This provider maintains placements with minimal moves. The Cleveland Christian Home completed this period with one substantiated abuse/neglect allegation. The Cleveland Christian Home maintains good communication with the agency and has done a good job working with the tough populations they serve. Cleveland Christian Home received a 98% for its compliance audit

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: The Cleveland Christian continues to provide services to children who have experienced sexual abuse or/and have been sexually reactive. They do so with minimal disruptions and are always willing to go an extra mile for them. They also provide services for our older youth and have had good success with the program.

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

Contractor: The Village Network
Contract/Agreement No.: CE1100633-01 Time Period: 10/1/11 – 12/31/13
Service Description: The Village Network, formerly Boys' Village Inc. was founded in 1946 as a residential facility for teen boys. It has since expanded to provide foster care, day treatment and alternative school programs. CFS contracts for mental health, substance abuse, sex offender residential programs, and traditional/ treatment foster care. They operate a Cleveland regional office with approximately 25 homes.
Original Contract/Agreement Amount: \$1,170,000.00
Prior Amendment(s) Amount(s): \$2,316,798.00, \$50,000.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): The Village Network serviced approximately 83 children during this evaluation period. This provider achieved an 80% compliance rating during the DCFS contract monitoring audit. The Village Network completed this period with minimal children experiencing a lateral or more restrictive moves. This provider received no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: The Village Network provider therapeutic sex offender treatment to our clients through foster care and residential settings. They have a variety of services and work hard to ensure that the youth they serve are receiving the best services.

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

Contractor: Alliance Human Services, Inc.
Contract/Agreement No.: CE1100616-01 Time Period: 10/1/11 –12-31-13
Service Description: Alliance Human Services, Inc provides traditional and specialized foster care services, accepting difficult to place populations such as adjudicated delinquents, lower functioning/MRDD and severely behaviorally and/or emotionally disturbed children. CFS contracts for four levels of care.
Original Contract/Agreement Amount: 2,588,175.00
Prior Amendment(s) Amount(s): 4,854,564.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Alliance Human Services/Ohio Mentor completed this period with 3% of children experiencing placement moves. The provider also had no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Alliance Human Services, Inc has services approximately 170 children during this evaluations period. This agency continues to maintain 89% compliance score by our contract monitoring unit.

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

Contractor: Applewood Centers, Inc
Contract/Agreement No.: CE11006117 Time Period: 10/1/11 – 12/31/13
Service Description: Applewood Centers Inc., created in 1997 by the merger of Children’s Services, Inc. and the Guidance Centers, operates residential, foster care, adoption, and community-based programming. Children’s Aid Society merged with this provider effective 7/1/2004. This enabled the provider to increase it’s continuum of care to include residential services for younger children and increased capacity in the Partial Hospitalization program.
Original Contract/Agreement Amount: \$1,588,950.00
Prior Amendment(s) Amount(s): \$3,681,108.00, add services
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Applewood Centers, Inc serviced approximately 185 children during this evaluation period. Applewood Center, Inc. completed this period 20% of children experiencing lateral or more restrictive moves. The provider received three substantiated abuse dispositions and one indicated abuse disposition. Applewood Center, Inc. achieved 92% during the DCFS contract audit.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Applewood Center, Inc. continues to serve our population through foster care, residential setting, and therapeutic counseling. Applewood Centers Inc., has effectively provided services for our clients.

Cuyahoga County Division of Children and Family Services
User Department

April 16, 2013
Date

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

Contractor: Bellefaire Jewish Children's Bureau
Contract/Agreement No.: CE1100620.01 Time Period: 10/1/11 – 12/31/13
Service Description: Bellefaire JCB, founded in 1868 as a Jewish orphanage has grown to a multi-service agency that provides residential treatment, traditional and treatment foster care, in-home counseling services, adoption services, independent living programs, and multi-site community clinics.
Original Contract/Agreement Amount: \$2,925,000.00
Prior Amendment(s) Amount(s): \$5,969,700.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Bellefaire JCB has serviced approximately 300 children for foster care, residential treatment center and Independent Living. The provider received minimal number of children experiencing lateral or restrictive moves. Bellefaire, JCB received no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: JCB Bellefaire addresses the needs of our autistic clients through their Monarch Program. Bellefaire JCB also provides clinical care that supports the evidence based treatment model. Bellefaire JCB achieved an increase of 3% compliance score regarding documentation of the DCFS Contract Monitoring Services Audit Review.

Cuyahoga County Division of Children and Family Services
User Department

April 16, 2013
Date

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

Contractor: Catholic Charities Corporation
Contract/Agreement No.: CE1100623-01 Time Period: 10/1/11 – 12/31/13
Service Description: Catholic Charities Corporation/Parmadale are a multi-service organization offering a complete array of human services including residential, foster care, adoptive, and in-home services. Residential services are provided at the Parmadale location. Founded in 1925, Parmadale has grown from a home for orphaned and dependent children to a facility offering specialized programs for children with emotional, behavioral and developmental issues. CFS contracts for all residential services, which includes approximately seventy five foster homes, principally in Cuyahoga County.
Original Contract/Agreement Amount: \$4,827,285.00
Prior Amendment(s) Amount(s): \$8,927,154.00. name change
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Catholic Charities Corporation serviced 155 children in the last year. While receiving 15% SIU allegations in foster care, and 85% SIU allegations in residential. The findings of the SIU investigations were unsubstantiated. Catholic Charities experienced approx. 8% of total placement moves for all children in care.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Catholic Charities Corporation serviced 155 children during this evaluation period. Catholic Charities Corporation achieved an increase of 6% compliance score regarding DCFS Contract Monitoring Services Review.

Cuyahoga County Division of Children and Family Services
User Department

April 12, 2013
Date

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

Contractor: Guidestone (formerly Berea Children Home)
Contract/Agreement No.: CE1100621-01 Time Period: 10/1/11 – 12/31/13
Service Description: Guidestone (formerly Berea Children’s Home) was founded in 1864 as the German Methodist Orphan’s Asylum. The organization has expanded services over the years to include residential care, foster care services, counseling services, community education, and juvenile justice programs.
Original Contract/Agreement Amount: \$4,542,903.00
Prior Amendment(s) Amount(s): \$9,170,748.00,
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Berea Children Home has provided services for approximately 235 children during this evaluation period. Berea Children’s Home offers residential treatment service with the component of continuum quality along with foster care. The provider has completed this period with a minimal number of children experiencing lateral or restrictive moves. The provider received no substantiated or indicated abuse/neglect allegations. Guidestone received a 94% on their compliance audit.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Guidestone continues to service Cuyahoga County children with the continuum of care ranging from foster care, group home, DD services, and residential setting. Guidestone continues to make improvements to their program as necessary.
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Cuyahoga County Division of Children and Family Services
User Department
s: evaluation

April 17, 2013
Date

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

Contractor: New Directions, Inc
Contract/Agreement No.: CE1100613-01 Time Period: 10/1/11 – 12/31/13
Service Description: New Directions, Inc, in collaboration with Applewood Centers operates a residential facility for male adolescents, ages twelve through eighteen. They provide a service for boys with a dual diagnosis, both mental health issues and chemical dependency concerns.
Original Contract/Agreement Amount: \$108,000.00
Prior Amendment(s) Amount(s): \$216,000.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): New Directions, Inc. serviced no children during this evaluation period.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Due to the fact that they have not serviced any children during this review period we are unable to rate them. The contract is needed as we do have children that come into care that are in need of drug treatment and they one of the few providers in the county to provide this service for teens.

Cuyahoga County Division of Children and Family Services
User Department

April 18, 2013
Date

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

Contractor: The Bair Foundation
Contract/Agreement No.: CE1100629-01 Time Period: 10/1/11 – 12/31/13
Service Description: The Bair Foundation, founded in 1967 in New Wilmington Pennsylvania, now operates in six states. It has homes in nineteen counties in Ohio, with many homes in Cuyahoga County. Services include case management, crisis intervention, counseling, independent living, and adoption.
Original Contract/Agreement Amount: \$1,800,000.00
Prior Amendment(s) Amount(s): \$3,107,628.00, (\$100,000.00)
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): The Bair Foundation serviced approximately 120 children during this evaluation period. The Bair Foundation service model is the Structured Intervention Treatment Foster Care which includes Evidence-Based foster Parent Curriculum. This provider achieved 98% compliance during DCFS contract monitoring audit. The provider received one indicated abuse disposition. The Bair Foundation has had minimal lateral or more restrictive moves with the children they serve. They have maintained good communication with the agency and continue to work hard on ensuring that the children they serve are receiving the best care.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating:

The Bair Foundation continues to be a strong provider for the children and families we serve. They continue to recruit homes in the area and are always willing to take some of our more medically fragile children. As noted above they have worked very hard to make their program meet our needs and have not had any substantiated or indicated findings against the foster parents they oversee.

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

Contractor: The Twelve of Ohio, Inc.
Contract/Agreement No.: CE1100631 Time Period: 10/1/11 – 12/31/13
Service Description: The Twelve of Ohio, Inc. originally founded in 1965, has been providing residential services for adolescent boys since 1971. Today the organization also provides group home and residential services for sex offender treatment, four levels of foster care, independent living and adoption services. CFS contracts for all services.
Original Contract/Agreement Amount: \$1,071,000.00
Prior Amendment(s) Amount(s): \$2,163,618.00, \$50,000.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): The Twelve serviced approximately 80 children in foster care and group home services during this evaluation period. This provider maintained 100% compliance during the DCFS contract monitoring audit. This provider received no substantiated abuse/neglect allegations. They have maintained good communication with the agency and continue to work hard on ensuring that they meet the needs of the children placed with them. The Twelve completed this period with minimal children experiencing a lateral or more restrictive move.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: The Twelve has provided services on a wide spectrum for our youth. They continue to work to ensure that they are doing so with the most current information and treatment modalities. They have minimal disruptions due to their continual efforts with the youth they serve.

Cuyahoga County Division of Children and Family Services
User Department

April 17, 2013
Date



8a1-d-2e-h-3i

Item Details:

Agency/Dept. Name:	Department of Children and Family Services	Agency/Dept. Head Name:	Patricia Rideout
Type of Request:	Contract/Amendment		
Request Prepared by:	Kurtisene Cunningham	Telephone No.	216-881-4729

SUMMARY OF REQUESTED ACTION:

Title: DCFS 2011-2013 Board and Care Contract Amendments for 2% per diem rate increase, and contract increase/ decreases for various providers (9 of the 30) (RQ20366)

A. Scope of Work Summary

1. The Division of Children and Family Services (DCFS) is requesting authorization to amend various board and care contracts that will reflect the Council approved 2% per diem increase; the amendments will also increase or decrease providers contracts due to utilization. **Although a 2% rate increase will occur; overall DCFS is reducing the line appropriation by (\$2,950,000), because some contracts originally had more funds than were needed, based on current usage; so there is a need to reduce the overall contract amounts of some of the providers. See below for breakdown. These are 9 of the 30 contract amendments.**

Amendment Amounts:	\$Amount
1. BHC Belmont Pines Hospital, Inc. increase	\$289,741.00
2. Cornell Abraxas Group, Inc. \$0 (per diem increase only)	
3. Diversion-Adolescent increase	\$25,641.00
Foster Care of Ohio, Inc.	
4. House of New Hope increase	\$52,263.00
5. In Focus of Cleveland, Inc. increase	\$2,396.00
6. Options For Families and Youth decrease	\$(400,00.00)
7. Pathway Caring For Children decrease	\$(106,095.00)
8. Pressley Ridge decrease	\$(200,000.00)

9. S.T.A.R.T. decrease (\$157,842.00)

Total increase amount- \$370,041.00

Total decrease amount-(\$863,937.00)

2. Community-based residential services provider agencies serve the Division of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to maintain the range of services available to children.

3.Board and Care contracts are mandated by the Ohio Administrative Code (OAC) Section 5101:2-42-05

B. Procurement

1. The procurement method for this project was an exemption from Full and Open Competition.

2. NA

3. NA

C. Contractor and Project Information

1. The address of the vendor is: See attached

D. Project Status and Planning

1. The project reoccurs bi-annually.

2. NA

3. NA

4. The project term has already began.

5. NA

E. Funding

1. The project is funded Federal 29% / HHS Levy 71%. The schedule of payments will be by invoice.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

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

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

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

Explanation for late submittal:

Waiting for per diem approval and for vendors' to meet revised insurance standards.

Contract/Agreement Information:

Procurement Method:

Other

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

Financial Information:

Funding source:

Other

Explanation:

Federal 29% / HHS Levy 71%.

Total Amount Requested:

See above for breakdown

ATTACHMENTS:

Click to download

- [OPD Approved Justification](#)
- [BHC Belmont Pines](#)
- [BHC Belmont Pines](#)
- [BHC Belmont Pines SA](#)
- [BHC Belmont Pines Cert Insura](#)
- [BHC Belmont Pines WC](#)
- [BHC Belmont Pines FR](#)
- [Cornell Abraxas Group](#)
- [Cornell Abraxas Group](#)
- [Cornell Abraxas Group SA](#)
- [Cornell Abraxas Group Cert Insu](#)
- [Cornell Abraxas Group WC](#)
- [Cornell Abraxas Group FR](#)
- [Diversion](#)
- [Diversion](#)
- [Diversion](#)
- [Diversion Cert Insura.](#)
- [Diversion WC](#)
- [Diversion FR](#)
- [House of New Hope](#)
- [House of New Hope](#)
- [House of New Hope SA](#)
- [House of New Hope Cert Insur](#)
- [House of New Hope WC](#)
- [House of New Hope FR](#)
- [In Focus of Cleveland](#)
- [In Focus of Cleveland](#)
- [In Focus of Cleveland SA](#)
- [In Focus of Cleveland Cert Insur](#)
- [In Focus of Cleveland WC](#)
- [In Focus of Cleveland FR](#)
- [Options For Families and Youth](#)
- [Options For Families and Youth](#)

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

Contractor: BHC Belmont Pines Hospital, Inc.
Contract/Agreement No.: CE1100619-01 Time Period: 10/1/11 – 12/31/2013
Service Description: BHC Belmont Pines Hospital, Inc. is a for-profit organization, licensed by the Ohio Dept. of Mental Health to serve children and adolescents in short-term crisis stabilization and residential programs. We currently contract for a short-term (10 day) diagnostic/stabilization unit and a longer term residential program.
Original Contract/Agreement Amount: \$419,697.00
Prior Amendment(s) Amount(s): \$1,268,262.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) Identify the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Belmont Pines Hospital has provided services for approximately 13 children during this evaluation period. Belmont Pines continues to communicate efficiently with our agency through timely reporting, and documentation submission. During this period minimal number of children experienced more restrictive moves. Belmont Pines received 100% compliance during DCFS contract service audit. Belmont Pines Hospital received no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Belmont Pines (BHC) provides services that address inpatient acute psychiatric care as well as residential services. BHC communicates effectively with our agency by identifying clients that have completed treatment and prepared to return to the community.

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

Contractor: Diversion-Adolescent Foster Care of Ohio, Inc
Contract/Agreement No.: CE1100610-01 Time Period: 10/1/2011 – 12/31/13
Service Description: Diversion Adolescent Foster Care was originally founded in Flint, Michigan in 1973. It expanded its services to Ohio in 1978, eventually developing treatment foster care and adoption programs to better serve its clients. CFS utilizes approximately thirty homes located in Northwest Ohio, with ten homes in Cuyahoga County.
Original Contract/Agreement Amount: \$153,450.00
Prior Amendment(s) Amount(s): \$22,000.00 , \$327,312.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Diversion Adolescent Foster Care of Ohio, Inc. serviced approximately 15 children during this evaluation period with no moves from the initial placement. This provider maintains the majority of foster care placement within Cuyahoga County. Provider has provided quarterly reports and has good communication with the resource manager and other agency staff. Diversions Adolescent Foster Care of Ohio, Inc. continues to maintain 97% compliance on DCFS contract monitoring audit. There have been no indicated and/or substantiated referrals in regards to this provider.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Diversion Adolescent Foster Care of Ohio, Inc demonstrates the ability to address our client needs. This agency maintains our client within the initial foster home maintaining stability of services.
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Cuyahoga County Division of Children and Family Services
User Department
s: evaluation

April 16, 2013
Date

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

Contractor: House of New Hope
Contract/Agreement No.: CE1100672-01 Time Period: 10/1/11 –12/31/13
Service Description: House of New Hope, incorporated in 1993, provides traditional and treatment levels of foster care, as well as adoption services. CFS contracts for all levels of foster care, and utilizes this provider principally for large sibling groups and children with severe treatment issues.
Original Contract/Agreement Amount: \$1,134,000.00
Prior Amendment(s) Amount(s): \$2,175,732.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): House of New Hope serviced approximately 280 children during this evaluation period. The provider received 98% compliance during DCFS contract monitoring audit. House of New Hope completed this period with a minimal number of children experiencing no lateral or restrictive moves. The provider also had no substantiated or indicated abuse/neglect

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: House of New Hope provides serves that address our large sibling population. This provider is able to meet our needs when our clients arrive in large numbers. House of New Hope plans to expand their foster care homes to Lorain County.

Cuyahoga County Division of Children and Family Services
User Department
s: evaluation

April 17, 2013
Date

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

Contractor: In Focus of Cleveland, Inc
Contract/Agreement No.: CE1100612-01 Time Period: 10/1/11 – 12/31/13
Service Description: In Focus of Cleveland, Inc was incorporated in 2002 to provide community based group care in three settings for boys 12 through 18. CFS principally uses this provider for teens with treatment issues who for various reasons cannot be placed or have been unsuccessful in foster care.
Original Contract/Agreement Amount: \$526,500.00
Prior Amendment(s) Amount(s): \$1,031,436.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): In Focus of Cleveland, Inc. has serviced approximately 100 children during this evaluation period. In Focus of Cleveland, Inc has provided of children with IL skills while residing in a based group home setting. The provider completed this period with minimal number of children experiencing lateral or requiring a more restrictive setting. During the DCFS Contract monitoring audit, In Focus experienced a 17% decrease in compliance scoring from the previous year.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: In Focus of Cleveland, Inc. provides services to Cuyahoga County male teenage population. They have recently opened another home to service young men by preparing them through IL skills, education, and employment. In Focus is also working on ensuring that they have the proper documentation for all the youth placed in their program in order to increase their compliance scores.
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Cuyahoga County Division of Children and Family Services
User Department

April 16, 2013
Date

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

Contractor: Options for Families and Youth
Contract/Agreement No.: CE1100624-01 Time Period: 10/1/11 – 12/31/13
Service Description: Options for Families and Youth (OFY) is a nonprofit organization providing traditional and specialized levels of foster care as well as adoption and early start services. OFY has approximately 50 homes in Cuyahoga County.
Original Contract/Agreement Amount: \$1,341,000.00
Prior Amendment(s) Amount(s): (\$ 95,000.00), \$2,281,572.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Options for Youth has serviced approximately 260 children during this evaluation period. During the 2012 DCFS contract monitoring audit, this agency received 99% compliance rating. Options for Youth completed this evaluations period with minimal lateral and restrictive moves with no substantiated or indicated abuse/neglect dispositions.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Options for Youth maintains Treatment Foster Care homes primarily in Cuyahoga County. OFY supports the agencies philophosy of Family to Family model. OFY supports their foster parents through attendance at meetings and assisting in transportation.

Cuyahoga County Division of Children and Family Services
User Department

April 17, 2013
Date

s: evaluation

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

Contractor: Pathway Caring for Children
Contract/Agreement No.: CE1100615-01 Time Period: 10/1/11 – 12/31/13
Service Description: Pathway Caring for Children was incorporated in 1973 to provide group home services for teen boys. They expanded to include foster care in 1979, and since then has developed treatment level foster care and adoption services. CCDCFS primarily uses this provider for foster care, with one child placed in the group home.
Original Contract/Agreement Amount: \$199,800.00
Prior Amendment(s) Amount(s): \$284,634.00
Performance Indicators: 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Pathway Caring for Children has serviced approximately 15 children during this evaluation period. Pathway Caring for Children communicates effectively with our agency by providing documentation of services rendered for the clients serviced. The provider has completed this evaluation period with minimal number of children experiencing lateral or restrictive moves. The provider achieved 96% compliance score during the DCFS contract monitoring audit. Pathway Caring for Children received no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Pathway Caring for Children servicing a minimal amount of our clients. However, this provider demonstrates the ability to therapeutically meet the needs of our clients.

Cuyahoga County Division of Children and Family Services
User Department

April 16, 2013
Date

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

Contractor: Pressley Ridge
Contract/Agreement No.: CE1100626-01 Time Period: 10/1/11 – 12/31/13
Service Description: Pressley Ridge was founded in 1969 in Pittsburgh, Pennsylvania. With the development of its therapeutic foster care model, called PRYDE, in the 1980's, Pressley Ridge expanded services to other states including Ohio. Pressley Ridge operates three sites in Ohio, one of them being Cleveland, which now consists of a therapeutic foster care network of approximately thirty homes.
Original Contract/Agreement Amount: \$1,530,000.00
Prior Amendment(s) Amount(s): \$2,866,572.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Pressley Ridge serviced approximately 180 children during this evaluation period. Pressley Ridge achieved 97% compliance during the DCFS contract monitoring audit. The provider has completed this evaluation period with a minimal number of children experiencing lateral or restrictive moves.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Pressley Ridge specializes in therapeutic foster care services, and provides mental counseling services for our children. Pressley Ridge has been able to maintain placement for the children that have been placed with their agency. They continue to look for new ways to service our children and make improvements to their services as needed.

Cuyahoga County Division of Children and Family Services
 User Department

April 17, 2013
 Date

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

Contractor: S.T.A.R.T. – Support to At-Risk Teens
Contract/Agreement No.: CE1100628-01 Time Period: 10/1/11 – 12/31/13
Service Description: S.T.A.R.T. – Support to At-Risk Teens S.T.A.R.T – Support to At-Risk Teens, formerly Lutheran Metropolitan Ministry, was founded in 1969. The organization serves populations primarily in Cuyahoga County. Their programs include criminal justice, employment services for the disabled, guardianship and ombudsman services for the elderly and indigent, and support services for at-risk youth. CFS contracts for short-term emergency shelter (14 to 30 days) and cluster and scattered site independent living programs for older teens. This evaluation focuses on the independent living programs.
Original Contract/Agreement Amount: \$1,305,000.00
Prior Amendment(s) Amount(s): \$2,286,918.00, Add Services
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): S.T.A.R.T. has completed the period with a minimal number of children experiencing no lateral or restrictive moves. The provider also had no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: S.T.A.R.T. has provided effective services during this evaluation period. This provider specializes in providing services for our teenage population meeting the needs of many challenging clients.

Cuyahoga County Division of Children and Family Services
 User Department
 s: evaluation

March 4, 2013
 Date

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

Contractor: Cornell Abraxas Group, Inc
Contract/Agreement No.: CE1100609-01 Time Period: 10/1/11 – 12/31/13
Service Description: Cornell Abraxas of Ohio is certified by the Ohio Dept. of Drug and Alcohol Services to provide treatment for chemically dependent boys, age twelve through eighteen. CFS uses this residential program for boys who can not be treated in an out-patient program because of behavioral or mental health issues, who are adjudicated, or who have been unsuccessful in out-patient programs.
Original Contract/Agreement Amount: \$38,700.00
Prior Amendment(s) Amount(s): \$19,170.00
Performance Indicators: : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
Actual performance versus performance indicators (include statistics): Cornell Abraxas Group, Inc. has serviced approximately two children during this evaluation period. Cornell Abraxas Group Inc., provides Evidence Based Curricula for our children along with vocational and career explorations. The provider has completed this period with a minimal number of children experiencing lateral or restrictive moves. The provider received no substantiated or indicated abuse/neglect allegations.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Cornell Abraxas Group, Inc. does a good job at providing services to the youth referred to them. They do treat some of are harder to place youth that have chemical dependency issues. They provide information and documentation on a regular basis.

Cuyahoga County Division of Children and Family Services
 User Department
 s: evaluation

April 18, 2013
 Date

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0101

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105 th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; total estimated construction cost \$44,475,196.00; 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.
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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 widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; and

WHEREAS, the anticipated construction cost for this improvement is \$44,475,196.00; 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) 80% from Federal Funds; (b) 10% will be paid from Issue 1 Funds, and (c) 10% from the County Road and Bridge Fund; 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 East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue in the City of Cleveland, Council Districts 7 and 8; 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 widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland.

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 Cleveland in connection with this project.

SECTION 4. 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 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: May 28, 2013

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0121

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution adopting the 2013 Economic Development Plan in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 7.05 of the Cuyahoga County Charter requires the Director of Development, in conjunction with the County Executive and in consultation with the Economic Development Commission, to prepare and present to the Council by the first day of June of each year a proposed five-year economic development plan for the County, for actions to be carried out by the County itself, and in cooperation with other public and private agencies and organizations, for the purpose of enhancing the prosperity and well-being of the County and its residents and communities; and

WHEREAS, it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The County's 2013 five-year economic development plan, including all changes thereto approved by Council, is hereby adopted in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code. The final adopted plan is attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. 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.

CUYAHOGA COUNTY
ECONOMIC DEVELOPMENT PLAN - YEAR III
5/30/13

Executive Summary

Cuyahoga County annually updates the Five Year Economic Development Plan, initially created in 2011, to define and prioritize its development goals and strategies. The inaugural Plan set forth a new model and charge for making strategic investments across the County that would foster strong, economically sound communities, drive business growth and create jobs and opportunity for residents.

The Five Year Economic Development Plan adopts an investment approach that fosters economic growth and prosperity for Cuyahoga County and our region. The goal of the plan is to create an environment that supports business and job growth, attracts capital, leverages private investment, fosters innovation, incentivizes collaboration, enhances human capital development, and improves the quality of life for all residents.

Mission: Improve the County's global competitiveness through strategic investments that foster economic growth and create vibrant, healthy and welcoming places for businesses and residents to prosper.

To fulfill the mission and realize the vision, the plan has an integrated investment strategy that identifies two fundamental economic development priorities

- Business Development – thriving, competitive, growing businesses
- Place-based Development – vibrant, dynamic, quality places

By utilizing this investment approach in place-based business development, the County is achieving the mission of the Plan and making real progress towards revitalizing the Cuyahoga County economy. Implementing this strategy is helping to establish a vibrant, economically competitive region, creating jobs, opportunity and prosperity for all residents.

Vision: Cuyahoga County is a vibrant, economically competitive region, creating jobs, wealth, opportunity, and prosperity for businesses and residents.

The plan incorporates a seamless strategy that supports economic development initiatives within a geographic context. The objective is to create high-quality, well-connected places with a critical mass of economic activity that provide businesses and residents the opportunity to thrive.

The County is making its strategic investments incorporating the following key principles:

Investment Principles

- Collaboration – The County partners with the public, private and nonprofit sectors throughout Northeast Ohio to maximize the amount of resources being deployed to support initiatives, maximize the effectiveness of those investments, and learn what works.
- Inclusiveness – The County makes investments that create opportunity for all county residents, with a particular emphasis on racially and economically isolated populations. The economic competitiveness of the County is inextricably tied to the success of historically isolated populations. In order to become a transformative region, the County must strive to be a welcoming place to both transplant and immigrant populations. To that end, this plan fully embraces the work of the Cuyahoga County Equity Committee, reflected in their October 26, 2010 report).
- Innovation – The County is ensuring that the overall plan fosters an entrepreneurial culture of innovation. The County seeks creative solutions that operate outside the box. Its investments are structured to support dynamic industry sectors or clusters that are transformational and at a scale sufficient to grow the economic base of the County.
- Sustainability – The County is fostering economic transformation in a manner that promotes economic growth, social well being, and environmental stewardship that is systemic and sustainable into the future.
- Accountability – This plan is being implemented using a carefully devised set of metrics which enable the County to continuously monitor progress being made toward achieving our goals and to make data-driven adjustments to the plan, as needed.
- Transparency – The residents of the county can easily track where our public resources are being invested and the returns being generated by those investments.

The Year III Plan Update herein represents the County’s continued work toward the Plan’s basic mission and priorities, progress achieved within its programmatic objectives, and changes, if any, made in its strategic economic development approaches.

PART 1: Overview

The inaugural Five Year Economic Development Plan began with the following words:

The place is here. The time is now. We can no longer wait for, nor rely upon largesse from Washington or Columbus to direct our future. We cannot wait for incremental resources or another stimulus to save the day. We must decide what we want our county to be and how we are going to

get it there.

The time is right and Cuyahoga County is the right place for an aggressive, focused economic development plan that will leverage regional assets, build off of long-standing strengths, and take advantage of global changes to drive growth in jobs, incomes and property values.

While the Five Year Plan represented the first comprehensive effort by the government of Cuyahoga County to drive economic growth, economic development activity was not a new endeavor to the County or the broader Northeast Ohio region. The plan was built upon many successes, experiences and programs of the County and its valued economic development partners in the public, private and philanthropic sectors. Moreover, the plan reflected the reality that successful economic development in Cuyahoga County is not determined solely by what occurs within our county's borders.

Our county is part of a larger, \$170 billion regional economy that encompasses 15 sister counties. In the past decade, guided by work of the business community, led by the Greater Cleveland Partnership, Team NEO and the Fund for Our Economic Future, the region has become very aware that economic development is a team sport, with no one player able to make much impact without partnerships, alignment and collaboration. To maximize the County's economic growth, the plan has been aligned to take advantage of the regional economic strategies embodied in Advance Northeast Ohio, the region's current economic competitiveness plan. As the new Northeast Ohio Regional Economic Competitiveness Strategy (RECS) is being fully developed, the County is actively participating in this process, and will be aligned with this critical strategy upgrade as well.

Time right for the plan. Our county's residents issued a clear mandate under the new charter "job creation and economic growth as a fundamental government purpose." The global economy is undergoing a fundamental restructuring in the wake of the Great Recession. As the Brookings Institution recently noted: "We need to rebalance the American economy and cultivate the fundamentals that can bring prosperity back: robust exports, low-carbon technology, continuous innovation, and opportunity for all."

The fundamental rebalancing of the economy – globally, nationally and regionally – presented Cuyahoga County with an ideal opportunity to develop a strategy that takes advantage of those changes, rather than simply reacting to them. The time was right for Cuyahoga County to prepare to benefit from the "next economy."

The right place for the plan. The ongoing rebalancing of the economy is good news for Cuyahoga County. The last economy – rooted in consumption and housing booms turned bust – did not play to the County's strengths in manufacturing, materials, and medicine. But the next economy does, as it will be powered by the production of innovative products sold in growing global markets. The development of those products is dependent on innovation assets – such as research institutions like

NASA Glenn, the Cleveland Clinic, and University Hospitals and higher education institutions such as Cleveland State University Case Western Reserve University and John Carroll University that proudly call our county home.

Those local assets are well connected with regional resources – ranging from new industry cluster development guided by NorTech, to venture capital attracted by JumpStart, to manufacturing innovation advanced by MAGNET – that are boosting our companies’ (both established and new) ability to develop those products.

PART 2: Economic Development Plan – Year III

On July 26, 2011 the County Council approved the first Five Year Plan through Ordinance O2011-0026. As we enter Year III, the County has moved effectively from the establishment of policies and building critical capacity in Years I and II to fully implementing its portfolio of economic development programs and creating jobs. Much has been accomplished through Year II and the momentum will continue in Year III.

Economic Development Priorities

With the City of Cleveland as its “capitol”, Cuyahoga County is the hub of the Northeast Ohio regional economy and is well positioned to grow and lead our region in the next iteration of the global economy. The County is part of a vibrant, economically competitive region with a rich asset base upon which to build and grow.

Mission: Improve the County’s global competitiveness through strategic investments that foster economic growth and create vibrant, healthy and welcoming places for businesses and residents to prosper.

Spurring economic growth and revitalizing our regional economy requires an innovative and transformative investment strategy. Fostering robust economic growth requires an integrated approach that combines two fundamental economic development priorities:

- Business Development – thriving, competitive, growing businesses
- Place-based Development – vibrant, dynamic, quality places

Business development and place-based development investments are designed to:

1. Create high-quality, well-connected places that provide our residents with great communities to live, work, play and learn.
2. Prepare our residents for the jobs and careers of today and tomorrow.
3. Accelerate business growth by connecting existing and new companies to regional resources that will help them invent, commercialize, make and sell new products to growing global markets.

Assets Meet Opportunity

Cuyahoga County has many assets that are the foundation of the regional economy and drive the global competitiveness of the region. These assets include: charitable foundations and a history of philanthropy; some of the world's greatest medical institutions; unparalleled federal, state, regional and local park systems; robust physical infrastructure and high speed broadband connectivity; artists and cultural institutions; world-class museums, orchestra and theatres; universities, research organizations, a national lab and intellectual capital; the earth's 12th largest freshwater lake fed by rivers and streams that offer miles of lake and river fronts; locational advantages that give us access to the heart of the North American economy coupled with one of the nation's best business logistics systems; industrial capacity and a rich history of innovation, and manufacturing and entrepreneurship.

Moreover, the County has features that are not often categorized as assets, but are assets when viewed through the lens of opportunity. These include thousands of acres of underperforming land, underutilized infrastructure, underperforming human potential and the beauty provided by the County's natural systems.

The County certainly has much upon which to build to improve economic competitiveness and prosperity if we can be more effective at thinking, planning and acting like an interdependent part of a dynamic local, regional and global economy.

Building on our assets to achieve our mission defines our vision

Vision: Cuyahoga County is a vibrant, economically competitive region, creating jobs, wealth, opportunity, and prosperity for businesses and residents.

Strategic Theme

Cuyahoga County is well positioned to become a dynamic economic hub of opportunity for businesses to prosper and for residents to have meaningful, gainful employment, and to live healthy lives. Through innovation, education, strategic investments, and collaboration, the County can improve its global economic competitiveness.

Innovation

- Ensure that the overall plan and specific investments support a culture of innovation in products, processes, and services that are transformational and at a scale sufficient to grow the economic base of the County.
- Encourage universities, businesses, non-profit organizations and governments to work closely together to commercialize market-ready research.
- Foster innovative use of public, private and philanthropic sector dollars to achieve the vision and evaluation of results.

- Promote green and sustainable technologies and solutions to address market and environmental failures and create new economic development opportunities.

Education

- Instill a culture of and commitment to continuous learning, recognizing that learning begins at the earliest stages of childhood through primary, secondary and post-secondary education, and throughout one's life.
- Ensure education and training opportunities which prepare individuals to compete for meaningful jobs with sustainable wages are made available for all able citizens.
- Encourage educators, trainers, businesses and public sector agencies to work together closely to identify and train the workforce needed by tomorrow's growth sectors, to retain today's workers, and attract the next generation of workers.

Collaboration

- Design and articulate a shared vision for the County, construct a strategic framework, establish systems and structures to support it, and then collaborate with the County's communities and within the region to achieve the vision.
- Create a state and federal advocacy strategy that articulates our mutually supportive regional top priorities and recognizes the distinct role of each governmental entity, non-profit organization, and business leader in carrying out that vision.
- Encourage, public, private and civic organizations and individuals to partner and collaborate in the creation and implementation of the Plan.

Investment

- Make investments within a strategic, asset-based framework following a philosophy of capitalizing strategies, not just funding individual projects.
- Provide additional resources for investment by eliminating costs, leveraging current revenues and introducing new revenue sources.
- Invest resources stating specific goals for returns on investments over time, recognizing short-term milestones achieved and exercising patience with respect to long-term goals.
- Leverage additional county, municipal, state, federal, private, civic and philanthropic funds to make available enough resources to significantly move the needle on the County's economy as measured by relevant indicators over the next five to ten years.
- Invest in high performance county economic development management capacity.
- Expand access to investment opportunities for historically economic isolated populations. Increase economic access and opportunities for all residents; strive to be a welcoming place to minority and economically isolated populations as well as new transplants and immigrants.

Economic Development Plan Implementation

Implementation of the Plan has been geared to achieve the following objectives:

- **Align County Economic Development Efforts** – All of our efforts reflect the transformation needed to fulfill Article 7, Section 1 of the Cuyahoga County Charter that "the County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents." This requires a large increase in overall effort and commitment of resources and an alignment of all of the County's activities with this primary responsibility for economic well-being.
- **Focus Investments** – The County has reorganized its investment activities so that they follow from a strategic, asset-based framework built around the overall mission and vision, rather than just funding individual projects.
- **Define the County Role** – There are hundreds of organizations--public, private, and non-profit--in Cuyahoga County that have economic development as part of their mission. The County has been determining what roles it can best play to ensure that investment, innovation, education, and collaboration are implemented according to a shared vision and direction.
- **Eliminate Barriers** – The County's economic development plan includes efforts to eliminate or reduce barriers to success, such as duplicative or poorly coordinated regulatory requirements, and inefficient governmental operations.

Achieving the Vision and fulfilling our Mission: The Cuyahoga County Western Reserve Fund

Fostering a robust, globally-competitive economy with opportunities and access available to all citizens requires an integrated approach that combines business development and place-based development seamlessly. That is, we must support economic development opportunities within place-based geographic environments that are attractive to residents, skilled workers, entrepreneurs, businesses, professionals, immigrants and investment capital. The following investment strategy addresses the priorities of the plan by determining the optimum investment role for the County and defining actions that will support economic growth.

PART 3: Investment Strategy

Economic development is the process of enhancing and maximizing the inputs of production (land, labor, innovation, and capital) to improve the economic competitiveness of the region and create economic opportunities for businesses and individuals. Implementing an integrated investment strategy that emphasizes business development and place-based development establishes a vibrant, economically competitive region, creating jobs, opportunity and prosperity for all businesses and residents.

1. Economic Development Approach

Cuyahoga County's approach to economic growth has shifted from project driven investments towards a calculated and strategic investment approach. In 2011, the County underwent a yearlong effort to develop a plan to strategically invest in economic development on a meaningful scale. The County engaged with the public, economic development professionals, industry leaders, and community stakeholders to define development priorities and strategies that will deliver job creation and prosperity for Greater Cleveland. This effort was recommended by the initial Five Year Economic Development Plan. The Five Year Plan called for the creation of an economic development fund to drive outcomes, foster collaboration and partnerships, and leverage expertise and invest dollars. The economic development fund was and is envisioned as the mechanism to implement the strategies most essential to fulfilling the mission of economic well-being.

In January 2012, Cuyahoga County Council and the Executive approved the creation of the Cuyahoga County Western Reserve Fund and adopted a detailed investment business plan (Appendix I). The Fund Business Plan is the embodiment of the Five Year Economic Development Plan. The Fund Business Plan laid out detailed programs that drive economic growth and job creation and enable the County to fulfill the mission and vision of the Five Year Economic Development Plan. The economic development investment strategy identifies three vital components of growth:

Innovation & Entrepreneurship

Innovation is the life blood of any healthy economy. The ability to create better or more effective products, processes, services, technologies, or ideas that are accepted by markets, governments, and society is a direct indicator of an economy's ability to add value and grow. It is vital for the County to facilitate and accelerate innovation development in order to create an environment conducive for economic growth. Channeling capital to promising companies with a pipeline of inventive products and services, the County adds critical funding to the creative mixture of concepts, employees and management.

Supporting entrepreneurship not only helps drive economic growth, but it is also an effective way to generate economic opportunity for low-income individuals or groups that have traditionally been economically isolated. Entrepreneurial development creates opportunities to achieve economic self-sufficiency, create wealth, and transform underserved neighborhoods.

The County identified four key aspects of innovation development that are designed to cultivate innovation and nourish early stage companies along the capital formation continuum and product life-cycle.

1. **Micro Enterprise:** finances business too small or unestablished for traditional lenders
2. **Pre-Seed Fund:** early stage funding to accelerate growth and attract investors

3. **Next Stage Fund:** invests in companies primed for full commercial launch
4. **Innovation Match:** provides local match required by federal and state innovation grants

Business Growth, Commercialization and Attraction

Business growth, commercialization, and attraction are a critical source of job creation and economic growth. Creating a globally competitive economic environment for businesses to grow and thrive requires a development approach that attracts entrepreneurs, businesses, professionals, and investment capital to locate, expand, and remain in Cuyahoga County. Creating access to flexible, dynamic sources of capital that address the growth needs of businesses will stimulate private investment and improve the economic landscape.

The County has identified four business development strategies to reinvigorate our economic competitiveness, encourage private investment and business growth, and create high value jobs. These four strategies address the fundamental gaps that often stifle growth and hinder investment.

1. **Small Business Growth:** increase access to traditional lending markets
2. **Incumbent Worker Training:** reimburse expenses for retraining workers
3. **Accelerated Growth:** capital for expansion, acquisition for new markets and diversification
4. **Large Scale Attraction:** gap financing and incentives for large scale growth and attraction

Commercial Property Reutilization, Expansion and Acquisition

Firms that are growing need to modernize and expand. Having development sites ready to meet the expansion and relocation plans of companies is essential. When companies are growing and require more space, they seek properties that can be available in a timely manner. Sites that are complicated by potential environmental issues or by functionally obsolete space or by vacant buildings that require demolition, possess significant cost disadvantage.

Our legacy industries have left vacant buildings and contaminated land in the core city and many inner-ring suburbs. The challenge facing older commercial and industrial land is often reinforcing and contributes to continued disinvestment. Growing businesses lack the additional capital and expertise necessary to address these redevelopment issues.

The key to reutilizing and redeveloping land is to provide applicable, attractive and relevant programs that provide swift and clear opportunities for companies to address complicated redevelopment issues. The County is actively engaging with companies seeking to locate, expand, or modernize in areas already served by existing infrastructure and transportation networks. As

such, the preparation of land for redevelopment and the rapid response for the modernization of existing properties is a key piece in the County’s place-based economic development plan. The County has devised a strategy to address the property needs for successful companies already in Cuyahoga County, and help them grow in place.

1. **Redevelopment and Modernization:** finances existing site improvements, including modernization
2. **Site Expansion:** finances environmental cleanup of sites adjacent to existing end-user
3. **Redevelopment Ready:** finances environmental cleanup of underutilized sites with or without end-users

2. Quality Place-Based Development

Leveraging and harmonizing unique place-based assets is critical to creating an environment for a competitive economic landscape. Increasingly, studies have shown that business leaders consider the quality of place when determining where to start or relocate. Businesses must consider how location will affect the organizations ability to operate and grow.

Cuyahoga County is striving to leverage the region’s human capital, infrastructure, community and neighborhood assets, institutional and industrial strengths, and cultural resources in a manner that supports and fosters economic growth. The County’s economic growth strategy is to maximize core assets and anchor institutions and improve the quality of life. This approach helps to ensure fiscal and economic sustainability and future economic growth. Implementing a place-based development strategy to complement a business development strategy provides a framework for attracting and retaining businesses and high skilled, talented workers.

It is paramount to continue addressing these foundational elements of our economy and the community that define the place of Cuyahoga County.

Cuyahoga County Western Reserve Plan

In order to effectuate real progress and transform our regional economy requires a strategic approach that addresses the foundational elements of our economy and our community. In March of 2012 County Executive Edward FitzGerald presented a practical, 12-point plan for creating a vibrant, dynamic, attractive place that is economically competitive. The Western Reserve Plan is a placed-based development strategy that calls for investing in the core aspects of the economy that will establish a community that offers economic opportunity and provides an enduring place to live, work and thrive. The Western Reserve Plan serves as roadmap for investing in place.

The Western Reserve Plan pinpoints investments in five key areas:

Education:

- Identifying education, from early childhood forward, as the central factor in individual and

community success.

- Honoring the service of our veterans by giving them priority in hiring, training and education.

Government

- Implementing a practical strategy for creating a functioning, county-wide metropolitan government.
- Creating a culture within county government which implements on a continual basis nationally recognized good government practices and innovations.

Health and Safety

- Aligning and coordinating both public and private resources around our most pressing human service needs.
- Embracing a health and wellness culture which mirrors the excellence of our major medical institutions.
- Protecting our county by leading a county-wide public safety initiative.

Economic Opportunity

- Establishing Greater Cleveland as a center of entrepreneurship and job growth.
- Incorporating economic inclusion as a guiding principle in our economic development strategy.
- Branding our metropolitan area as an international city which harnesses the energy of our younger generations.

Built Environment

- Designing a place-based development strategy which recognizes the centrality of downtown Cleveland to the region as a whole.
- Adopting a collaborative approach to the foreclosure crisis- from prevention to restoration.

Supporting economic development opportunities within a place-based geographic context is an effective way to foster a vibrant, dynamic, and attractive economy. The value-add proposition of place-based development is achieved by creating a critical mass of economic activity and leveraging assets and investments within a defined place to drive growth. Successfully implementing a place-based development strategy requires focusing investments in selected geographic places that respond to the unique qualities and assets of the place.

The Department of Development is addressing this objective by focusing early investment from new casino tax revenue toward the asset rich geography of the Cleveland Downtown District, defined as the area from West 25th east to CSU and from the Lake south to the Innerbelt Bridge.

This geography represents the core of the County and the region and possesses a wealth of anchor institutions and assets. This approach is designed to establish business-friendly environments and foster enduring networks of place that are attractive to entrepreneurs, businesses, residents, and investment.

Housing Strategy

Housing is a major piece in place-based development. Creating high-quality, well connected places that offer diverse housing choices and provide access to enduring networks to live, work, and play is vital. Housing plays a critical role in defining a place. Therefore a housing strategy is an important aspect for the County's place-based development efforts.

A wide range of stakeholders including academics, local governments, community development corporations, nonprofit housing agencies, and private developers, are engaged in a housing policy development and refinement process with County professional staff.

Overview: Cuyahoga County's actions and expenditures affecting its housing stock should be directed towards three key desired outcomes:

1. Attract new residents who will contribute to the county's economic growth by starting businesses and filling unmet staffing needs in existing businesses, and
2. Retain existing residents who will continue to support the county's economic well being through the taxes they pay and goods and services they purchase within the county, and
3. Conserve limited resources by using appropriate housing interventions to prevent more costly demands on publicly funded emergency, social service, medical, and justice systems.

Constraints: Ohio Home Rule leaves Cuyahoga County with little direct control over where and what type of new housing may be constructed. Federal funds available for housing development always come with income limits attached. A backlog of delinquent mortgages headed towards foreclosure filing in 2012 forces our attention to foreclosure prevention and recovery programs.

Resources: Traditional financial resources include federal housing development funds, energy-efficiency grant financing for housing renovations, authority to issue tax-exempt housing bonds, and linked deposits to encourage below-market housing renovation lending by local banks. Innovative financial resources include loss reserves to support private lending, equity participation in housing developments with appreciation potential, and tax increment financing.

Other resources include the county's capacity to make infrastructure improvements in support of housing, the county's legal authority to direct the work of its Planning Commission, and the county's well-financed Land Reutilization Corporation

Allocation Principles: Demand for housing development subsidy will always exceed its supply.

Competing funding opportunities must be evaluated to direct limited resources towards projects and programs with the greatest desired outcomes relative to the amount of county investment.

Program Examples: Subject to further development in consultation with our stakeholders, examples of county level programs to support each of the county's desired outcomes are:

1) Attract New Residents:

- a) On a competitive basis, provide significant funding to catalytic housing development projects that will attract large numbers of well educated, highly skilled, workers and entrepreneurs currently living outside Cuyahoga County. Evaluate each project in terms of the number of new residents it will bring for each county dollar invested and for its contribution to positioning Cuyahoga County as a desirable place to choose to live.
- b) Research national best practices in repositioning older, traditionally developed urban neighborhoods and inner ring suburbs as desirable places for families to choose to locate. Identify the housing components of these practices and offer significant funding to neighborhoods and suburbs able to carry out both housing and non-housing components. The goal of this program is to attract well-off families to purchase homes in these areas.

County funds will support at least one downtown rental housing project of scale; and federal Neighborhood Stabilization Program funds passed through the County are supporting renovation and resale of vacant houses in concentrated and targeted areas of inner ring suburbs.

2) Retain Existing Residents:

- a) Identify gaps in existing financing for home repairs and improvements, such as lack of equity to support traditional secured loans due to market value decline, and develop financing tools to fill these gaps. Private financing is preferred, with public support if truly needed, while public financing may be required for limited income homeowners.
- b) On a competitive basis, provide "gap" funding to well-planned and well-sited housing development projects that meet the housing needs and preferences of older residents.
- c) On a competitive basis, provide funding to innovative housing redevelopment projects that adapt existing housing stock to offer amenities otherwise found outside the county.
- d) Research national best practices for keeping financially distressed homeowners living in their homes, either as owners or renters, and provide public financial incentives for private and nonprofit partners to operate programs with proven track records in this area.

Linked deposits of county funds in support of bank home repair lending were re-authorized by County Council. New bank agreements were signed to increase lending for both general home repairs and also historically accurate repairs to historically significant houses.

3) Conserve Public Resources:

- a) Direct our County Planning Commission to analyze neighborhood housing markets on a countywide basis, in order to rationally determine which types of housing investments are most appropriate in various neighborhoods. Funding for demolitions, existing housing repairs, and new housing development would be guided by this analysis. Since market conditions are changing, the analysis would be updated on a regular basis.
- b) Continue support for low-income housing assistance programs that minimize cost to other public systems. For example, permanent supportive housing for the chronically homeless is known to drastically reduce their medical and criminal justice system costs.
- c) Continue support for operating proven housing-related social services, such as foreclosure prevention counseling, while studying and evaluating national best practices in the rapidly changing mortgage servicing and troubled mortgage workout systems.

County is funding to develop permanent supportive housing for the homeless, and to provide foreclosure prevention counseling to financially distressed homeowners, continues.

PART 4: Investment Principles

The County's investments incorporate the following qualities and principles:

1. Collaboration and Determination of the County Role

This plan works to coordinate the economic development efforts of the County and the region. The County must work with local civic leaders, non-profit institutions, and the private sector to foster constructive regional cooperation that looks beyond political or institutional boundaries. Collectively we must articulate our regional top priorities with one voice and unite to advocate our vision with state and federal leaders. We are stronger when Northeast Ohio shares a mutually supportive vision for economic development, and realizes the distinct role of each governmental entity, non-profit organization, and business leader in carrying out that vision.

The realization that Cuyahoga County, encompassing its core city of Cleveland and 58 additional municipalities, is part of a broader economic development system must be reflected in the County's investment decision making process. Consequently, the County has taken major steps to understand the current landscape of potential economic development partners and to determine how the County can best leverage and collaborate with those partners, bringing its unique programs and assets to the collective effort.

To this end, the County initiated The Protocol project to create a process for aggregating data and information of use to the ED system and the County's municipalities. Signed by all 59 communities DOD is now perfecting and utilizing this important collaborative tool.

The most important collaboration to determine our ultimate success is strong public-private-non-profit sector interaction, beginning with each sector doing what it does best: the public sector

creating the environment for economic growth and filling market gaps with programs for the general welfare of its citizens, the private sector creating economic value that supports job creation, and the non-profit sector creating knowledge, providing resources and in other ways creating social value. This effort involves coordination with a myriad of current economic development players in Cuyahoga County and their respective roles.

NEO Regional Economic Development System



Ned Hill, Dean, Levin College of Urban Affairs
Cleveland State University

Themes of collaboration:

- **Single Access Point** - Creating a much needed single location for businesses to access all information relevant to their decision to locate or expand. The County recognizes that in order to improve the competitiveness of the region and create opportunities for businesses and individuals, it is critical to collaborate with the various economic development organizations, institutions, and local government to streamline and standardize how economic development incentives are accessed and delivered. This helps businesses locating in and moving to Cuyahoga County more easily navigate information regarding incentives and strategic investment areas.
- **Regional Network** - The County has been developing strong collaborative partnerships with JobsOhio, GCP, TeamNeo and other economic development organizations to help leverage its investments and ensure greater success. Within this new regional and statewide collaborative deal flow management system, the County has reconstituted the local Deal Team approach and its regular meetings have yielded several large and successful deals.
- **Commercialization** – Defining the County role in accelerating technology transfer and commercialization. Northeast Ohio has developed a robust entrepreneurial ecosystem with a

diversity of early-stage sources, supporting innovative start-up companies with high-growth potential. The ecosystem is comprised of a network of entrepreneurial support organizations that actively work together to help high-growth companies grow within the region. Simultaneously, the region possesses some of the highest ranked research and educational institutions in the nation.

Combined, the entrepreneurial network and research institutions have helped to accelerate much of the innovation and commercialization activity in Northeast Ohio. Not only have early-stage companies benefited from this ecosystem, but so too have major corporations that have partnered with these entities to introduce new products into the market. In the past two years The County has successfully funded the commercialization of large and small operations.

2. Inclusion

Inclusiveness is a major component in determining the economic competitiveness of a region. According to research by the Cuyahoga County Economic Inclusion Task Force, per capita income across the Cleveland metropolitan area is \$40,849, while in the City of Cleveland, per capita income stands at \$15,540. Economic disparities such as per capita income threaten the vitality of our economy.

In order to become a transformative region, the County is striving to be an economically welcoming place, providing opportunity to economically isolated populations as well as to new comers, both transplants and immigrants. The success of the County is inextricably tied to the success of historically isolated populations. As part of business growth, the County is working to grow the number and size of minority-owned enterprises, expand access for minority and economically isolated residents to educational training and business opportunities, and sustain a system that generates economic access and opportunities for all residents, particularly historically isolated populations.

It is of utmost importance that any plan for the area generally, and for this county in particular, fully embrace the diversity of our region in the broadest sense. We aspire to experience economic growth and quality of place that fosters inclusion and addresses disparities at every step. This plan fully embraces the work of the Cuyahoga County Equity Committee, reflected in their October 26, 2010 report. Central to the success of the Department of Development will be its ability to serve the diverse constituents, geographies and municipalities of our county in an equitable fashion.

We are doing this by utilizing our current efforts of serving low-moderate income families, targeting areas of greatest need in our local municipalities, providing economic opportunities for minority based businesses, and tracking the demographics of those we serve as a baseline for future measurement in all of our programs and functions. To the extent allowable by law, the County is working to measure and evaluate programs and investments on their ability to deliver the outcomes espoused in this plan including diversity of suppliers, contracting and employment. Funding

source or compliance requirements are not solely the driving force behind what and how we measure; good measurement regarding diversity will be done as a matter of course. We seek to measure “who” received the investment, who benefited, and “where” that investment took place.

Furthermore, the Department of Development is working closely with the County Executive’s Economic Inclusion Task Force. The Executive created the task force in March of 2012 to study the issues of economic diversity and create a Framework Action Plan for Economic Inclusion that enhances economic vitality across the County by enhancing opportunity for all. The framework of the Task Force’s plan focused on four areas:

- 1) Human Resources and inclusion in hiring
- 2) Procurement and Contracting
- 3) Inclusion in Construction
- 4) Workforce Development

These impact areas of Workforce Development, Human Resources, Hiring and Inclusion in Construction projects, Procurement and Contracting are the cornerstones of the inclusion plan and will shape policy recommendations for the County Executive, his departments, and the County Council. These basic areas can move the needle at the County and in the community as the County stands to lead with a new model for inclusion. The outcomes of the inclusion plan will be intentionally designed for replication.

This provides the Department of Development with a tool to determine our future successes, and is serving as a guideline to where improvements may need to be made. In addition to our current efforts, we are expanding our programs by creating additional partnerships and outreach efforts to ensure that all of our available resources are distributed county-wide to all socio-economic and cultural areas in accordance with the law. We will keep uppermost in mind that fairness and justice are paramount.

3. Innovation

While “Cluster” theories and their applicability are an ongoing debate in the field of economic development, the theory serves as a useful concept to guide innovation development investments. As defined by The Brookings Institution, clusters are “geographic concentrations of interconnected businesses, suppliers, service providers, and associated institutions in a particular sector.” Brookings further notes that: “Cluster strategies provide a direct route to economic renewal because they build on existing assets to promote growth in regions by enhancing the interactions by which firms complete transactions, share ideas, start new enterprises, and create jobs. In this fashion, industry clusters have the power not just to revitalize regions, but also to improve states’ standing in the emerging “next” economy that will likely be more export-oriented, lower carbon, and innovation-driven.”

Regions across the country, with Northeast Ohio being no exception, have been focusing economic development initiatives around the development and support of industry clusters for several years. In addition, the Obama Administration and several federal government agencies like the Economic Development Administration have made clusters of innovation a target area of support.

Through a series of studies by Battelle, Deloitte, McKinsey and CSU, the state and region have identified key industry clusters that represent major drivers of economic growth. The table below outlines core industry clusters that have dedicated organizations to promote and facilitate growth.

Important Industry Clusters Identified by the State of Ohio

Medical Devices/Health Care Equipment	Information Technology/Broadband
Materials (metals, polymers, composites, nanomaterials, etc.)	Manufacturing Competitiveness and Innovation
Advanced Energy	Automotive
Aerospace	Instruments & Controls; Flexible Electronics

Our region’s inherent strengths in medical research, healthcare, manufacturing and materials (metals, plastics, rubber, and coatings) have enabled us to participate in multiple industries that have changed over time – primarily due to technology and innovation. These include: automotive, aerospace, biomedical and advanced energy. The Department of Development is taking the opportunity to examine relationships with current cluster-focused organizations to review, renew and redefine collaborative relationships, provide support and foster the growth of industry clusters.

In addition to the clusters mentioned above there are a number of emerging clusters that have the potential to add jobs, bolster entrepreneurship and spark innovation – building on theory in the Brookings-Rockefeller Project on State and Metropolitan Innovation. In a January 2011 paper it was reported that support for local/metro clusters also has the potential to change the dynamics of economic development providing the disciplines of cluster management are used – i.e. data, analysis and performance tracking. These clusters should build on place-based assets and support should be predicated on the cluster initiatives meeting a set of rigorous requirements.

4. Sustainability

Sustainability is the responsible management and allocation of resources. The concept is comprehensive. Investments that are sustainable are an efficient and effective use of resources that generate long-term benefits and produce economic prosperity, increased quality of life, and improved environmental quality. Sustainable investments utilize resources in a manner that ensures lasting economic growth that maintain the integrity of the social, environmental, and economic quality of the region.

Cuyahoga County investments have been modeling this approach and encourage land use patterns and promote economic development strategies that address region-wide economic prosperity and housing equity; support sustainable multimodal transportation; redevelop and revitalize the region’s built environments; and promote cost-effective investment in the region’s core industry

sectors. The County's investments reflect sustainability principals and work with associated communities of practice among local governments and non-profit organizations to improve the region's economic competitiveness.

In accordance with the principles of this regional sustainability effort, County investments promote an integrated regional land use, housing, transportation, and capital investment strategy that enhances the region's economic competitiveness and resilience and help its citizens gain better access to decent, affordable housing, more and better transportation choices.

5. Accountability and Metrics

As the County strives to strengthen its global competitiveness and economic vibrancy, it is essential to measure investment performance, assess economic progress, and examine industrial trends. This analysis has helped the County evaluate investments, monitor program outcomes, and study the overall performance of the economy to determine trends and best practices. The key measures are tracked in the Economic Development Dashboard published quarterly by the Department of Development (Appendix III).

Primary Metrics:

- Job Creation
- Jobs Retained
- Dollars Leveraged
- Follow-on Funding
- Property Assembled
- Revenue Generated
- Payroll Growth
- Patents Filed

It is also important to select and monitor metrics that indicate the outcome of County programs and reflect the economic competitiveness of the County over time. These metrics tend to be lagging indicators, but are widely accepted as indicators of economic growth:

Long term Metrics:

- Per-capita Income Growth
- Employment Growth – identify key industry segments
- Gross Metropolitan Product
- Productivity Growth
- Population Growth
- Poverty Rate
- Exports
- Tax Revenue

The selected indicators and metrics reflect what is believed to be most important to the county's

economic prosperity. Many of these key metrics are also tracked by the Dashboard of Economic Indicators which is a product of the Council of Regional Economic Policy Advisors. These advisors counsel the Fund for Our Economic Future (FFEf) on what indicators matter most to achieve improved economic outcomes.

Measuring the County's economic development performance is a very important analytical tool. Not only do these measures help guide the County's economic development plan; but they also align with the CountyStat process (a governmental performance measurement system) and indicate how county resources should be allocated. These measures enable the county to determine the most effective way to realize this plan's vision and mission, ensure strategic investment, enable collaboration, and produce positive economic growth and prosperity.

Although these actions of Cuyahoga County can't alone impact many of these indicators and metrics, and there is no silver bullet to move the needle short-term on most of these, we believe these are the best measures of opportunity and prosperity for all residents of Cuyahoga County.

6. Transparency: Review and Approval

In order to ensure the economic development plan put forth in this document is implemented successfully, the County has put a process in place for monitoring decision making and measuring performance. The Department of Development is managing the process through its reorganization, relying mostly on staff already in place and resources available in other departments has and creating a few new positions. In addition, outside input from industry leaders, community stakeholders, investors, and residents is utilized.

The Cuyahoga County Community Improvement Corporation (CCCIC) has been tasked with reviewing, troubleshooting and making recommendations as it relates to various investment decisions. The CCCIC is an outside body comprised of industry, county and community leaders. The CCCIC's ability to make objective and uncompromised recommendations consistent with the County's economic goals and objectives is vital. The County Council and County Executive have final authority over investments consistent with the County's contracting and procurement ordinances. Transparency and reporting outcomes are critical priorities throughout county government, and especially for economic development. The following diagram outlines the approval process.



The process for reviewing, recommending and approving investments has been evaluated consistent with the investment principles outlined in this plan. To ensure this adherence, the County devised a methodology for analyzing investment projects:

1. Strategic fit – consistent with the goals and objectives of the economic development plan
2. Universal measures – located in the County and creating jobs
3. Project specific measures – adheres to specific program investment parameters
4. Community benefit – promotes vibrant, dynamic, quality places and economic opportunity
5. Financial feasibility – aids thriving, competitive, growing businesses
6. Collaboration – promotes regional economic development principles

The analytical process is used to provide an early measure of a project’s strategic fit, eligibility, quality, community benefit and financial feasibility. The analysis reflects an initial review of an investment opportunity and represents a uniform process for vetting. However, because each economic development opportunity has different qualities and characteristics, universal application criteria do not exist. Since economic development opportunities present themselves in an unpredictable fashion, they are not ranked against one another. Rather, investment opportunities are evaluated monadically for their impact.

Part 5: Accomplishments in Year II of the Plan

In Year II, the Plan successfully achieved transition from the establishment of policies and building County implementation capacity to the full roll-out of all Year I proposed programs and initiatives. With the completion of the Year I Key Actions below, including the launching of all of the Cuyahoga County Western Reserve Fund’s eleven lending and grant programs, the County is now offering a broad spectrum of critical local loan and funding products for strategic project and business investment.

The Year I Plan identified five Key Action items to be completed as the main infrastructure for effective economic development activity in the County. These actions were fully completed in Year II as described below:

1. Reorganize the Department of Development to support the Vision and Mission of the Plan.

Restructuring of the department is complete. The reorganization focuses the department's efforts directly on the economic development activities articulated in the Plan as opposed to a focus on grant management, direct resident assistance and the County Airport. The Department was restructured first through a tailored reduction in staff with involuntary and voluntary action. A new organization chart was approved that, among other improvements, created discrete *Economic* Development, *Regulatory* Compliance and *Community* Development divisions and placed Housing within Community Development. New classifications were created and approved through the new governmental approval process and all new hiring was completed.

2. Improve intra-county government coordination and collaboration and determine its best role to play in the community.

The Department of Development created a partnership with Employment Connection and its successful Business Service model for understanding employer needs and expanding it to include DOD programs.

Regular reviews of economic development plans and priorities take place with the Director of Public Works to ensure coordination and alignment on issues of infrastructure and investment.

Work with the Planning Commission and the County Land Bank has created a unified approach to land inventory and assembly. Meetings are regularly held with the Planning Commission and Land Bank to coordinate activities involving land inventory and assembly.

3. Determine how the County can best contribute (align, coordinate, fund) to the success of the network of numerous economic development players in the region.

Progress continued over course of the Year II. A "Deal Team", comprised of the City of Cleveland, Greater Cleveland Partnership, Team NEO/JobsOhio and Cuyahoga County DOD meets regularly every other month to discuss current opportunities for the County, its 59 municipalities, and the region. Unlike in years past, DOD is now often an early participant in most deal negotiations and is frequently consulted with before the "eleventh hour". Moreover, the DOD Director, the Deputy Chief, and various DOD staff continue to be actively engaged in outreach to local communities, business groups, trade associations and chambers of commerce, spreading the word about DOD's various programs and services.

4. Create an Economic Development Fund (EDF) to invest strategically.

On October 25, 2011 the \$100 Million Economic Development Fund was introduced to County Council. On January 24, 2012 it was passed as Ordinance O2011-0049. The Fund was later renamed the "Cuyahoga County Western Reserve Fund" (i.e. CCWRF) to better align with the

County Executive's Western Reserve Plan. In Year II of the Plan all of the economic development programs associated with the Fund were fully launched and operational.

5. Review and evaluate existing county programs (loans, grants) and funding streams (NSP, CDBG, Brownfield) to determine their application and value then add/ delete/modify as needed.

This is an ongoing process, particularly as State and Federal funding sources have become more constrained. DOD has modified the Housing Rehabilitation program, transferred in control of the HELP and HERITAGE programs from the Treasurer, initiated an owner funding "match" requirement in the Lead Safe program, added funding stream flexibility to the Storefront Renovation Rebate program, significantly overhauled the CDBG Municipal Grant program, made a shift to multi-units in the Weatherization Assistance program, transferred non-economic development functions to the County Airport to Public Works, and created the Cuyahoga County Western Reserve Fund and its various economic development funding programs.

With DOD having been restructured and its capacity expanded, and with the Cuyahoga County Western Reserve Fund up and running, Year II of the Plan experienced many successes. The County continues to refine its role and has matured into a respected regional economic development partner. It pivoted from planning to action and some of the results are illustrated below.

Year II - Action Step 1: Complete the roll out of the Economic Development Fund's remaining 6 programs by 12/31/12

County Council was variously briefed in Year II regarding all details and terms of the 6 remaining Cuyahoga County Western Reserve programs ready for launch. All 11 CCWRF have been formally launched and are fully operational at the Department. A DOD booklet describing all 11 economic development lending/grant programs has been created, is available to the public, and is being actively distributed (see Appendix II).

Year II - Action Step 2: Review the CCWRF's 5 launched programs and modify key elements as needed by 9/30/12

A review of the initially launched 5 CCWRF economic development programs was conducted and no substantial modifications were required at this time. Upon further use of the programs through Year III, additional review will be performed to make modifications, if necessary.

Year II - Action Step 3: Create a DOD Economic Development Loan program dashboard that shows lending activity by applicant and funding source and update quarterly.

DOD has created a comprehensive Economic Development Dashboard to track all economic development based investments (see Appendix III for Dashboard Snapshot)). The Dashboard records all investment activity and indexes the multiple funding sources for the various programs and projects. Additionally, the Dashboard categorizes each investment in accordance with the Cuyahoga County Western Reserve Fund. The Dashboard systemizes DOD's investment strategy and creates alignment across various programs and funding streams.

The Dashboard is an invaluable tool for reporting and measuring performance. The Dashboard is updated on a quarterly basis and a report is provided regularly through the County Executive's CountyStat process, the data-driven accountability system that is used as a decision-making and communications strategy.

Year II - Action Step 4

Create/retain 2,000 jobs

As illustrated within the DOD Economic Development Dashboard Snapshot, 2,282 jobs were created/retained.

PART 5: Key Action Steps for Year III

• **Year III - Action Step 1**

Create at least 1,000 jobs
Retain at least 2,000 jobs.

• **Year III - Action Step 2**

Lever at least \$100 Million in tandem investment from private and local, state and federal sources from the DOD's economic development funding programs, loans and grants activity.

• **Year III - Action Step 3**

Commit \$1 Million of incumbent and on-the-job training capital, through the Employment Connection partnership, to the training of up to 500 employees.

• **Year III - Action Step 4**

Contract for 15 Environmental Certified Professional Assessments of contaminated/brownfield properties in Cuyahoga County.

- **Year III - Action Step 5**

Prepare descriptions of the kinds of projects desired but not seen or infrequently seen as a step toward a fully proactive Economic Development strategy.

- **Year III - Action Step 6**

Create and maintain a countywide file of proposed place-making projects designed to add distinctive character to and stimulate economic development in the neighborhoods where the projects are proposed to be located.

As we enter Year III, the County has moved effectively from the establishment of policies and building critical capacity in Years I and II to fully implementing its portfolio of economic development programs, creating jobs, and improving our community as a great place to live, work, play and learn. Much has been accomplished through Year II and the momentum will continue in Year III.

The original Five Year Economic Development Plan concluded with the following words:

While we are in challenging times we have an opportunity to prosper and realize aspirations framed in the Charter. By thinking strategically, acting in concert and measuring our progress, the future of Cuyahoga County can indeed be bright.

The words are still true today.

Appendices

Appendix I – Cuyahoga County Western Reserve Fund Business Plan (Updated November, 2012)

Appendix II – CCWRF Economic Development Programs Booklet

Appendix III – DOD - Economic Development Dashboard

Appendix I



Cuyahoga County Western Reserve Fund

Business Plan

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Executive Summary

Cuyahoga County’s Western Reserve Fund (CCWRF or the “Fund”) is a first-of-its-kind initiative designed to deliver jobs and prosperity to Greater Cleveland. The CCWRF is structured as a revolving loan fund that provides gap financing to job creating and job retaining projects in the county.

A year-long survey of the commercial landscape identified three vital components of progress: innovation, property development and business growth. It is a fundamental shift away from mega-projects and toward calculated and effective investments in human capital and quality place.

The overarching goal of the Fund is simple: make \$100 million dollars available to spur county job creation and economic growth.

The Cuyahoga County Western Reserve Fund will reinvigorate the urban fabric, nurturing the place-based values expounded in the Five Year Economic Development Plan. The Fund will be collaborative and inclusive, binding regional assets together to augment strengths, repair weaknesses and embrace economically isolated populations. All of this will be achieved with uppermost accountability and transparency.

Gleaned through making county operations more efficient, the means to make this critical investment are already in place—without increasing local taxes. The County is marshaling flexible, cost-effective and strategic funds to meet the demands—and customer service expectations—for those businesses poised to grow and add jobs.

Funding

The County has committed to fund the CCWRF, initially, by using the savings generated from making county government more efficient. To ensure the most cost effective and productive use of public funds, the county will adjust the allocation of resources to meet private sector demand.

Administration, Approval Process and Public Engagement

The County’s Department of Development manages the CCWRF, relying mostly on staff already in place and resources available in other departments for oversight and Fund administration.

The Cuyahoga County Community Investment Corporate (CCCIC) is tasked with reviewing, troubleshooting and making funding recommendations. The County Council and County Executive have final authority over the Fund’s investments consistent with the County’s contracting and procurement ordinances. Transparency and reporting outcomes are critical priorities throughout county government, and especially for the Fund

Starting in January 2012, the Department of Development led a countywide Economic Development Fund Roadshow to engage the business community and development stakeholders directly, in concert with the County Council and partner Economic Development Organizations. Cuyahoga County leans heavily on its non-profit and for-profit partners both in the administration and promotion of the Fund.

Investment Priorities

There are three priority areas for investment available countywide, each with distinct programs:



Innovation Development			
Micro Enterprise	Pre-Seed Fund	Next Stage Fund	Innovation Match
Finances Business Too Small or Unestablished for Traditional Lenders	Early Stage Funding to Accelerate Growth and Attract Investors	Invests in Companies Primed for Full Commercial Launch	Provides Local Match Required by Federal and State Innovation Grants

These four programs are designed to nourish early stage companies. By channeling capital to promising companies with a pipeline of inventive products and services, the county adds critical funding to the creative mixture of concepts, employees and management.

Commercial Property Reutilization, Expansion and Acquisition		
Redevelopment and Modernization	Site Expansion	Redevelopment Ready
Finances Existing Site Improvements, Including Modernization	Finances Environmental Cleanup of Sites Adjacent to Existing End-User	Finances Environmental Cleanup of Underutilized Sites With or Without End Users

Firms that are growing need to modernize and expand. These resources swiftly address that need for successful companies already in Cuyahoga County, and help them grow in place. Furthermore, local dollars present the opportunity to leverage federal and state grants already in place for remediation.

Business Growth, Commercialization and Attraction			
Small Business Growth	Incumbent Worker Training	Accelerated Growth	Large Scale Attraction
Increases Access to Traditional Lending Market	Reimburses 50% of Expenses for Retraining Workers	Capital for Expansion Via Acquisition, New Markets and Diversification	Gap Financing and Incentives for Large Scale Growth and Attraction

The greatest source of potential job growth lies in small business. The four program portfolio addresses needs gleaned from active engagement with loaned executives, economic development professionals and transition volunteers.

Introduction

For the first time in its history, Cuyahoga County has established a Five Year Economic Development Plan that defines development priorities and strategies.

This plan identifies three vital components of growth—innovation, property development and business growth, commercialization and attraction (the “verticals”); these crucial priority areas are supported by 11 strategies. These strategies are the result of more than a year of engagement with the public, economic development stakeholders and loaned executives; the outcome is a funding source with the tools to make the County’s first Five Year Economic Development Plan a reality.

Purpose

The purpose of the Cuyahoga County Western Reserve Fund is to strategically invest in economic development on a meaningful scale. The Fund is a key instrument of the Five Year Economic Development Plan and the means to implement a local strategy for growth. The Fund demonstrates a departure from spending on large scale projects in the name of economic development. Instead, the Fund supports an environment that fosters and attracts job growth, incentivizes collaboration in the name of human capital development and improved quality of life.

Goal and Objectives

Goal: Invest \$100 million dollars to spur county job creation and economic growth.

The bedrock of this plan is straightforward: deliver unprecedented resources for economic development and do so without raising taxes or fees.

The County crafted three objectives to ensure this Fund is implemented correctly.

Objective 1: Use evidence-based process for making the most strategic use of the Fund and the means for fulfilling the County's Five Year Economic Development Plan

By strengthening areas already designated in the County's five year economic plan, the Fund works with current investments and initiatives.

Objective 2: Make the program as user friendly as possible, while maintaining rigorous attention to outcomes

It is a common crutch for the public sector to be focused on process rather than outcomes. It is the County's commitment to build a Fund and commensurate tools that plug into the robust economic development ecosystem that already exists in our region. The system is comprised of partners from all sectors that represent myriad constituencies. The County's commitment is to make accessing the right county resources easy and deliver decision-making swiftly—not just to potential Fund users, but to the County's non-profit partners in economic development as well.

Objective 3: Challenge the private sector to share the public sector's risk by using available resources to accelerate business growth and add jobs.

The County knows that the private sector is fully capable of producing worthwhile projects and challenges the business community to push outside its comfort zone to do just that. The private sector is expected to shoulder financial risk commensurate with the public risk. Similarly, it is the responsibility of the public sector to not compete with or interfere with the natural marketplace or displace investments that would occur without the County's partnership.

Investment Approach

Leveraging Existing Assets

Cuyahoga County's many assets are the foundation of the regional economy and its global competitiveness. The Fund will seek to leverage the assets we already have, not endeavor to build new ones.

Complement Place-Based Economic Development

Quality of place is the cornerstone of the Five Year Economic Development Plan. Strong regions are driven by dynamic urban cores. To that end, the County will collaborate to reinvigorate areas well-served by existing infrastructure but challenged by disinvestment. The Fund will invest in order to create high-quality, well-connected places that provide residents with great communities to live, work, play, and learn.

Collaborative

Collaboration augments strengths and rectifies weaknesses through smart partnerships. The County will forge a public, private and non-profit coalition centered on the tenet of letting these sectors perform in the functions in which they were bred to excel.

Inclusive

For too long, the county has stood idle while pockets of economically isolated populations languished. Greater Cleveland cannot be an efficient economic engine while significant portions of the region's human capital remain trapped in silos of seclusion. The County will strategically invest in order to tear down these relics of the old paradigm and build jobs with a living wage. This new inclusivity will, in turn, signal to the best and brightest transplants and newcomers that Cuyahoga County is a welcoming place to do business.

Transparent and Accountable

As Cuyahoga County attempts to strengthen its global competitiveness and economic vibrancy, it is essential to measure investment performance, assess economic progress, and examine industrial trends. The Cuyahoga County Western Reserve Fund's performance measures are based, when possible, on those used in the Five Year Economic Development Plan.

Sustainable

The purpose of the Fund is to make investments in growth that will have the greatest impact, balanced with reasonable execution risk and degree of certainty for positive outcomes. By creating a dedicated fund, Cuyahoga County has established a funding priority in economic development that can be recapitalized as needed in the future. While Fund balances may fluctuate, its purpose is to spur growth elsewhere on the County's balance sheet, and most significantly among the household budgets of county residents as a result of public investment in growth.

Funding

\$100 Million Available for Economic Development

Using multiple sources of funding to generate capital for the Fund allows the county to diversify sources available for a variety of project uses. To ensure the most cost effective and productive use of public funds, the county will, under the direction of the County's Fiscal Officer, adjust the allocation of resources to meet private sector demand. Capital stacks, similar to those used in individual project financing, will be built by combining the diverse funding sources within an economic development fund and matching those sources of capital or liquidity with strategic economic development initiatives.

Economic Development Revenue Bonds – The initial share of funding can be raised through a bond issue. The proceeds flow into the funding pool as a source of funding for identified projects. Annual debt service for bonds shall be paid from a combination of project revenue and county operating revenue. At maximum, a \$100 million bond issue carries an approximate annual debt payment of \$8.5 million. The amount of development bonds used to generate proceeds for the Fund vary based on the use of the other fund sources. Capital from bond proceeds can make up the majority share of the funding that goes into the stack.

Transfers of Economic Development Loan Repayments – A portion of loan repayments from existing economic development loans can be directed and included as an equity investment in the fund pool. There is a high degree of flexibility on how this source can be applied towards project uses.

Proceeds From Sale of Assets – The County is evaluating its fixed assets, which may demonstrate opportunities for one-time funding through a sale. Proceeds' net liabilities can provide a secondary equity investment in the development fund capital stack. Revenue from this source would have a high degree of flexibility for project uses.

County Portfolio Liquidity – County reserves are held in a fixed asset investment portfolio managed by the County Treasurer. The county investment policy includes a provision that allows investment in unrated municipal obligations. In limited cases several local governments have relied on the county as a source of liquidity to borrow funds in the form of taxable municipal debt with the county being the investor. This aspect of the policy could be repurposed to include a source of liquidity in the Fund. The current investment policy allows for a more than adequate limit on this type of investment (10% of portfolio) that could be directed towards investments in local project financing. The purchase of taxable municipal debt would channel local project needs through the Fund and align the strategic investment aims of municipal partners with those of the county's fund. Based on the current policy the county could include close to \$75 million in local municipal investments in the portfolio.

Economic Loan Guarantees – The county could pledge a limited portion of its own balance sheet in the form of economic loan guarantees. Loan guarantees can be made available to projects that need a credit enhancement to attain other private financing. The guarantees require a pledge of General Fund resources and impact the county's ending balance. This tool increases capital diversity and can be coupled with other funding sources.

Aggregating these diverse sources into a unified pool of capital increases the options for matching funding sources with a potential investment needs. Combining these sources and leveraging outside dollars will prove to be an effective funding mechanism for achieving the strategic goals of the Fund.

Uses of Funds

The Cuyahoga County Western Reserve Fund targets three funding areas, with its own set of programs. Detailed descriptions follow in subsequent pages.

Innovation Development

1. Micro Enterprise
2. Pre-Seed Fund
3. Next Stage Fund
4. Innovation Match

Commercial Property Reutilization

1. Redevelopment and Modernization
2. Site Expansion
3. Redevelopment Ready

Business Growth, Commercialization and Attraction

1. Small Business Growth
2. Incumbent Worker Training
3. Accelerated Growth
4. Large Scale Attraction



Cuyahoga County Western Reserve Fund

	Innovation Development				Commercial Property Reutilization, Expansion and Acquisition			Business Growth, Commercialization and Attraction				
	Micro Enterprise	North Coast Opportunities Technology Fund (Pre-Seed)	Next Stage Fund	Innovation Match	Redevelopment and Modernization	Site Expansion	Redevelopment Ready	Small Business Growth	Incumbent Worker Training	Accelerated Growth	Large Attraction	Scale
Summary	Finances Businesses Too Small or Unestablished for Traditional Lenders	Early Stage Funding to Accelerate Growth and Attract Investors	Invests in Companies Primed for Full Commercial Launch	Provides Local Match Required by Federal and State Innovation Grants	Finances Existing Building Improvements and Modernization	Finances Environmental Cleanup of Sites Adjacent to Existing End User	Finances Environmental Cleanup of Abandoned or Underutilized Sites	Increases Access to Traditional Lending Market through Credit Enhancements	Reimburses up to 50% of Training Expenses for Retraining Workers	Capital for Expansion via Acquisition, Equipment, New Markets and Diversification	Gap Financing and Incentives for Large Scale Growth and Attraction	
Funding Type	Loan	Loan	Debt Investment	Grant	Loan	Loan	Loan	Loan Guarantee	Grant	Loan	Loan	
Amount	\$10,000 - \$100,000	\$25,000 - \$125,000	\$400,000 - \$700,000	Up to \$300,000	Up to \$1 Million	Up to \$500,000	Up to \$1 Million	Up to \$500,000	Up to 50% of Training	\$150,000 - \$1.5 Million	\$200,000 - \$3 Million	
Interest	7% - 12%	5% (Deferred for 5 years)	7% - 10%		4% (2 Years Interest Only)	0%	4% (2 Years Interest Only)			2% - 4%	1% - 7%	
Time Period	3 - 7 Years	5 years	3 - 5 Years		10 Years	10 Years	10 Years			5 - 15 Years	1 - 15 Years	
Eligibility	<ul style="list-style-type: none"> Revenues less than \$500,000 Credit Score Above 600 Current on Taxes Personal Guarantee and Collateral Must Participate in Technical Assistance Program 	<ul style="list-style-type: none"> High Growth Technology Company Jumpstart Registered and Supported Not Engaged in Due Diligence Have Not Received Investments Totaling More than \$1.5 Million 	<ul style="list-style-type: none"> Entering Broad Market High Growth Technology Company Part of Northeast Ohio Entrepreneurial Network 25% Minimum Contribution Create or Retain Jobs 	<ul style="list-style-type: none"> Highly Competitive In Target Industry Focused on Research and Development Strong Potential For Marketable Products Seeking State or Federal Funds 	<ul style="list-style-type: none"> For-Profit Borrower w/ Committed End User Abandoned, vacant or underutilized building Support From Local Municipality Must Oversee Remediation Project Own/Operate Site for 7 Years After Completion 	<ul style="list-style-type: none"> For-Profit Borrower w/ Committed End User Support From Local Municipality Must Oversee Remediation Job Creation Requirement Own/Operate for 7 Years After Completion 	<ul style="list-style-type: none"> For-Profit Borrower w/ Committed End User Support From Local Municipality Must Oversee Remediation Job Creation Requirement Own/Operate for 7 Years After Completion 	<ul style="list-style-type: none"> Small Business Strong Pro-Forma Collateral Shortfall Referred to County by Bank In Target Industry Latitude of Potential Fund Uses Potential Use Must Create Jobs 	<ul style="list-style-type: none"> Demonstrated Aged Vacancy Must Provide Skill Training for a New Incumbent Worker Must Document Job Creation/ Wage Increase Reimbursement Based 	<ul style="list-style-type: none"> Small-to-Medium Size Business Established In Target Industry High Growth Potential Potential Idea Can Add at Least 1 Job for \$35,000 	<ul style="list-style-type: none"> At Least 100 Jobs with Average Salary at or Above County Median In Target Industry Expanding or Relocating Demonstrated Ability to Repay Loan Adequate Collateral and Credit 	
Partners	<ul style="list-style-type: none"> Cleveland Foundation Huntington Bank City of Cleveland Federal Reserve Bank Jumpstart 	<ul style="list-style-type: none"> Jumpstart BioEnterprise MAGNET Nortech 	<ul style="list-style-type: none"> Jumpstart 	<ul style="list-style-type: none"> Jumpstart BioEnterprise MAGNET Nortech 	<ul style="list-style-type: none"> U.S. and Ohio EPA HUD JobsOhio Local Land Banks Municipalities CCCIC NEO Sewer District 	<ul style="list-style-type: none"> U.S. and Ohio EPA HUD JobsOhio Local Land Banks Municipalities CCCIC NEO Sewer District 	<ul style="list-style-type: none"> U.S. and Ohio EPA HUD JobsOhio Local Land Banks Municipalities CCCIC NEO Sewer District 	<ul style="list-style-type: none"> Participating Lender Institutions Small Business Administration 	<ul style="list-style-type: none"> Employment Connection Area Employers 	<ul style="list-style-type: none"> Team NEO/Jobs Ohio Greater Cleveland Partnership Jumpstart BioEnterprise MAGNET Nortech WIRE-Net 	<ul style="list-style-type: none"> Team NEO/Jobs Ohio Greater Cleveland Partnership Fund for Our Economic Future City of Cleveland Cleveland - Cuyahoga Port 	
Performance Indicators	<p>Primary</p> <ul style="list-style-type: none"> Dollars Leveraged Follow-on Funding <p>Secondary</p> <ul style="list-style-type: none"> Jobs Created Payroll Growth New Revenue Generated 	<p>Primary</p> <ul style="list-style-type: none"> Dollars Leveraged Follow-on Funding <p>Secondary</p> <ul style="list-style-type: none"> Jobs Created Job Placements Payroll Growth Patents Filed New Revenue Generated 	<p>Primary</p> <ul style="list-style-type: none"> Dollars Leveraged Follow-on Funding Job Created Payroll Growth <p>Secondary</p> <ul style="list-style-type: none"> Patents Filed New Revenue Generated Program Income Investment Exits 	<p>Primary</p> <ul style="list-style-type: none"> Dollars Leveraged Patents Filed <p>Secondary</p> <ul style="list-style-type: none"> Follow-on Funding Job Creation Job Placement Payroll Growth 	<p>Primary</p> <ul style="list-style-type: none"> Loan Repayments Jobs Created Dollars Leveraged Acres/Square Feet Returned to Productivity 	<p>Primary</p> <ul style="list-style-type: none"> Loan Repayments Jobs Created Dollars Leveraged Acres/Square Feet Returned to Productivity 	<p>Primary</p> <ul style="list-style-type: none"> Loan Repayments Jobs Created Dollars Leveraged Acres/Square Feet Returned to Productivity 	<p>Primary</p> <ul style="list-style-type: none"> Dollars Leveraged Jobs Created New Revenue Generated 	<p>Primary</p> <ul style="list-style-type: none"> Job Retention of Trained Employees Wage Gain of Trained Employees Jobs Created Lay-off Aversion Skilled Development Increase employee productivity 	<p>Primary</p> <ul style="list-style-type: none"> Jobs Created Job Placement Dollars Leveraged Follow-on Funding Payroll Growth <p>Secondary</p> <ul style="list-style-type: none"> New Revenue Generated Exports Patents Filed Program Income Tax Revenue 	<p>Primary</p> <ul style="list-style-type: none"> Job Creation Dollars Leveraged Follow-on Funding Payroll Growth <p>Secondary</p> <ul style="list-style-type: none"> New Revenue Generated Exports Tax Revenue 	

Universal Terms

While each program in the Fund is different, there are certain criteria that span the 11 programs. These basic criteria focus the plan on its mission of providing jobs and prosperity to Cuyahoga County.

Location in Cuyahoga County

Because the Fund is furnished by Cuyahoga County, all investments are aimed at the county's residents. Business and innovation related programs require the recipient to be either located or planning to locate in Cuyahoga County. Only real estate located in the county are eligible for land related programs. Further, recipients are required to remain in Cuyahoga County on penalty via monetary clawbacks.

Job Creation

Creating jobs is at the foundation of the Fund. With that in mind, every program aims to put Cuyahoga residents to work, and each program's success or failure will be measured, in some degree, by job creation.

Target Industries

In order to build a healthy economic ecosystem, the County is focusing its investments on innovative, progressive and growing industries. Investment in these industries not only produces high-paying jobs, it maximizes the potential for follow-on funding, spin-off innovation and the construction of tacit business networks that are the fabric of industry clusters.

With the exception of the Micro Enterprise program and the three programs that comprise the Commercial Property Reutilization, Expansion and Acquisition vertical, all programs will target industries that were identified in the County's five year plan:

- Bioscience & Medical Devices
- Advanced Materials
- Instruments Controls & Electronics
- Advanced Energy
- Aerospace, Power & Propulsion
- Advanced Manufacturing

Innovation Development: Four Programs

1. Micro Enterprise
2. Pre-Seed Fund
3. Next Stage Fund
4. Innovation Match

	Innovation Development			
	Micro Enterprise	North Coast Opportunites Technology Fund	Next Stage Fund	Innovation Match
Summary	Finances Business Too Small or Unestablished for Traditional Lenders	Early Stage Funding to Accelerate Growth and Attract Investors	Invests in Companies Primed for Full Commercial Launch	Provides Local Match Required by Federal and State Innovation Grants
Funding Type	Loan	Loan	Loan	Grant
<i>Amount</i>	\$10,000 - \$100,000	\$25,000 - \$125,000	\$400,000 - \$700,000	Up to \$300,000
<i>Forgivable</i>	No	No	No	
<i>Interest</i>	7% - 12%	5% (Deferred for 5 years)	7% - 10%	
<i>Time Period</i>	3 - 7 Years	5 years	3-5 Years	
Eligibility	<ul style="list-style-type: none"> • Revenues less than \$500,000 • Credit Score Above 600 • Current on Taxes • Personal Guarantee and Collateral • Must Participate in Technical Assistance Program 	<ul style="list-style-type: none"> • High Growth Technology Company • Jumpstart Registered and Supported • Not Engaged in Due Diligence • Have Not Received Investments Totaling More than \$1.5 Million 	<ul style="list-style-type: none"> • Entering Broad Market • High Growth Technology Company • Part of Northeast Ohio Entrepreneurial Network • 25% Minimum Contribution • Create or Retain Jobs 	<ul style="list-style-type: none"> • Highly Competitive • In Target Industry • Focused on Research and Development • Strong Potential For Marketable Products • Seeking State or Federal Funds
Partners	<ul style="list-style-type: none"> • Cleveland Foundation • Huntington Bank • City of Cleveland • Federal Reserve Bank • Jumpstart 	<ul style="list-style-type: none"> • Jumpstart • BioEnterprise • MAGNET • Nortech 	<ul style="list-style-type: none"> • Jumpstart 	<ul style="list-style-type: none"> • Jumpstart • BioEnterprise • MAGNET • Nortech
Performance Indicators	<p>Primary</p> <ul style="list-style-type: none"> • Dollars Leveraged • Follow-on Funding <p>Secondary</p> <ul style="list-style-type: none"> • Jobs Created • Payroll Growth • New Revenue Generated 	<p>Primary</p> <ul style="list-style-type: none"> • Dollars Leveraged • Follow-on Funding <p>Secondary</p> <ul style="list-style-type: none"> • Jobs Created • Job Placements • Payroll Growth • Patents Filed • New Revenue Generated 	<p>Primary</p> <ul style="list-style-type: none"> • Dollars Leveraged • Follow-on Funding • Job Created • Payroll Growth <p>Secondary</p> <ul style="list-style-type: none"> • Patents Filed • New Revenue Generated • Program Income • Investment Exits 	<p>Primary</p> <ul style="list-style-type: none"> • Dollars Leveraged • Patents Filed <p>Secondary</p> <ul style="list-style-type: none"> • Follow -on Funding • Job Creation • Job Placement • Payroll Growth

Innovation Development: Micro Enterprise

Overview: background, problem statement, rationale

Small business is the backbone of the U.S. economy. According to the Congressional Budget Office, US small businesses represent 75 percent of all employer firms and employ just over half of all private sector employees. Not only do businesses constitute a large segment of the US economy, small businesses are a major source of economic growth and innovation.

The availability of capital for small businesses is tight. The SBA reported the number of small loans (less than \$1 million) from depository institutions fell by 15 percent between 2008 and 2009. The SBA's 7(a) loan guarantees and 504 loans followed the pattern, as their combined value was down 4.3 percent. As credit supply in the loan markets remained restricted, small firms needing credit find it difficult to raise the capital they need to grow.

Micro finance is a critical source of capital for small business seeking to grow and thrive. Access to micro finance resources is necessary to support micro enterprise businesses that have traditionally been under-banked. Conventional small business lending programs do not address the unique capital needs of micro enterprises which typically lack sufficient credit and collateral to access traditional loan programs. Additionally, conventional small business programs do not offer the type of capital and services micro enterprises need.

Micro enterprises tend to be service oriented businesses that range from landscaping to pet day care, and products ranging from specialty foods to designer jewelry. These types of businesses seldom have a need for large capital outlays for fixed asset equipment but rather need access to credit and working capital. Currently, the capital resources to support the local need of micro enterprises are insufficient. A study funded by the Cleveland Foundation estimated a \$38 million gap in unmet loan demand in Cuyahoga County for microenterprise businesses.

Micro finance not only helps financially underserved small businesses grow, but it is also an effective way to generate economic opportunity for low-income individuals or groups who have limited access to financial services. Micro enterprise development is an opportunity to become economically self-sufficient, improve credit, borrow money, and benefit the community. Micro finance seeks to help micro enterprises by loaning small amounts of capital to these businesses.

In 2010 Cuyahoga County established a Micro Enterprise Fund administered by WECO (now defunct). The demonstration program was created to provide funding to develop and support micro enterprises that are under-represented businesses in the US HUD defined Cuyahoga Urban County. In addition to financial assistance, the program provides intensive financial counseling for entrepreneurs unable to obtain traditional loans. Although the program has experienced marginal results, the need to provide micro financing for small businesses is well established.

In 2012, Cuyahoga County began collaborating with the Cleveland Foundation and other organizations to formalize a network of microenterprise and small business service providers. The Cleveland Foundation has facilitated a micro lending working group. The group advocates the importance of technical assistance and access to capital, and the need for a more coordinated system that will build upon the current intellectual, financial and leadership resources to increase small business growth.

Investment Strategy: program description, purpose, target industries

The Microenterprise Revolving Loan Fund (MRLF) is a program specifically designed to assist small businesses and entrepreneurs that can be capitalized with modest loan and can attain traditional financing within three to five years. The goal of the program is to transform traditionally unbankable micro enterprises into bankable small businesses with positive cash flow. The MRLF program will provide both financing and technical assistance for entrepreneurs unable to obtain traditional loans.

Technical assistance is a key component to managing the county's micro lending program. Although access to capital is critical for growing small businesses, understanding how to manage and make sensible investments in the operations will greatly improve the ability of the small business to generate positive cash flow and pay back the loan. This assistance will not only benefit the small business but it also helps to mitigate the high risk involved in micro lending.

Partners: leveraged funds and technical assistance

Cuyahoga County is collaborating with the Cleveland Foundation and other organizations to formalize a network of microenterprise and small business service providers. The Cleveland Foundation has facilitated a micro lending working group. The group advocates the importance of technical assistance and access to capital, and the need for a more coordinated system that will build upon the current intellectual, financial and leadership resources to increase small business growth.

The working group seeks to add capacity to the regional micro lending infrastructure in order to provide robust, diverse, and expansive capital and technical assistance. A successful micro enterprise development strategy requires that loan programs be seamlessly embedded in a comprehensive technical assistance systems approach. The County is working with a wide array of organizations dedicated to micro enterprise development:

- The Cleveland Foundation
- Federal Reserve Bank of Cleveland
- Huntington National Bank
- City of Cleveland
- Jumpstart, Inc.
- Economic and Community Development Institute
- U.S. Small Business Administration
- Commission on Economic Inclusion
- The Business of Good Foundation

Working with these organizations, the County has learned that integrating and formalizing the existing network of small business service providers within Cuyahoga County is the best way to ensure that businesses are effectively served. The County will ensure the MRLF is coordinated with organizations such as the Hispanic Business Chamber of Commerce, SCORE, SBDCs, and other organizations that provide technical assistance to small businesses. A network approach will efficiently allocate resources and maximize leverage from private, state and federal institutions. Through the MRLF, the County intends to work with other organizations to provide technical assistance, manage deal flow, vet applicants, and connect to traditional sources of capital to help companies grow.

Primary Activities: investment structure and process

Cuyahoga County will contract with a micro finance organization for the purpose of administering the MRLF. The County will work with a certified Community Development Financial Institution (CDFI) that is well-qualified in providing micro-financing to entrepreneurs and small business. The intermediary will function on behalf of Cuyahoga County as the MRLF administrator and will provide microloans to entrepreneurs and small businesses that create and retain jobs in Cuyahoga County. The maximum loan amount is \$100,000, but the average micro loan is about \$20,000.

In addition to financial assistance, the MRLF administrator will provide technical assistance and financial counseling opportunities to help businesses optimize operations and improve the ability to generate cash flow and pay back the loan. Technical assistance includes but is not limited to seminars, training courses, on-going review and technical support to help businesses:

- Understand budgets, balance sheets, profit & loss statements, and cash flow statements at a practical, hands-on level to make important business decisions
- Perform market research, draft a business plan, create a marketing strategy, identify ownership structures, and develop a financing plan to fund growth

MEF Loans

- Loans from \$10,000 - \$100,000, typical loans in the \$20K - \$30K range
- 3 to 7 years
- Interest rate is 7.00% to 12.00%
- Loan proceeds must be used on a reimbursement basis and may be used for:
 - Purchase of equipment, machinery, supplies, inventory
 - Start-up operating expenses
 - Working capital
 - Other uses may be considered, but may be limited

Eligibility

- Must be a business located in or planning to move to Cuyahoga County and have revenues typically less than \$500,000
- Must have a credit score above 600 and be current with all taxes
- Must provide personal guarantee and sufficient collateral to secure the loan – although collateral will not be the sole determinant in approval of the loan, risk exposure is factored in the analysis
- Technical Assistance: the borrower is required to participate in business training and technical assistance programs associated with the loan. Applicants for micro loan financing may be required to fulfill training and/or planning requirements for loan considerations. Business training is designed to help launch or expand the small business

Application

Eligible, well qualified small businesses seeking funding will submit an application to the micro finance organization the County selects to administer the MRLF. The selected program administrator will review and select loan candidates from the applicants based on their established lending standards. Application information includes but is not limited to:

- Business plan
- Completed balance sheet and profit and loss statement (projection or actual)
- Monthly cash flow projections for the next two years of business operations showing ability to repay debt and maintain adequate level of permanent working capital
- A detailed sources and uses table for financing of the business or project
- Debt schedule showing existing business debts – creditor name, address, and acct #, interest rate, term, and collateral used to secure the debt
- Personal financial statements of all principals owning 20% or more of the business (SBA 412), past 2 years personal income tax returns, and equity position (current bank statement)
- Personal History Statement of all principals owning 20% or more of the business (SBA 913)
- Verification of costs/invoices in proposals (i.e. quotes, pricing lists, buy/sell agreements, etc.)
- Itemization and verification of collateral (i.e. appraisals, serial numbers, titles, insurance, etc.)
- Verification of customer base (i.e. lists of current customers; market survey summary, etc.)
- Verification of character (i.e. credit report, references, resumes, etc.)
- Adequate managerial and entrepreneurial capability exists

Performance Indicators: metrics, milestones

There are two sets of performance measure for the loan program: Primary and Secondary. Metrics are also distinguished between those that are directly, and indirectly a consequence of County activity and programs.

Primary Metrics

- Dollars Leveraged
- Follow-on Funding

Secondary Metrics

- Job Creation and Job Placements
- Payroll Growth

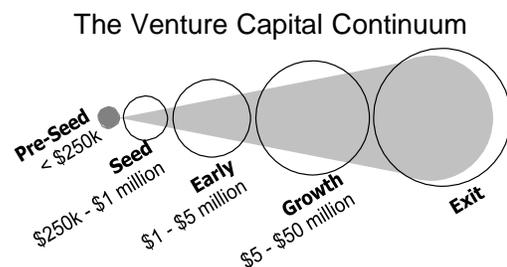
Innovation Development: Pre-Seed Fund

Overview: background, problem statement, rationale

Northeast Ohio has created an entrepreneurial ecosystem that is recognized as a national model. This ecosystem is made up of a robust network of entrepreneurial support organizations working together to help high-growth companies grow within the region. The network has created a diversity of capital resources along the venture capital continuum and is accelerating the commercialization of new technologies, products and services.

Despite a strong and expanding entrepreneurial infrastructure, high-growth entrepreneurial companies still face difficulties in raising the necessary capital to bridge the “valley of death”. According to the 2006 Greater Cleveland Venture Capital Report, it was estimated that Northeast Ohio needed \$375 million in early-stage capital to continue funding a stream of emerging companies.ⁱ

In 2008, Cuyahoga County created the North Coast Opportunities (NCO) Technology Fund to address the need for pre-seed capital within the venture capital continuum. The NCO Technology Fund provides access to critically-needed early-stage capital and enhances the deal flow within the entrepreneurial ecosystem. To date the NCO Fund has invested over \$2.4 million across 24 high-growth companies, created 72 jobs, added \$3.9 million in annual payroll, and attracted more than \$13 million in follow-on funding.



Source: 2006 Greater Cleveland Venture Capital Report

NCO Fund is part of a regional collaborative approach to entrepreneurial development. Early stage companies have progressed more rapidly along the venture capital continuum because of the County’s innovative fund. The NCO Fund increases access to pre-seed capital and helps position companies for later-stage funding, strengthening the regional entrepreneurial eco-system. Since 2006, over \$1 billion has been invested in 205 unique Northeast Ohio companies within the region’s entrepreneurial eco- system.ⁱⁱ

Although the NCO Fund plays an important role for early-stage companies, there remains a growing need for additional pre-seed capital. Cuyahoga County finds itself with a robust deal flow of companies seeking pre-seed investments. Ramping the NCO Fund up to scale will increase the availability of pre-seed funding to meet demand, increase the number companies reaching later-stage funding rounds, and enhance the overall pipeline of companies within the entrepreneurial network.

Investment Strategy: program description, purpose, target industries

The goal of Cuyahoga County’s NCO Technology Fund is to invest in and accelerate the development of early-stage companies in Cuyahoga County, create high paying jobs, and increase the flow of private investment. In collaboration with JumpStart Inc., the County identifies and targets high growth companies that are excellent candidates for future capital investment. Companies that are selected receive a payment-deferred, low interest loan to fund a specific project that will make the company significantly more attractive to investors.

Eligible candidates must be high-growth technology companies based in or planning to move to Cuyahoga County and must be part of the Northeast Ohio Entrepreneurial Network (Network). Funded by the State of Ohio Third Frontier program, the Network is a formalized group of entrepreneurial support organizations (investors, advisors and incubators) across the 21 counties of Northeast Ohio. The Network functions as a one-stop-shop to help connect entrepreneurs with the right resources at the right time to grow their companies. The Network helps the county manage deal flow, vet applicants, and connect to additional sources of capital to help companies grow.

This unique public-private partnership has proven to be an effective model for accelerating entrepreneurial development. Early-stage companies have progressed more rapidly along the venture capital continuum because of the county's innovative partnership with JumpStart through the Network.

Primary Activities: investment structure and process

The NCO Fund provides low interest loans to help growing technology companies finance a specific project that is expected to make the company significantly more attractive to follow-on funding. Companies submit a detailed application to a skilled investment specialist known as an Entrepreneurs- In-Residence (EIRs). The EIRs provide NCO applicants with technical assistance across five signature technology areas: advanced materials, biosciences, electronics, information and communication technologies, and advanced energy.

A selection committee comprised of the EIRs and the county analyzes the applications and identifies the candidate that has the greatest prospect for raising follow-on funding. After a company is select and approved, the County works with the company to define the project scope and deliverables, budget, and milestones for the loan. The loan is designed to mimic venture funding and prepare entrepreneurs for future equity investments.

Pre-Seed Fund Loans

- Loans range from \$25K- \$125K, with typical loans in the \$50-75K range
- Typically the interest rate is 5.00% fixed for the term of the loan
- Payments deferred for 5 years or until a significant financing event - \$1.5 million or greater
- Loan proceeds must be used for a specific project or initiative that will bring the company closer to achieving follow-on funding

Eligibility

- Must be a high growth, technology company judged to have excellent prospects for raising venture capital in the future
- Must be located in or planning to move to Cuyahoga County
- Must be a JumpStart Entrepreneurial Network registered and supported company (www.jumpstartinc.org/Request)
- Companies currently engaged in due diligence or have successfully received investment totaling more than \$1.5 million are not eligible

Application

- Submit a brief description of the specific project that funding is being sought and illustrate how the project will bring the company closer to venture or seed stage funding

- Companies with the highest potential for attracting future venture capital investment will be ranked highest by the NCO Selection Committee and be invited to provide a short presentation about the proposed project
- The NCO Selection Committee consists of JumpStart Entrepreneurial Network Director and Entrepreneurs-in-Residence, the MAGNET Incubator Director and Entrepreneurial Expert, and a Cuyahoga County representative
- Recommendations are reviewed consistent with the county contracting process
- The county will draft loan documents based on the selected and approved project – the description must identify project milestones

Partners: leveraged funds and technical assistance

The NCO Fund is an example how local governments can play an important role in supporting technology based entrepreneurship. The NCO Fund demonstrates that one of the most effective ways for local governments to support early-stage technology companies is to form strong collaborative partnerships with regional technology based economic development organizations.

Creating a dynamic partnership with Jumpstart and the regional entrepreneurial network is a major factor in the success of the NCO Fund. This collaboration enabled Cuyahoga County to maximize resources, access state-level program funding, leverage institutional core competencies, and develop a fully integrated systematic approach to entrepreneurial development. As the county focuses on growing the NCO Fund, strengthening this public-private partnership will be instrumental.

Rather than creating a new process apart from other regional efforts, the county works with key stakeholders. Working with Jumpstart, BioEnterprise, MAGNET, and Nortech, is an extremely efficient and effective strategy for the county to manage deal flow and identify promising companies with strong intellectual property.

Performance Indicators: metrics, milestones

There are two sets of performance measures for the loan program: Primary and Secondary. Metrics are also distinguished between those that are directly, and indirectly a consequence of county activity and programs.

Primary Metrics

- Dollars Leveraged
- Follow-on Funding

Secondary Metrics

- Job Creation and Job Placements
- Payroll Growth
- Patents Filed
- New Revenue Generated

Innovation Development: Next Stage Fund

Overview: background, problem statement, rationale

Northeast Ohio has developed a robust entrepreneurial ecosystem with diverse early-stage funding sources that support innovative start-up companies primed for high-growth. The collaborative environment is composed of organizations that help dynamic businesses expand within the region: over \$1 billion has been invested in 205 companies since 2006.ⁱⁱⁱ

Successful early-stage investments build a pipeline of opportunities that increasingly attracts later-stage venture capital funding. At the state level, the Third Frontier Pre-Seed Fund Capitalization Program helped funnel \$521 million in pre-seed funds to Northeast Ohio in the past five years. However, these state funds support companies that are gathering resources for incubating and demonstrating new technologies and products.

Many Northeast Ohio companies have graduated past early-stage investments and are ready to generate customers and sales in the broad market. Unfortunately, the availability of capital to fund the final stages of the commercialization process is limited.

With its strong entrepreneurial network and portfolios of developing businesses, the region needs next-stage funding to support these maturing high-growth companies. The Next Stage Fund targets companies on the cusp of full commercial launch, helping them reach scale while speeding return on investment and creating jobs.

Investment Strategy: Program Description, Purpose and Targeted Clusters

The Next Stage Fund builds on the success of the NCO Technology Fund—a public-private pre-seed initiative—by providing capital to market-ready companies positioned to achieve rapid commercial sales. The goal of this evergreen fund is to transform innovative and high-growth commercial opportunities into viable businesses.

Next Stage will cultivate a deal flow by leveraging the pipeline of companies within the Northeast Ohio Entrepreneurial Network. There are a number of early-stage funds within the ecosystem that have created a dynamic portfolio of companies preparing to scale up and enter the market. Next Stage will rely on this existing expertise to channel its investments into thoroughly vetted early-stage companies. Selected companies will receive an investment to fund capitalized expenses in connection with a commercial launch.

Eligible candidates must be high growth technology companies based in or planning to move to Cuyahoga County and must be part of the Northeast Ohio Entrepreneurial Network. The Network is a formalized group of support organizations (investors, advisors and incubators) spanning the 21 counties of Northeast Ohio. This one-stop-shop connects entrepreneurs with resources critical to their company's development. The Network will help the county manage deal flow, vet applicants, and connect to additional sources of capital to help companies expand.

Primary Activities: Investment Structure and Process

Eligibility

- Must be a high growth, technology-oriented company with consistent revenue growth
- Must be within 12 to 18 months of positive cash
- Must be located in or commit to move to Cuyahoga County by loan closing
- Must be a ventured backed company that has successfully raised \$5 to \$7 million
 - Cuyahoga County seeks to provide follow on financing that leverages existing capital investments
- Must commit to creating 10 to 20 new jobs within three years

Allowable Project Costs/Uses

Loan proceeds must be used for a specific project or initiative that will bring the company closer cash flow/breakeven within 12 to 18 months. Allowable costs include but are not limited to:

- Acquisition
- Land and/or building purchase; if the project involves the purchase of an existing building, the business must occupy at least 51% of the premises
- Machinery & equipment purchase
- Building construction and/or renovation costs; if the project involves new construction the business must occupy at least 60% of the premises
- Long-term leasehold improvements
- Software development
- Creating and protecting intellectual property including costs of securing appropriate patent, trademark, trade secret, trade dress, copyright or other forms of intellectual property protection for an eligible innovation project or related products or services
- Refinancing is ineligible

Funding

- Investments ranging from \$400,000 to \$700,000 with typical investments averaging \$500,000
- Term: 3 years at 7% with two (2) one (1) year extension options to be granted based upon achieving defined project milestones and exercised at the sole discretion of the County.
 - After the first twelve (12) monthly loan payments, the Borrower may petition the County to exercise the first of two loan term-extension options, provided the Borrower is in good standing and the project milestones have been surpassed. After the second twelve (12) monthly loan payments, the Borrower may petition the County to exercise the second (2nd) of loan term-extension options, provided the Borrower is in good standing and project milestones have been surpassed.
- Job Creation/Retention: Development requires a commitment to create jobs. While there is not a specified dollar per job ratio, the number of jobs committed, as well as the annual payroll will be considered when determining the funding amount based on but not limited to SBA lending standards
- Applicant Contribution: Development requires a 25% minimum contribution in the allowable

project costs/uses. The required contribution may be higher for early-stage companies and special purpose facilities. In-kind contributions of labor, equipment or similar items are not acceptable as the applicant's contribution

Security & Collateral

Development requires a first and/or shared first priority mortgage and/or lien position on project costs/uses financed with the loan proceeds. Development may require the following additional collateral or credit enhancements:

- Personal guarantees from owners with more than 20% ownership in the company
- Corporate guarantees from related companies
- Full or partial letter of credit
- Life insurance on key business owners and/or managers
- Other types of credit enhancement, if necessary

Application Process

- Non-refundable \$700 application fee is due upon submitting a completed Financial Assistance Application
- Success fee between 5% to 10% of the maximum drawn principal will be payable upon maturity of the loan. This fee is in lieu of Development's ability to take an equity position in the applicant company.
 - Upon achieving defined project milestones, a success fee equal to five (5.00%) percent of the maximum principal amount of the loan actually disbursed to the Borrower will be assessed. The success fee will increase to seven and half (7.50%) percent upon exercising the first loan term-extension option and ten (10.00%) percent upon exercising the second loan term-extension option.
- The application will be reviewed by a County selected external evaluator in concert through a due diligence process. The external evaluator and Development will review all applications received, and consider which applications to submit to the Cuyahoga County Community Improvement Corporation (CCCIC) for review
- A preliminary project term sheet will be provided by Development staff
- Loans will be presented to the CCCIC for review and recommendation
- Loans will be presented to the County approval process for final approval
- A loan approval, confirmation and commitment letter will be issued by Development upon County approval
- Loan closing documents are prepared upon receipt of a signed loan approval, confirmation and commitment letter and processing fee
 - The Borrower shall pay loan fees including, search fees, legal fees, survey fees, recording fees, etc. All legal counsel and the loan fees will be due at closing.
- Loan proceeds are normally disbursed after project completion and loan closing, interim financing may need to be arranged by the business

Evaluation Criteria

Applications will be reviewed by a County selected external evaluator. The external evaluator will conduct a due diligence process and prepare an investment memo based on but not limited to factors such as:

- Number of high-value jobs above the county median annual wage to be created as a result of the successful commercialization of a new product
- Level of risk associated with the commercialization of the new product or service
- Degree to which the applicant has attracted or will be able to attract additional third party capital
- Degree to which the company's business plan identifies the market need and demonstrates a feasible plan for serving that need
- Level of financial risk and ability of the borrower to repay the loan

Upon completion, the investment memo will be reviewed by the Department of Development and presented to the CCCIC for a funding recommendation. The CCCIC recommendation will then be presented to the County and Executive for final approval.

Due Diligence Information

- Corporate Materials
 - Operating Agreement / Articles of Incorporation / LLC Agreement
 - Assignment of Inventions / Non-Compete / Non-Disclosure Agreements
 - Summary biographies of senior management, including service history, years in current position and summaries of key employment agreements
- Financial Information
 - Annual Income Statement, Balance Sheet, Cash Flow Statement for past 3 years (or since inception if less than 3 years)
 - Sales projections (and actual results) by account for the past two years
 - Most recent balance sheet
 - List of shareholders/ownership table
- Intellectual Property
 - Any license agreements governing IP
 - Any patents or patent applications
- Customer and Market Information
 - Any market studies or relevant analyst reports completed in past 24 mos.
 - Any other information on competitors
 - Names and contact information for three current customers
 - List of existing sales contracts and one sample contract agreement
 - Major Customers Pipeline analysis: Status and trends of relationships, Prospects for future growth and development, Principal avenues for generating new business

Preliminary Application Notification

Potential applicants shall submit a short, Preliminary Application that Development will review to determine whether the applicant understands the intent and eligibility requirements of the Next Stage Fund and appears to have merit. Development requests that the document be a maximum of five pages plus financial statements. Potential applicants are asked to:

- Describe the company
 - The company's location, size and operating history
 - The products and/or services currently offered
- Describe the proposed project
 - The innovative product or service to be commercialized
 - Amount of Next Step funds requested and how the proceeds will be used
 - The economic impact, including employment (both direct and indirect) and revenue growth resulting from the project
 - The applicant's position that the uses of loan proceeds can be capitalized under GAAP
 - Total eligible project costs
 - Amount and source of matching funds
- Include three years reviewed and/or audited financials

Development will provide feedback to the potential applicant as to whether the company's planned application meets the eligibility requirements and intent of the Next Stage Fund. Development may also respond with a list of questions that can be answered either (1) before the potential applicant submits a formal application for additional feedback from Development or (2) in the formal application should the potential applicant feel confident the questions will be addressed. The Preliminary Application will not be considered in the evaluation of formal applications; rather, this is an opportunity for potential applicants to gain confidence that the full Financial Assistance Application will meet the intent of loan.

Partners: leveraged funds and technical assistance

Cuyahoga County is working with numerous pre-seed, seed, and early-stage funds across Northeast Ohio to establish the Next Stage Fund. In particular, the County works closely with the JumpStart Entrepreneurial Network, which is funded by the State of Ohio Third Frontier through the Entrepreneurial Signature Program. Partnering with the Jumpstart Entrepreneurial Network gives the county access to a regional effort to build capacity and connect to an entrepreneur support infrastructure across the 21 counties of Northeast Ohio. This Network has evolved into an extremely efficient construct for developing and advancing entrepreneurs.

Creating a dynamic partnership with Jumpstart presents the county with the opportunity to collaborate with several organizations that have a well-established investment-making processes and a track record of raising funds for high-growth entrepreneurial companies. Partnering with Jumpstart, the county will double its investment capital, mitigate risk by co-investing with private funds, and access a pipeline of deal flow that will ensure greater economic returns and job growth.

Performance Indicators: metrics, milestones

There are two sets of performance measures for the loan program: Primary and Secondary. Metrics are also distinguished between those that are directly, and indirectly a consequence of county activity and programs.

Primary Metrics

- Dollars Leveraged
- Follow-on Funding
- Job Creation and Job Placements
- Payroll Growth

Secondary Metrics

- Patents Filed
- New Revenue Generated
- Program Income
- Investment Exits

Innovation Development: Innovation Match

Overview: background, problem statement, rationale

Northeast Ohio possesses a wealth of world class research centers and institutions as well as cutting- edge industrial research lab facilities. Leveraging these assets is an important part of technology commercialization strategy. As Northeast Ohio strives to build, support, and advance innovation and develop its knowledge based economy, it is critical to take advantage of federal and state research and development programs and attract industrial research investment.

Programs and agencies at the state and federal level like the Ohio Third Frontier, the National Science Foundation and the US Department of Energy help fund basic and applied research, establish research facilities, and support technology demonstrations and transfer for development of new commercial products. Many state and federal innovation grant programs require cost share or local match. Support for business related research and development is also critical for accelerating technology transfer and commercialization.

Entities that need the initial match to leverage these external resources can rely on Cuyahoga County to provide matching funds to enhance research capacity and accelerate the time to commercial market entry of products. The Cuyahoga Innovation Match Fund will secure large scale research and development funding opportunities to establish new research centers of excellence and advance technology commercialization.

Investment Strategy: program description, purpose, and target industries

The Cuyahoga Innovation Match Fund (CIMF) is a flexible source of funding to ensure that research and development efforts in Cuyahoga County result in commercial products that help drive economic growth. The goal of the CIMF is to attract large, nationally designated and highly visible corporate, non-profit, and federal research and development centers or laboratory facilities in Cuyahoga County. The objective is to accelerate the movement of new technology developed by county based institutions and businesses to the commercial market in sectors important to the county's economy.

The CIMF provides local match for the establishment of technology development centers of excellence that are part of a state or federal funding opportunity. The investment is made in the form of a grant and is conditioned on a funding award from the applicable state or federal program or RFP. The county anticipates that the CIMF will fund a maximum of \$300,000 per investment and will focus on the target industry clusters.

Application Criteria

- Description of the funding organization, the purpose of the funding program/opportunity, award process for establishing the center of excellence, and evidence that local match cost share is an evaluation factor for the award
- Description of the purpose of the center and the management team that has been assembled to attract and implement the center in Cuyahoga County
 - The Center description should include purposes and activities, technological focus, duration of the award, integration and collaboration with County or Ohio based research institutions
- Description of the core competency, experience, skills, and unique factors of Cuyahoga

- County that make it a competitive location for the center
- Description of the economic and industrial impacts of the center being located in Cuyahoga County.
 - project likely success metrics and leverage beyond just the initial award – describe the anticipated leverage in the way of new business attraction, job creation, as well as other grant awards

Evaluation Criteria

- Commitment to direct, near-term job creation by the center;
- Size of the opportunity and amount of the investment in the County
- Extent to which cost share is a formal evaluation requirement and a differentiating factor in the award
- Level of national relevance and visibility of the center designation;
- Ability of the center to attract future research, new business activity, and jobs;
- Degree to which the center includes industry-directed or industry-oriented problem solving;
- Degree to which the center includes collaboration with County based research institutions;
- Sustainability of the center beyond the initial award

Primary Activities: investment structure and process

The CIMF will prioritize funding based on the availability of program income from investments made through the Cuyahoga Next Stage Fund. The CIMF provides local match for technology development efforts seeking state or federal funding.

Only the most meritorious proposals are sought for funding. Implicit in the evaluation criteria is the quality of the work plan, budget and cost share:

- Leverage existing research investments and core competencies
- Relevance for key regional industry clusters
- Degree of private industry responsiveness
- Degree of Sustainable Competitive Advantage
- Demonstrated Leadership Assets
- Identified Stage of Market Development
- Impact on Cuyahoga County
- Past Performance (if applicable)
- Potential for Leverage
- Potential for Products
- Size of Opportunity
- Vision for Success

A selection committee comprised of Jumpstart, BioEnterprise, Nortek, MAGNET and the County will analyze the applications and identify the candidate that has the greatest prospect for successfully commercializing technology. After an applicant is selected and approved, the County works with the applicant to define the project scope and deliverables, budget, and milestones for the investment.

Partners: leveraged funds and technical assistance

Creating a dynamic partnership with Jumpstart and the regional entrepreneurial network is a major factor in the success of the NCO Fund. This collaboration enabled Cuyahoga County to maximize resources, access state-level program funding, leverage institutional core competencies, and develop a fully integrated systematic approach to entrepreneurial development. As the county focuses on growing the NCO Fund, strengthening this public-private partnership will be instrumental.

Rather than creating a new process apart from other regional efforts, the county works with key stakeholders. Working with Jumpstart, BioEnterprise, MAGNET, and Nortech, is an extremely efficient and effective strategy for the county to manage deal flow and identify promising companies with strong intellectual property.

Performance Indicators: metrics, milestones

There are two sets of performance measures for the loan program: Primary and Secondary. Metrics are also distinguished between those that are directly, and indirectly a consequence of county activity and programs.

Primary Metrics

- Dollars Leveraged
- Patents Filed

Secondary Metrics

- Follow-on Funding
- Job Creation and Job Placements
- Payroll Growth

Commercial Property Reutilization: Three Programs

1. Redevelopment and Modernization
2. Site Expansion
3. Redevelopment Ready

	Commercial Property Reutilization, Expansion and Acquisition		
	Redevelopment and Modernization	Site Expansion	Redevelopment Ready
Summary	Finances Existing Building Improvements and modernization	Finances Environmental Cleanup of Sites Adjacent to Existing End User	Finances Environmental Cleanup of Abandoned or Underutilized Sites
Funding Type	Loan	Loan	Loan
<i>Amount</i>	<i>Up to \$1 Million</i>	<i>Up to \$500,000</i>	<i>Up to \$1 Million</i>
<i>Interest</i>	<i>4% (2 Years Interest Only)</i>	<i>0%</i>	<i>4% (2 Years Interest Only)</i>
<i>Time Period</i>	<i>10 Years</i>	<i>10 Years</i>	<i>10 Years</i>
Eligibility	<ul style="list-style-type: none"> • For-Profit Borrower w/ Committed End User • Abandoned, vacant or underutilized building • Support From Local Municipality • Must Oversee Project • Own/Operate Site for 7 Years After Completion 	<ul style="list-style-type: none"> • For-Profit Borrower w/ Committed End User • Support From Local Municipality • Must Oversee Remediation • Job Creation Requirement • Own/Operate for 7 Years After Completion 	<ul style="list-style-type: none"> • For-Profit Borrower w/ Committed End User • Support From Local Municipality • Must Oversee Remediation • Job Creation Requirement • Own/Operate for 7 Years After Completion
Partners	<ul style="list-style-type: none"> • U.S. and Ohio EPA • HUD • Jobs Ohio • Local Land Banks • Municipalities • CCCIC • NEO Sewer District 	<ul style="list-style-type: none"> • U.S. and Ohio EPA • HUD • Jobs Ohio • Local Land Banks • Municipalities • CCCIC • NEO Sewer District 	<ul style="list-style-type: none"> • U.S. and Ohio EPA • HUD • Jobs Ohio • Local Land Banks • Municipalities • CCCIC • NEO Sewer District
Performance Indicators	<p>Primary</p> <ul style="list-style-type: none"> • Loan Repayments • Jobs Created • Dollars Leveraged • Acres/Square Feet Returned to Productivity 	<p>Primary</p> <ul style="list-style-type: none"> • Loan Repayments • Jobs Created • Dollars Leveraged • Acres/Square Feet Returned to Productivity 	<p>Primary</p> <ul style="list-style-type: none"> • Loan Repayments • Jobs Created • Dollars Leveraged • Acres/Square Feet Returned to Productivity

Overview: Background, Problem Statement and Rationale

The most fundamental asset of any economic development strategy that includes government participation is land. The challenge is to make the best use of land for maximum economic benefit.

The challenge is two-fold. Industrial development led to the region's periods of economic growth. Modernization, environmental requirements and market dynamics have forced many businesses to close or relocate, leaving behind vestiges of a historic economy marked by nonproductive and oftentimes environmentally hazardous land. Ironically, these parcels are among those that are best served by the needs of today's growing business: infrastructure and labor supply. The second challenge is meeting the growth and modernization needs of those businesses that have endured through the ages or capitalized on these resources. Where local businesses have the need to grow or modernize, resources should be available to swiftly meet these demands to keep prosperity and growth in place.

As such, the preparation of land for redevelopment and rapid response for the expansion and modernization of existing properties served by developed infrastructure is a key strategy to the County's place-based economic development plan.

Investment Strategy: Program Description, Purpose and Targeted Clusters

The County is uniquely positioned to **marshal external resources** from the federal, state and local levels and to work across political subdivisions to position properties for redevelopment. The Department of Development has an award-winning, experienced and qualified team to assemble the necessary public-private partnerships that **get these properties back to productivity** with responsible owners and jobs producers.

The myriad of strategies and variables in land redevelopment, which incorporate multiple public and private funding sources, will require a comprehensive and **centrally managed approach**. The County will oversee three partially-forgivable loan programs for property reutilization, expansion, acquisition and improvement.

The key to the public-private partnership for land reutilization and redevelopment is to provide applicable, attractive and relevant programs **that provide swift and clear opportunities for companies seeking to locate, expand or modernize** in areas served by existing infrastructure and transportation networks. Complementing this strategy with the County's demonstrated ability to **leverage existing external programs** (e.g. NEORSD's Green Infrastructure Program, Clean Ohio, JobsOhio, Historic Tax Credits, New Market Tax Credits, USEPA grants, and HUD) adds value and velocity to public and private development dollars in Cuyahoga County.

Universal Requirements

Eligibility Requirements

- The project property must be abandoned, vacant or otherwise underutilized
- The project will require a resolution of support from the local municipality
- The borrower must oversee the remediation or project
- The borrower must own/operate at the project property for at least 7 years after completion

- The borrower must demonstrate that funding commitments to finance the total project have been secured
- The borrower must have at least 10% equity in the project
- The borrower must be current on all Cuyahoga County tax obligations

Application Process

- Complete application and meet underwriting criteria
- Recommendation for funding from Cuyahoga County Community Improvement Corporation (CCCIC) Economic Development Loan Committee
- County approval process

Terms

- The county will require a second-position mortgage with up to a 90% LTV, minimum DCR of 1.1 and personal and/or corporate guarantees
- Borrower will be required to execute a County Workforce Agreement
- Project will be subject to payment of State of Ohio prevailing wages
- Borrowers could be required to repay the full amount of County loan if it moves, sells, fails to complete the project, obtain an NFA (if applicable), or fails to create the requisite jobs

Fees: \$250 application fee, 1% loan commitment and origination fee, legal costs, and 1% annual servicing fee

For the County to participate in New Markets Tax Credit projects, the County's loan must be to the Leverage Lender and the corporate guaranty must be outside the structure.

Property Reutilization: Redevelopment and Modernization Loan

This partially-forgivable loan program will provide financing to for-profit entities with committed commercial and/or industrial end users for existing building improvements, including asbestos abatement and tenant improvements, as well as the modernization of buildings located in Cuyahoga County.

Eligibility Requirements

- The project building must be abandoned, vacant or otherwise underutilized, and at least 40 years old.
- The borrower must own and operate at the project location for a minimum of 7 years after the completion of remediation
- The borrower must have a completed Phase I Environmental Site Assessment and Asbestos and/or Lead-based Paint Survey, if applicable, at the time of application
- Borrower must execute County Workforce Agreement
- Borrower must pay State of Ohio prevailing wages
- Borrower must contribute 10% of total project cost
- Up to 25% of the funding may be utilized for acquisition

Eligible Uses of Funds

- Costs associated with building modernization and renovation
- Asbestos and/or lead-based paint abatement
- Demolition and site clearance
- Up to 25% of the requested loan amount may be utilized for acquisition

Terms

- Loans of up to \$1 million at 4% interest
- Maximum 2-year interest only period and maximum loan term of 10 years
- Second priority mortgage with loan to value of 90% or better
- Debt coverage ratio of 1.1 or better
- Corporate and/or personal guaranty
- The forgivable portion of the loan will be reduced in equal amounts over 7 years after project completion
- Loan Forgiveness (up to 35%):
 - Percentage of funds spent on vendors located in the county (10%)
 - Project location in Business Attraction Agreement Community or identified area of economic growth (compatible with place based economics) (10%)
 - Job creation credit of 1% per new to Cuyahoga County full time equivalent job created with salary above median average county wage (up to 15%)

Property Reutilization: Site Expansion

This fully-forgivable loan program will provide financing to for-profit entities with committed commercial and/or industrial end users for the environmental cleanup and/or demolition of abandoned, vacant and otherwise underutilized properties that are adjacent to the existing committed end user in Cuyahoga County.

Eligibility Requirements

- The borrower cannot be a Responsible Party or Potentially Responsible Party for contamination at the site
- The borrower must have a completed Ohio EPA VAP Phase I Property Assessment, Phase II Property Assessment and Remedial Action Plan at the time of application
- The borrower must obtain an Ohio EPA VAP No Further Action Letter (NFA) within two years of project initiation
- The borrower must own and operate at the project location for a minimum of 7 years after the completion of remediation
- Borrower must contribute at least 10% of total project cost.
- The borrower must create a minimum of 15 new to Cuyahoga County full time equivalent jobs with annual salaries that exceed the County's median average salary within three years of receipt of NFA letter; 75% of which must be Cuyahoga County residents and/or local college graduates. 1 job per \$25,000 loaned
- 50% of requested loan amount must be spent with vendors in Cuyahoga County
- Gas stations and solid waste facilities are ineligible for County assistance
- Redevelopment of adjacent sites into parking lots does not qualify for funding
- Borrower must execute County Workforce Agreement
- Borrower must pay State of Ohio prevailing wages, if applicable

Eligible Uses of Funds

- Costs associated with environmental cleanup and attainment of NFA Letter
- Demolition and site clearance
- Up to 25% of the requested loan amount may be utilized for acquisition

Terms

- Loans up to \$500,000 at 0% interest with a two-year project completion period
- Second priority mortgage with loan to value of 90% or better
- Debt coverage ratio of 1.1 or better
- Corporate and/or personal guaranty
- The forgivable portion of the loan will be reduced in equal amounts over 7 years after the VAP NFA has been issued and the requisite jobs are created
- Failure to meet job creation requirements will trigger recapture provisions in an amount proportional to 1 job per \$25,000

Property Reutilization: Redevelopment Ready Loan

This partially-forgivable loan program will provide financing to for-profit entities with or without end users for the environmental cleanup and demolition of abandoned, vacant and otherwise underutilized properties in Cuyahoga County.

Eligibility Requirements

- Borrower cannot be Responsible Party or Potentially Responsible Party for contamination at site.
- Borrower must have a completed Ohio EPA VAP Phase I Property Assessment, Phase II Property Assessment and a Remedial Action Plan at the time of application
- The borrower must obtain an Ohio EPA VAP No Further Action Letter (NFA) within two years of project initiation
- The borrower must own/operate at the site for 7 years after project completion, if there is a committed commercial/industrial end user
- Projects without a committed end user will be subject to repayment of the County loan upon a sale or transfer of the property
- Borrower must contribute at least 10% of total project cost
- Gas stations and solid waste facilities are ineligible for County assistance
- Borrower must pay State of Ohio prevailing wages, if applicable
- Borrower must sign County Workforce Agreement, if there is a committed end user

Eligible Uses of Funds

- Costs associated with environmental cleanup and attainment of NFA Letter
- Demolition and site clearance
- Up to 35% of the requested loan amount may be utilized for acquisition
- Up to 15% of the requested loan amount may be utilized for infrastructure

Terms

- Loans of up to \$1 million at 4% interest
- Maximum 2-year interest only period and maximum loan term of 10 years
- Second priority mortgage with loan to value of 90% or better
- Debt coverage ratio of 1.1 or better
- Corporate and/or personal guaranty
- The forgivable portion of the loan will be reduced in equal amounts over 7 years after the VAP NFA has been issued
- Up to 40% of the loan may be forgiven.
 - Attainment of Ohio EPA VAP NFA Letter (15%)
 - 50% of County loan funds that are spent with vendors located in the county (up to 10%)
 - Job creation credit of 1% per new to Cuyahoga County full time equivalent job with salary exceeding median County average (up to 15%)

Business Growth, Commercialization and Attraction: Four Programs

1. Small Business Growth
2. Incumbent Worker Training
3. Accelerated Growth
4. Large Scale Attraction

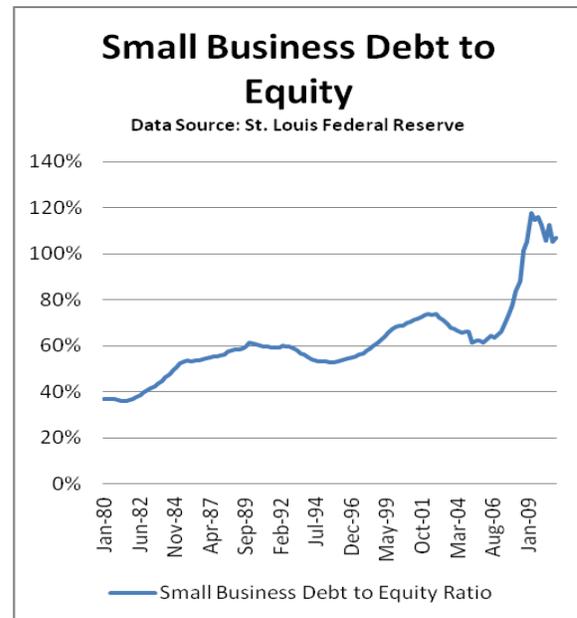
	Business Growth, Commercialization and Attraction			
	Small Business Growth	Incumbent Worker Training	Accelerated Growth	Large Scale Attraction
Summary	Increases Access to Traditional Lending Market through Credit Enhancements	Reimburses up to 50% of Training Expenses for Retraining Workers	Capital for Expansion Via Acquisition, Equipment, New Markets and Diversification	Gap Financing and Incentives for Large Scale Growth and Attraction
Funding Type	Loan Guarantee	Grant	Loan	Loan
<i>Amount</i>	<i>Up to \$500,000</i>	<i>Up to 50% of Costs</i>	<i>\$150,000 - \$1.5 Million</i>	<i>\$200,000 - \$3 Million</i>
<i>Interest</i>			<i>2% - 4%</i>	<i>1% - 7%</i>
<i>Time Period</i>			<i>5 - 15 Years</i>	<i>1 - 15 Years</i>
Eligibility	<ul style="list-style-type: none"> • Small Business • Strong Pro-Forma • Collateral Shortfall • Referred to County by Bank • In Target Industry • Latitude of Potential Fund Uses • Potential Use Must Create Jobs 	<ul style="list-style-type: none"> • Demonstrated Aged Vacancy • Must Provide Skill Training for an Incumbent Worker • In Target Industry • Must Document Job Creation/wage increase • Reimbursement Based 	<ul style="list-style-type: none"> • Small-to-Medium Size Business • Established • In Target Industry • High Growth Potential • Potential Idea Can Add at Least 1 Job per \$35,000 	<ul style="list-style-type: none"> • At Least 100 Jobs w/ Average Salary at or Above County Median • In Target Industry • Expanding or Relocating • Demonstrated Ability to Repay Loan • Adequate Collateral and Credit
Partners	<ul style="list-style-type: none"> • Participating Lender Institutions • Small Business Administration 	<ul style="list-style-type: none"> • Employment Connection • Area Employers 	<ul style="list-style-type: none"> • Team NEO/Jobs Ohio • Greater Cleveland Partnership • Jumpstart • BioEnterprise • MAGNET • Nortech • WIRE-Net 	<ul style="list-style-type: none"> • Team NEO/Jobs Ohio • Greater Cleveland Partnership • Fund For Our Economic Future • City of Cleveland • Cleveland - Cuyahoga Port
Performance Indicators	<p>Primary</p> <ul style="list-style-type: none"> • Dollars Leveraged • Jobs Created • New Revenue Generated 	<p>Primary</p> <ul style="list-style-type: none"> • Job Retention of Trained Employees • Wage Gain of Trained Employees • Jobs Created • Lay-off aversion • Skill Development • Increase employee productivity 	<p>Primary</p> <ul style="list-style-type: none"> • Jobs Created • Job Placement • Dollars Leveraged • Follow-on Funding • Payroll Growth <p>Secondary</p> <ul style="list-style-type: none"> • New Revenue Generated • Exports • Patents Filed • Skilled Workforce • Program Income • Tax Revenue 	<p>Primary</p> <ul style="list-style-type: none"> • Job Creation • Dollars Leveraged • Follow-on Funding • Payroll Growth <p>Secondary</p> <ul style="list-style-type: none"> • New Revenue Generated • Exports • Tax Revenue

Business Growth: Small Business Growth

Overview: Background, Problem Statement and Rationale

Small business is the prime generator for local job growth. Small businesses are the most nimble of job producers. Unlike larger entities who grow and profit through increased efficiency, they grow by adding jobs. However, small businesses that are poised to grow report difficulty borrowing essential cash. Growing businesses assert that banks are not lending. Businesses' cash crunch is exacerbated by tightening credit lines and lending policies. Without capital, these businesses cannot grow.

Banks are lending, but a tougher regulatory environment matched with a decline in the value of borrowers' collateral (property, machinery and equipment, etc.) makes it difficult to lend to all but the strongest of borrowers. In fact, the average small business is overleveraged for the first time in American history. Since 2008, small businesses, on average, have more debt than their ability pay those debts. Lenders risk being overexposed. Both banks and small business want to do deals, but they can't: market failure. Government partners, including the state and the SBA, have been working to modernize existing programs and create new ones to address today's small business lending climate. But these efforts don't fully address borrowers' collateral shortfall when applying for credit.



Businesses also report – through interviews with loaned executives, business leaders, business organizations and lenders themselves – that they need new loans for working capital. Maturing short term debt met with limited ability to refinance those debts (because of more strict lending) constricts firms' ability to operate at its previous scale. Even in more robust times, lenders have been loathe to lend for working capital, even to meet the needs of a borrower seeking capital to fulfill current and new contracts.

Investment Strategy: Program Description, Purpose and Targeted Clusters

The County is partnering with banks to provide a credit enhancement that improves borrowers' credit requests in a way that meets banks' underwriting criteria. The Small Business Growth program creates a key link between the banks' community development and small business lending strategies and their desire for greater deal flow and credit-worthy borrowers.

The County is proposing a loan guarantee program: When a bank makes an approved loan outside its lending policies (but within the county's guidelines), the County will assist in guaranteeing that the borrower will repay the loan. If the borrower defaults on the loan, the county will reimburse the bank a certain percentage of the loss. The result is that "tough" loans get made with private funds. Based largely on the Small Business Administration's 7a and 8a lending programs, this approach ensures that public dollars are not replacing private capital, while the County benefits from banks' underwriting criteria and expertise through integrating public and private efforts. The approach leverages the County's

low cost of capital and multiplies the impact of dollars earmarked for economic development by guaranteeing a loan delivered by traditional lenders rather than lending hard dollars.

The Small Business Loan Guarantee Program guarantees a portion of loans made by traditional lenders to those borrowers who would have otherwise been unable to access capital needed to grow. The outcome is a larger local pool of borrowers eligible for loans that foster growth and job creation in Cuyahoga County, while leveraging the expertise, systems, and infrastructure of traditional lenders.

The County and a network of participating lenders has developed a specific set of criteria for culling through declined applications, which are referred to the county's small business loan guarantee application process. For applicants who meet the banks' underwriting standards, and reinforced by the county's additional due diligence, credit may be extended to the borrower, contingent on securing traditional financing.

Eligibility

- Businesses with sales of \$500,000 - \$15 million in Cuyahoga County
- Businesses with at least a Three-Year track record
- No bankruptcies
- Pro-forma cash flow covers payment demonstrated
- Target industries in Five Year Economic Development Plan preferred (i.e. advanced manufacturing, energy, materials, devices, aerospace, controls, etc.)
- Ineligible business include firms involved in real estate investment, marketing and pyramid cooperatives, charitable organizations, religious institutions, and other non-profits.

Enhancement Amount

- Enhancement amount not to exceed \$500,000
- No ceiling on the bank loan amount
- Enhancement of up to 50% of the unguaranteed loan amount, but must be lower than the lender's risk.
- The enhancement is determined in part by a collateral shortfall analysis.

Enhancement Terms

- Up to 5 years – Owner Occupied (greater than 50%) Real Estate
- Up to 5 years – Equipment
- Personal guarantee required from any Borrower owner with greater than 20% ownership
- County establishes a reserve account for the guarantee
- Upon approval, the guarantee will commence 30 days from the date of that approval; however, closing may take place prior to guarantee.
- The lender shall make quarterly portfolio reports on the loan status (balance, delinquency, etc.) and any default immediately
- Lender must exhaust all collection efforts before making a claim on the guarantee.
- Lender supplies a claim form to access guarantee funds.

Eligible Uses

- Pilot Loans: Owner occupied Commercial Real Estate, expansion renovation
- Machinery and equipment, Working Capital and other uses will be considered as appropriate after initial pilot.
- Enhancing the unguaranteed portion of a Small Business Administration or other federally guaranteed loan.
- Loans cannot be used as part of a project that results in a reduction in employment (e.g. may not use proceeds to buy equipment which results in fewer employees)

Application Process

- Origination through bank/lenders' intake: loan terms negotiated between borrower and lender
- Borrowers complete lenders' standard loan application
- Additional County forms may be included in application (e.g. acknowledgement of County participation, program requirements, permissions, etc.)
- Lenders underwrite the requested loans. Lender does due diligence adhering to pre-approved joint (County-Lender) funding policy.
- Eligible applications are forwarded from bank underwriting teams after structuring, credit write-up and loan review to the County for review and approval.

Requirements

- Loan approval commitment documents from lender
- County approval is subject to potential for job creation and investment leverage
- Borrower will be required to execute a County Workforce Agreement
- 3% guarantee fee of the County's outstanding guarantee at close. Lender will assess its own fees.
- Upon guarantee approval, County sends lender notification and closing documents

Partners

- Participating lending institutions in Cuyahoga County
- The Small Business Administration

Performance Indicators

Dollars leveraged

\$10 (private) to \$1 (county) guarantee

Jobs Created

Total jobs added

Jobs added that are greater than county average salary

Revenue Generated

Annual assessment of new revenue created

Business Growth: Incumbent Worker Training

Overview: Background, Problem Statement and Rationale

Employers report that there are thousands of jobs in the county that go unfilled because of disconnect between the skills employers need and the skills job seekers possess.

Employment Connection is the pioneering workforce development collaboration between Cuyahoga County and the City of Cleveland. In recent years, it has received national acclaim for its effective delivery of federally funded job placement and occupational training by implementing an employer-driven strategy for workforce development. Federal funding limits Employment Connection's ability to implement some effective strategies, despite proven local need.

The workforce component of the Cuyahoga County Western Reserve Fund will provide employer-led training and education that enhances the skills of full-time incumbent workers, raising earnings for workers and revenues of businesses by increasing productivity and the quality of services.

Investment Strategy: Program Description, Purpose and Targeted Clusters

Incumbent Worker Training (IWT) is an employer-driven business service designed to develop a highly skilled workforce which will result in increased financial viability, stability and competitiveness.

Successful Incumbent Worker Strategies fill positions or skill set demand to meet employer need, and create a new job vacancy that can be filled by Employment Connections' existing federally funded strategies. The outcome is a higher skilled, better compensated employee, a newly employed non-incumbent, and a business better positioned to meet its strategic growth goals.

The strategy also has significant job retention and business retention benefits. IWT:

- **Improves employee performance** in quality, quantity, speed, safety, problem solving, attitude, ethics, motivation, leadership, and communication
- **Saves labor** by reducing duplication of effort, time spent on problem solving, and time spent on correcting mistakes
- **Saves money** by creating a higher skilled workforce. A better skilled workforce means fewer machine breakdowns, lower maintenance costs, lower staff turnover, lower recruitment costs, fewer bad debts, fewer customer support calls, fewer help desk calls, less need for supervision, reduced downtime, and increased worker productivity
- **Improves a company's competitive edge** because it is employer driven IWT can respond quickly to market trends and conditions as well as introduce new technology into the workplace
- **Improves customer satisfaction:** Better-quality work translates to improved products and services
- **Improves employee satisfaction and retention** of staff whose skill sets are enhanced as a result of their employer's investment in them are more likely to stay put. Their self-esteem improves, which in turn improves their morale in the workplace and their loyalty to their employer

Approach

Working within the context of the Fund, the County will partner with Employment Connection to deploy a competitive process for awarding IWT grants to successful company applicants. Companies applying for training grants must complete an application providing the following information:

- Specific strategies that will benefit workers and the local economy including but not limited to wage gains, attainment of credentials, retention and recruitment improvement
- How training supports competitiveness in the industry
- How are training needs assessed within the company
- Types of training to be delivered
- How training providers will be selected and how are they qualified to provide the training
- How workers are recruited and selected for training
- Activities supporting individuals in completing, utilizing and/or building upon the training being provided

Eligibility Requirements

- Businesses must be located in Cuyahoga County
- The business must be current on all Cuyahoga County tax obligations
- The business must register with the Cuyahoga County Inspector General's office
- Reimbursable training expenses include instructors' salaries, tuition, textbooks / manuals, materials and supplies

Terms

- Reimbursement based (must have approved application prior to training and reimbursement)
- 50% employer match
- Borrower must document job creation
- Borrower must execute County Workforce Agreement

Partners

- Employment Connection
- Area employers

Performance Measures

- Job retention of trained employees
- Wage gain of trained employees
- Number of new jobs created in Cuyahoga County

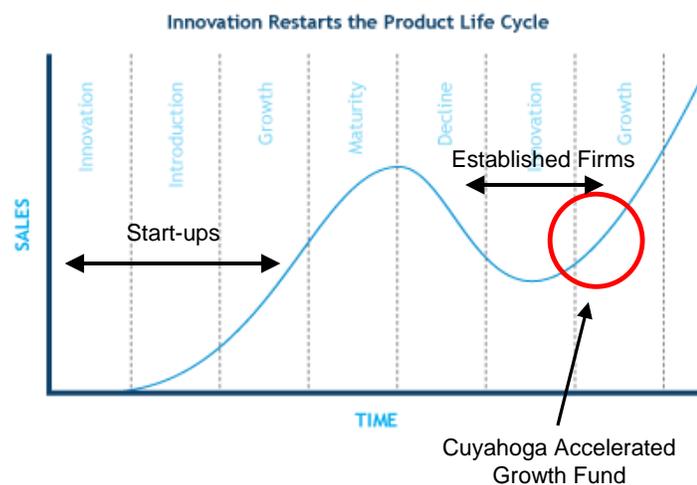
Business Growth: Accelerated Growth

Overview: background, problem statement, rationale

Northeast Ohio is an economic region in transition. Several industry sectors have undergone major restructuring as the result of new technologies and globalization. Despite lackluster economic performance, the region maintains a strong, innovative industrial base well positioned for economic growth and industry transformation. The region's rich asset base and continued industrial strength presents Cuyahoga County with a unique opportunity to revitalize its economy.

The foundational strengths of the Northeast Ohio industrial economy must evolve and adapt to new market realities. Companies must integrate new technologies and develop new competencies to remain competitive. Deploying innovations in precision manufacturing, material science, and chemical and mechanical engineering will foster a new paradigm for the region and drive economic growth.

Many industry sectors have responded and have begun to reinvigorate their innovative capacity. Across the region, innovative industry clusters such as the biosciences, advanced energy, instruments controls and electronics, and advanced materials have begun applying new technologies to streamline production and develop cutting edge, high value-adding products. This industrial evolution is transforming the regional economy and creating the conditions for growing the economy.



Advanced manufacturing will play a critical role in transitioning the regional economy. Small and medium sized manufacturers in particular are well positioned to deploy new technologies, adapt to new supply chains, and enter new growing markets. Achieving this transformation at a meaningful scale will require sophisticated and deliberate support systems and resources. Many manufacturing firms need help identifying specific market opportunities. Connecting companies to the appropriate business development and financial resources will enable them to move more rapidly into and advance the emerging clusters.

Cuyahoga County seeks to accelerate this growth and maximize the potential of businesses and industries already in the region. There are myriad organizations and initiatives that seek to build the networks that foster innovation and identify opportunities for growth. Businesses still need the means to take the critical next step. To that end, the county will fill a gap in the region's economic development ecosystem. The Fund will provide access to growth capital to those businesses that want to expand through acquisition, capturing new markets or diversifying their products and services.

Investment Strategy: program description, purpose, target customer-cluster industries

Companies seek growth capital to finance a transformational event in their life cycle. These companies are typically established businesses, able to generate revenue and operating profits but unable to generate sufficient cash to fund major expansions, acquisitions or other investments. These companies generally find few alternative conduits to secure capital for growth, so access to growth capital is critical to pursue necessary facility expansion, sales and marketing initiatives, equipment purchases, and new product development.

Financing Program

Candidates must be established small-to-medium sized (SMSs) businesses with growth potential. A company must complete an application detailing a description of the specific project. The application should also illustrate how the project will enhance growth, retain and create jobs. Companies will be assessed based on current operations, business development borrowing capacity, potential, product pipeline, commercialization process, management team, and compatibility with county industry clusters.

Use of Funds

Fixed Asset Financing

- Land & Building Acquisition
- Building Improvements/Renovations
- New Construction
- Purchase of Machinery & Equipment

Eligible Businesses

- Business Net Worth Less Than \$15 Million
- Business Profit After Tax Less Than \$5 Million
- Businesses must be located in Cuyahoga County
- The business must be current on all Cuyahoga County tax obligations
- The business must register with the Cuyahoga County Inspector General's office

Funding Terms

- Up to 40% of Total Project Cost may be financed
- Minimum Equity Requirement of 10% of total project cost
- Loan Sizes from \$150,000 to \$1,500,000
- 5 - 10 years leasehold improvements
- 7 - 10 on machinery and equipment
- Up to 15 years on land and building
- Below market rate financing (2% to 4%)
- Job Creation Requirement of 1 New Job for each \$35,000 of funding

- Reimbursable training expenses include instructors' salaries, tuition, textbooks / manuals, materials and supplies

Business Growth: Large Scale Attraction

Overview: background, problem statement, rationale

Cuyahoga County is fortunate to possess a highly sophisticated regional economic development system. There are several economic development organizations within Cuyahoga County focused on business attraction and expansion. However, navigating this system is time consuming and often frustrating for businesses that are seeking to locate or expand in Cuyahoga County. Moreover, to be a partner in this ecosystem, the County must have predictable resources to respond quickly when opportunity arises.

Economic development projects are funded primarily through owner equity and private bank financing, with public economic development funds available for “gap financing”. Oftentimes owner equity and conventional bank financing do not provide all of the funding that is needed for projects with significant economic development benefit. Meanwhile, companies seeking to grow or relocate are coveted: as regions work to retain their best employers, they are in competition with other regions seeking to attract those businesses that are poised to move.

Economic development financing tools exist to help fill this funding “gap” and provide incentives to attract and retain those businesses with dramatic economic impact and community benefit to the region. To respond to large scale attraction and retention opportunities that arise from marketing and participation in large scale growth and attraction efforts, gap financing and incentives must be predictably deployed.

Investment Strategy: program description, purpose, target industries

The Large Scale Attraction Loan Program provides businesses with financial assistance to support their job creation in Cuyahoga County. The Program is available to provide gap financing and incentives for large scale growth and attraction opportunities for communities within Cuyahoga County.

The program targets businesses in select industry clusters that create at least 100, new to Cuyahoga County, full time equivalent jobs with an average annual salary at or above the County median annual wage. Projects that create at least 100, new to Cuyahoga County, full time equivalent jobs with an average annual salary 1.5 times above the County median annual wage OR create at least 300, new to Cuyahoga County, full time equivalent jobs AND are willing to utilize 50% of the loan proceeds with vendors located in Cuyahoga County may be eligible for additional incentivization.

Primary Activities: investment structure and process

The program provides long term, fixed-rate financing at interest rates lower than conventional financing. Loans generally range from a minimum of \$200,000 to a maximum of \$3,000,000, up to forty percent (40%) of total project cost. Non-traditional repayment arrangements will be considered for the most catalytic and large scale opportunities. Loan terms are typically 1-3 years on working capital, 5-10 on leasehold improvements, 7 years on equipment and up to 15 years on land and building acquisition. The interest rate is typically between 1% and 7%.

Eligibility

- At least 100, new to the County, full time equivalent jobs with an average annual salary at or above the County median annual wage
- Businesses within the targeted industry clusters
- For-profit commercial, industrial or service businesses that expand or relocate to the County

- Demonstrated ability to repay the loan, maintain adequate collateral and acceptable credit
- County loan cannot exceed 40% of total project cost
- Evidence of other funding commitments must be provided

Terms

- Businesses must provide a minimum of ten percent (10%) equity
- The County will require a second-position mortgage with up to a 90% LTV, minimum DCR of 1.1 and personal and/or corporate guarantees
- Business Hazard insurance in the amount of the loan, naming Cuyahoga County as a loss payee

Requirements

- Borrower will be required to execute a County Workforce Agreement
- Project may be subject to payment of State of Ohio prevailing wages
- Borrowers could be required to repay the full amount of County loan if it moves, sells, fails to complete the project, or fails to create the requisite jobs

For the County to participate in New Market Tax Credit projects, the County's loan must be to the Leverage Lender and the corporate and/or personal guaranty must be outside the structure.

Fees: \$250 application fee, 1% loan commitment and origination fee, legal costs, and 1% annual servicing fee

Eligible Uses

Loan proceeds may be used for any legitimate business purpose, including working capital, machinery and equipment, acquisition of land and building, construction, renovations and tenant improvements. Loans cannot be used to refinance debt, purchase inventory or pay other non-capital costs. The County does not finance speculative real estate projects or projects without a committed end user.

Partners: leveraged funds and technical assistance

It is critical for the County to clearly identify its role within the regional economic development system, coordinate deal flow, and leverage regional and state resources in a highly efficient manner. This new county structure for economic development will help to align local efforts within the region, engage partners and coordination with the state. Developing strong collaborative partnerships with other economic development organizations will help the county to leverage its investments and ensure greater success. Within this new regional and statewide collaborative deal flow management system, the county has established a local Deal Team approach. Partners included:

- Team Neo (JobsOhio Partner)
- The Greater Cleveland Partnership
- The Fund for Our Economic Future
- The City of Cleveland
- The Cleveland-Cuyahoga County Port Authority

Performance Indicators: metrics, milestones

There are two sets of performance measures for the loan program: Primary and Secondary. Metrics are also distinguished between those that are directly, and indirectly a consequence of county activity and programs.

Primary Metrics

- Job Creation and Job Placements
- Business Leads Generated into Deals
- Dollars Leveraged
- Follow-on Funding
- Payroll Growth

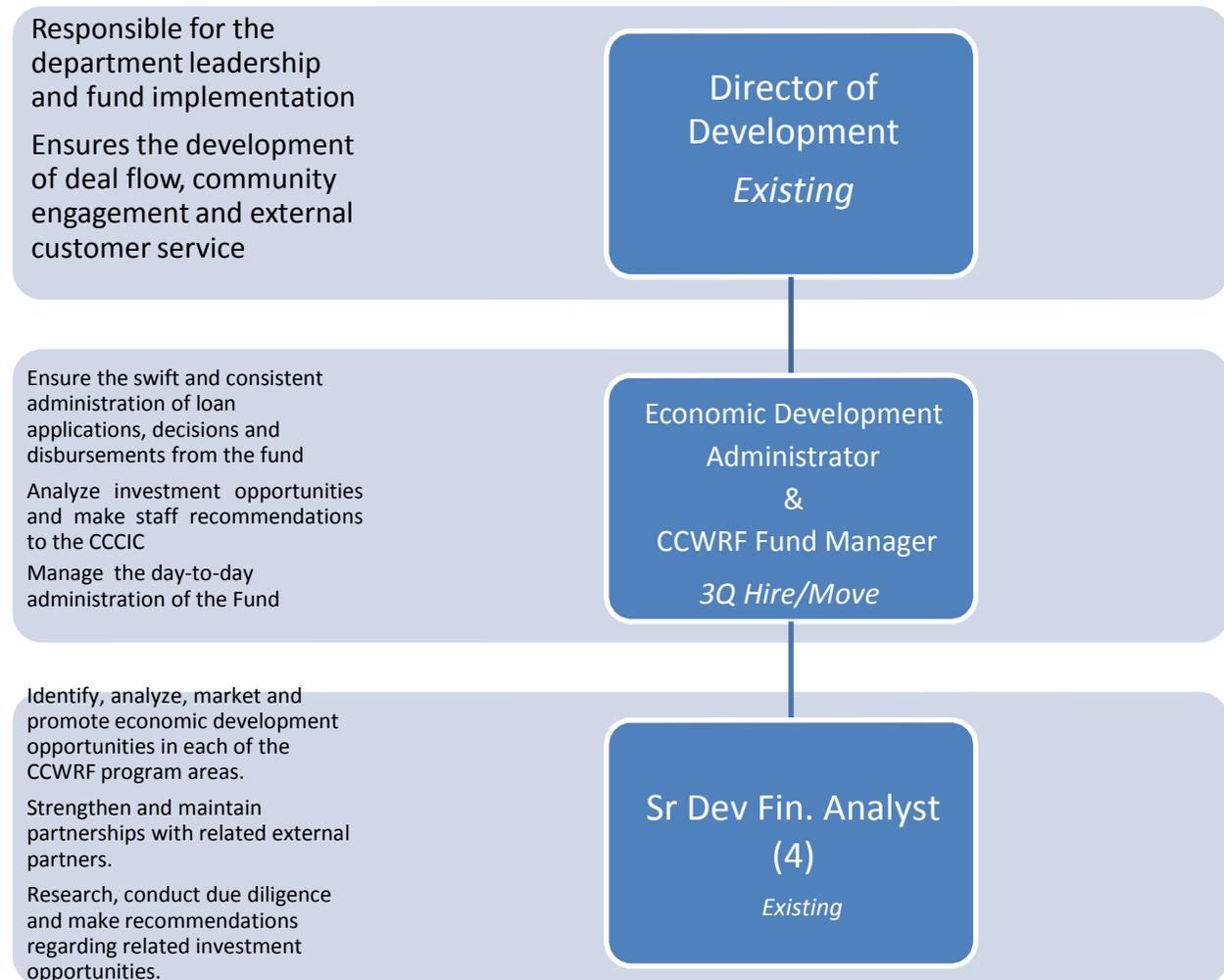
Secondary Metrics

- New Revenue Generated
- Tax Revenue: Sales, Property & Commercial Activity
- Exports
- Skilled Workforce

Management and Organization

County Staffing and Administration

The Department of Development will manage the Fund with budgeted staff resources. With internal moves and one new hire in 3Q 2012, the department has the staff in place to implement and administer the CCWRF.



Third Party Investment Review: Cuyahoga County Community Improvement Corporation (CCCIC)

The Cuyahoga County Community Improvement Corporation has been tasked with reviewing and making final funding recommendations for the Fund. Following their external review, applications are subject to the county contracting process.

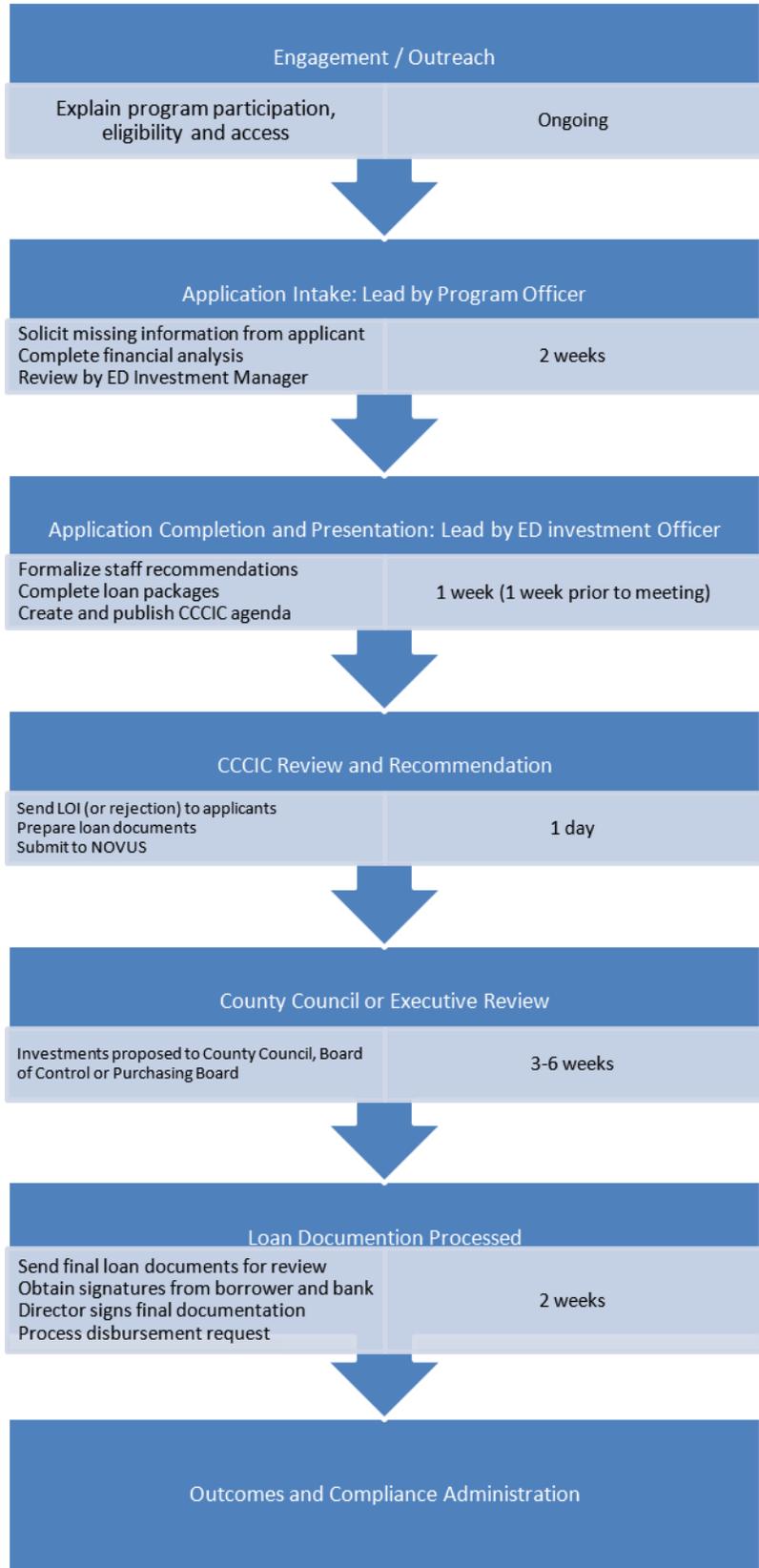
The Cuyahoga County Community Improvement Corporation (CCCIC) is an existing Community Improvement Corporation authorized by O.R.C. Title XVII, §1724 and §1702 for the sole purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development Cuyahoga County. The CCCIC board is Cuyahoga County's formal review agent for certain economic development loan financing requests. It meets in regular meetings open to the public. Consistent with Cuyahoga County Resolution #237321 (July 29, 1982), the CCCIC is composed of eleven Trustees. The CCCIC meets at least monthly (the chair has the ability to call special meetings if needed).

<i>Current Composition</i>	
Name	Affiliation – Expertise
Lenora Lockett	County – Office of Procurement and Diversity
Matt Rubino	County – Budget Director
Larry Benders	County – Economic Development Director
Wade Steen	County – Fiscal Officer
Dave Reines	County – Workforce Investment Board
Vacant	Private –
Jeffrey Bechtel	Private – Banking
Renee Richard	Private – Law
Vacant	Private –
Kirk Jacobson	Private – Banking
Richik Sarkar	Private – Attorney

State law requires that the five County nominations be elected or appointed officials within the county. Current vacancies have provided the opportunity for a change from the six private sector appointments being made directly by the Greater Cleveland Partnership to them being nominated by the Cuyahoga County Executive, in consultation with GCP, and approved by the Cuyahoga County Council. Further, the Trustees will now serve for three-year staggered terms.

The CCCIC is amending its Code of Regulations to reflect the County Charter, the board of Trustees composition recommended above, and to add appointment terms and term limits.

Application Review and Approval Process



Evaluation Criteria

Distribution of the Cuyahoga County Western Reserve Fund will be evaluated consistent with the tenets outlined in Investment Approach (p. 7). Because each program has different uses and users, universal application criteria do not exist. Since applications will be accepted on a rolling basis, they will not be scored against one another. Rather, investment opportunities will be evaluated for their impact. However, some programs may be competitive or have minimum qualification criteria before they are evaluated. Potential evaluation criteria include:

- Potential for Follow-on Funding
- Job Creation/Retention
- Exports Expected
- Potential for Patents Files
- Expected Program Income
- Expected Payroll Growth
- Skilled Workforce Growth
- Tax Revenue Increase
- Leverage
- Potential for Catalytic Results
- Potential for Place Creation
- Community's participation in Business Collaboration Agreement
- Credit
- Acres/Square Footage Returned to Productivity
- Impacted Residents
- Reuse of Existing Public Infrastructure
- Export Potential
- Workforce Development

The following score sheet is utilized by DoD staff, in conjunction with the application, to provide an early, quantitative measure of a project's strategic fit, eligibility, quality, community benefit and financial feasibility.

Cuyahoga County Western Reserve Fund Project Review Form

Project Name: _____

Fund Vertical: _____

Vertical Program: _____

Reviewer: _____

Date: _____

Council District: _____

This document reflects the review of a project's application to the Fund. Its purpose is to provide the DoD, across all verticals, programs and applications, with a uniform set of measures to ensure that each project is fully and fairly reviewed. It is to be used by DoD staff, in conjunction with the application, to provide an early, quantitative measure of a project's strategic fit, eligibility, quality, community benefit and financial feasibility.

Reviewer: Complete only one "Project Specific Measures" section.

CCWRF Project Review Form

Strategic Fit:

(__ of 15 points)

Narrative that describes how the project comports with our mission, the CCWRF and County ED Plan.

Universal Measures:

(__ of 5 points)

Is the project located or to be located in Cuyahoga County? (If Not , explain and justify)	
--	--

Taxes Current?	
----------------	--

Ethics statement signatory?	
-----------------------------	--

Workforce Agreement	
---------------------	--

Municipal Resolution of Support	
---------------------------------	--

Duly Organized in OH?	
-----------------------	--

Other Considerations?	
-----------------------	--

Project Specific Measures

(___ of 35 points)

Pre-Seed Program: North Coast Opportunities Technology Fund

Company Qualifications (0 - 11 points)	Industry	Is the applicant a high growth, technology company within a targeted industry sector (advance materials, biosciences, electronics, IT, advanced energy)? Is the company a JumpStart Entrepreneurial Network registered and supported company?
	Deal Stage	Does the company's fund raising to date exceed \$1.5 million? Has the company been selected for due diligence with any equity investors? Has the company successfully received funding from Jumpstart Ventures?
	Job Creation	Has the company identified key positions that need to be hired to sustain the growth of the business? Does the company appear to possess a feasible strategy for hiring essential personnel? Are the five-year employment projection in-line with the company's overall growth trajectory?
Score:	Other	
Company/ Opportunity (0 - 12 points)	Product	Breakthrough potential (vs. "a better mousetrap")? Protectable through patent, trade secret, or highly differentiated business model? Features and benefits clearly articulated?
	Market	Is the market well defined? Is there an urgent market need? Could the market grow to \$1B+ in 3-5 years? Is it a high-growth/hot market? If not currently hot or high growth, is there some fundamental change in the market that could help it become high growth? Does the entrepreneur have a feasible (if not yet perfectly formed) idea on how to go to market?
	Management	Is management experienced in the industry in question, committed to the business at hand (through working full time at the business), and apparently interested in growing the business rapidly through issuing equity/getting outside investors? Have they grown a company before and/or raised outside capital before?
	Venturability	Is the company likely to be able to attract venture capital investment in the future? Is it in a space that the venture community tends towards. Is the market and story compelling enough to attract future investors? Do they fit for the next stage (pre-seed)?
Score:	Other	
Project (0 – 12 points)	Will lead to funding	Will the completion of the project truly make the company more attractive to VC and pre-seed investors? Does it fill a very apparent gap for the company? Has a funding organization told the company that doing the project will make them more interesting for funding?
	Well planned and described	Does the description indicate that the company can plan and execute?
	Feasible	Given the company's resources, the availability of NCO funds and the time allotted, does the project appear to be feasible and likely to be completed successfully?
	Efficient and effective use of funds	Is the proposed project and associated project cost effective and efficient. (a project that costs half as much as an equivalently effective project should score higher)
Score:	Other	
Comments:		

Project Specific Measures

(___ of 35 points)

Next Stage Fund

Company Qualifications (0 - 9 points)	Industry	Is the applicant a high growth, technology company within a targeted industry sector (advance materials, biosciences, electronics, IT, advanced energy)?
	Deal Stage	Is the company a ventured backed company that has successfully raised \$5 to \$7 million? Is the company generating revenue? Are sales growing? Is the company within 12 to 18 months of cash flow positive?
	Job Creation	Has the company identified key positions that need to be hired to sustain the growth of the business? Does the company appear to possess a feasible strategy for hiring essential personnel? Are the five-year employment projection in-line with the company's overall growth trajectory?
Score:	Other	
Company/ Opportunity (0 - 14 points)	Product Intellectual Property	Breakthrough potential (vs. "a better mousetrap")? Protectable through patent, trade secret, or highly differentiated business model? Features and benefits clearly articulated? Does the company possess any patents, patent applications, or license agreements governing IP?
	Market	Is the market well defined? Is there an urgent market need? Could the market grow to \$1B+ in 3-5 years? Is it a high-growth/hot market? If not currently hot or high growth, is there some fundamental change in the market that could help it become high growth? Does the entrepreneur have a feasible (if not yet perfectly formed) idea on how to go to market?
	Financials/ Revenue	Are sale growing? Does the company have positive net worth? Does the company possess a positive cash balance? Does the company possess a sales pipeline that demonstrates feasible income projections? Does the company possess a strong sales forecast visibility?
	Management	Is management experienced in the industry in question, committed to the business at hand (through working full time at the business), and apparently interested in growing the business rapidly through issuing equity/getting outside investors? Have they grown a company before and/or raised outside capital before?
	Venturability	Is the company likely to be able to attract venture capital investment in the future? Is it in a space that the venture community tends towards. Is the market and story compelling enough to attract future investors? Do they fit for the next stage?
Score:	Other	
Project (0 – 12 points)	Will lead to funding or revenue	Will the completion of the project generate more revenue or make the company more attractive to follow-on investors? Does it fill a very apparent gap for the company? Has a funding organization indicated the project will make the company more fundable?
	Well planned and feasible	Does the description indicate that the company can plan and execute? Given the company's resources, the availability of funds and the time allotted, does the project appear to be feasible and likely to be completed successfully?
	Effective use of funds	Is the proposed project and associated project cost effective and efficient. (a project that costs half as much as an equivalently effective project should score higher)
Score:	Other	
Comments:		

Project Specific Measures		(___ of 35 points)
Commercial Property		
Property Reutilization / Redevelopment and Modernization		
Automatic Ineligibility		Yes/ No
End Use Commercial or Industrial	If not, then ineligible	
Commitment from End User?	Lease or Letter of Intent If not, then ineligible	
Is applicant responsible for the contamination of the site (PRP)?	If so, then ineligible	
Other		
Company Qualifications		(0 – 11 points)
Does applicant own or control property for project?	If not, explain	
Other		
Company/Opportunity		(0 – 12 points)
Targeted Industry Sector	List industry sector	
Is this an existing business located in Cuyahoga County?	Is Business Expanding? Is Business relocating to Cuyahoga County?	
Other		
Project		(0 – 12 points)
Have environmental assessments been completed?	Phase I ESA? Asbestos Survey?	
Is project located in targeted area?	CRA Improvement Zone ED Innovation Zone Disadvantaged Census Tract	
How long will project take to complete?		
For what purpose will County Assistance be used?	Environmental cleanup Demolition Acquisition (Not to exceed 25% of loan request) Infrastructure Site Clearance	
What is the total project cost?		
What is the % of County participation?		
Are any green/sustainable techniques being utilized in the redevelopment project?		
Other (add comments on additional pages)		

Project Specific Measures

(___ of 35 points)

Commercial Property

Property Reutilization / Site Expansion

Automatic Ineligibility	Yes/ No	
End Use Commercial or Industrial (Parking lots are ineligible)	If not, then ineligible	
Will project create at least 15 jobs within three years of completion?	If not, then ineligible	
Will 75% of new jobs go to County residents or local college graduates?	If not, then ineligible	
Is applicant responsible for the contamination of the site (PRP)?	If so, then ineligible	
Is property currently or formerly a gas station, solid waste facility or greenspace?	If so, then ineligible	
Is property eligible for the Ohio EPA's Voluntary Action Program?	If not, then ineligible	
Commitment from End User in place?	Lease or Letter of Intent? If not, then ineligible	
Other		
Company Qualifications	(0 – 11 points)	
Does applicant own or control property for project?		
Other		
Company/ Opportunity	(0 – 12 points)	
Targeted Industry Sector?		
Other		
Project	(0 – 12 points)	
Have environmental assessments been completed?	Phase I ESA Phase II ESA Remedial Action Plan Asbestos Survey	
Is project located in targeted area?	CRA Improvement Zone ED Innovation Zone Disadvantaged Census Tract	
How long will project take to complete?		
For what purpose will County Assistance be used?	Environmental cleanup Demolition Acquisition (Not to exceed 25% of loan request) Infrastructure Site Clearance	
What is the total project cost?		
What is the % of County participation?		
Are any green/sustainable techniques being utilized in the redevelopment project?		
Other (add comments on additional pages)		

Project Specific Measures

(___ of 35 points)

Commercial Property:

Property Reutilization / Redevelopment Ready

Automatic Ineligibility	Yes/No	
End Use Commercial or Industrial	If not, then ineligible	
Is applicant responsible for the contamination of the site (PRP)?	If so, then ineligible	
Is property currently or formerly a gas station, solid waste facility or green space?	If so, then ineligible	
Is property eligible for the Ohio EPA's Voluntary Action Program?	If not, then ineligible	
Other		
Company Qualifications	(0 – 11 points)	
Commitment from End User?	Lease or Letter of Intent	
Does applicant own or control property?	If not, explain	
Other		
Company/ Opportunity	(0 – 12 points)	
Targeted Industry Sector	List industry sector	
Is End User is existing business in Cuyahoga County	Is Business Expanding? Is Business relocating to Cuyahoga County?	
Other		
Project	(0 – 12 points)	
Have environmental assessments been completed?	Phase I ESA Phase II ESA Remedial Action Plan Asbestos Survey	
Is project located in targeted area?	CRA Improvement Zone ED Innovation Zone Disadvantaged Census Tract	
How long will project take to complete?		
For what purpose will County Assistance be used?	Environmental cleanup, Demolition Acquisition (Not to exceed 35% of loan request) Infrastructure (Not to exceed 15% of loan request) Site Clearance	
What is the total project cost?		
What is the % of County participation?		
Are any green/sustainable techniques being utilized in the redevelopment project?		
Other (add comments on additional pages)		

Project Specific Measures

(___ of 35 points)

Incumbent Worker Training

Projected Employer Outcomes		
The introduction of new technologies/ new production or service		
Improve the occupational skills of the employers' workforce		
Raise the skill level of workers that leads to promotion, increased earnings, transferability and mobility of skills		
Reduction in employee turnover or layoffs		
Increase production, productivity, efficiencies, and effectiveness for employer		
TRAINING ASSESSMENT	(0 – 11 points)	
How are training needs assessed in the company?		
How are workers recruited and selected for training?		
How will the training support competitiveness in your industry?		
TRAINING CURRICULUM	(0 – 12 points)	
Type of Training		
Training curriculum and process identifies the following: description of what is being taught, # of hours/day, total length of training and supporting activities		
How will the training provider be selected / How are they qualified to provide the training?		
Summary of need for training		
EMPLOYER EXPECTATIONS	(0 – 12 points)	
Training will create opportunity for "backfilling" positions (new jobs)		
Employer will offer promotions or wage increases as a result of training and career advancement		
Employer agreed to list all jobs & future openings with Employment Connection		
Company requires training to remain competitive in industry		
Employees will receive a certification and /or credential as a result of the training		
Other (add comments on additional pages)		

Project Specific Measures

(___ of 35 points)

Business Growth

Accelerated Growth

Automatic Ineligibility	Yes/ No	
End Use: Commercial or Industrial	If not, then ineligible	
Will project create one job per \$35,000 of requested loan	If not, then ineligible	
Other		
Company Qualifications	(0 – 11 points)	
Commitment from End User	Lease or Letter of Intent	
Does Applicant own or control property?	If not, explain	
Other		
Company/Opportunity	(0 – 12 points)	
Is business currently located in Cuyahoga County?	Is this an expansion? Are they relocating to Cuyahoga County?	
Targeted Industry Sector	What sector?: (aerospace, automotive, bioscience, healthcare, energy, R&D, steel, food processing, IT, financial, plastic, etc.)	
Other		
Project	(0 – 12 points)	
Is project located in targeted area?	CRA, Improvement Zone, ED Innovation Zone, Disadvantaged Census Tract?	
How long will project take to complete?		
For what purpose will County Assistance be used?	Working capital, Leasehold improvements, Building renovations, Acquisition, Machinery & Equipment	
What is the total project cost?		
What is the % of County participation?		
Other		

Comments:

Project Specific Measures

(___ of 35 points)

Business Attraction

Large Scale Attraction

Automatic Ineligibility

Yes/ No

End Use:
Commercial or Industrial

If not, then ineligible

Will project create 100 jobs with salaries at or above average County wage?

If not, then ineligible

Other

Company Qualifications

(0 – 11 points)

Commitment from End User

Lease or Letter of Intent

Does Applicant own or control property?

If not, explain

Other

Company/Opportunity

(0 – 12 points)

Is business currently located in Cuyahoga County?

Is this an expansion?
Are they relocating to Cuyahoga County?

Targeted Industry Sector

What sector?: (aerospace, automotive, bioscience, healthcare, energy, R&D, steel, food processing, IT, financial, plastic, etc.)

Other

Project

(0 – 12 points)

Is project located in targeted area?

CRA, Improvement Zone, ED Innovation Zone, Disadvantaged Census Tract?

How long will project take to complete?

For what purpose will County Assistance be used?

Working capital, Leasehold improvements, Building renovations, Acquisition, Machinery & Equipment

What is the total project cost?

What is the % of County participation?

Other

Comments:

Community Benefits:		(___ of 30 points)
Job Impact		(0 – 15 points)
Jobs created		
Jobs retained		
Wages relative to County average		
Connectivity – Is project located along public transportation?		
Is project located in an area experiencing greater than avg. unemployment?		
Willing to use County employment resources (e.g. Veterans, WIA, TANF, MRDD)		
Jobs Other		
Funding		(0 – 7 points)
% of County incentive to be used to “buy local/regional”		
% participation by DBE/SBE		
Project leverages adjacent projects/investments?		
Municipal, State or Federal financial/program participation		
Neighborhood Impact		(0 – 8 points)
Acres and/or square feet returned to reuse		
Has property been vacant or abandoned greater than five years?		
Diversity/Inclusion		
Community Need		
Smart Growth – Mixed use?		
Compact building design?		
Redevelopment in existing community?		
LEED/Green/Sustainability		
Neighborhood Impact Other		
Comments:		

Collaboration		(___ of 6 points)
Participation		
Protocol-Signatory Community (3 points) <u>OR</u>		
Business attraction alternative to Protocol (1 point)		
Active Economic Development Participant (0-3 points)		
Comments :		

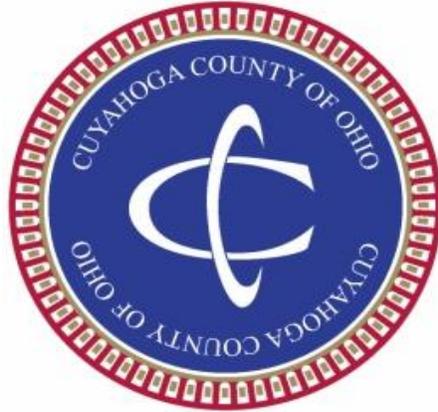
Financial Feasibility:**(___ of 10 points)**

Financial Statements (3 years)	
3-year Proforma (real estate only)	
Sources and Uses	
% of Owner investment in the project	
Loan to Value (LTV)	
Debt Coverage Ratio (DCR)	
Corporate guarantee(s)	
Personal guarantee(s)	
% Equity	
Evidence of other Private funding commitments	
Net worth of company	
Sales Growth and/or Industry outlook	

Other Considerations?

TOTAL:**(___ of 101 points)**

Appendix II

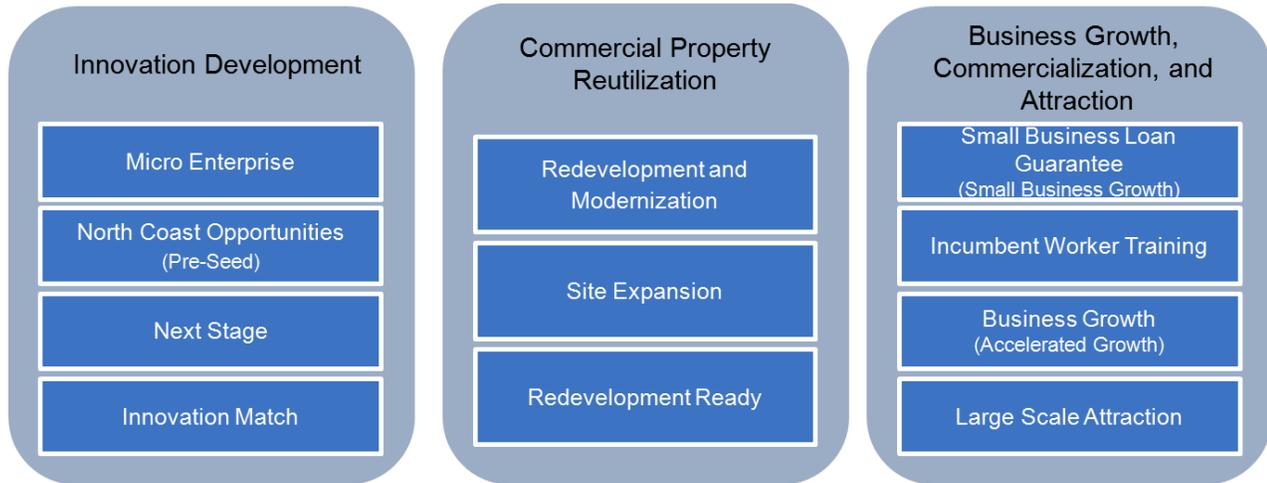


Cuyahoga County Western Reserve Fund

Economic Development Programs
Department of Development
2013

CCWRF: Three Priority Areas-Verticals

There are three priority areas for investment available countywide, each with distinct programs:



Innovation Development

Micro Enterprise	North Coast Opportunities (Pre-Seed)	Next Stage Fund	Innovation Match
Finances Business Too Small or Newly Established for Traditional Lenders	Early Stage Funding to Accelerate Growth and Attract Investors	Invests in Companies Primed for Full Commercial Launch	Provides Local Match Required by Federal and State Innovation Grants

These four programs are designed to nourish early stage companies. By channeling capital to promising companies with a pipeline of inventive products and services, the county adds critical funding to the creative mixture of concepts, employees and management.

Commercial Property Reutilization, Expansion and Acquisition

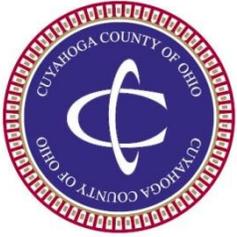
Redevelopment and Modernization	Site Expansion	Redevelopment Ready
Finances Existing Site Improvements, Including Modernization	Finances Environmental Cleanup of Sites Adjacent to Existing End-User	Finances Environmental Cleanup of Underutilized Sites With or Without End Users

Firms that are growing need to modernize and expand. These resources swiftly address that need for successful companies already in Cuyahoga County, and help them grow in place. Furthermore, local dollars present the opportunity to leverage federal and state grants already in place for remediation.

Business Growth, Commercialization and Attraction

Small Business Loan Guarantee (Small Business Growth)	Incumbent Worker Training	Business Growth (Accelerated Growth)	Large Scale Attraction
Increases Access to Conventional Lending Market	Reimburses 50% of Expenses for Retraining Workers	Capital for Expansion Via Acquisition, New Markets and Diversification	Gap Financing and Incentives for Large Scale Growth and Attraction

The greatest source of potential job growth lies in small business. The four program portfolio addresses needs gleaned from active engagement with loaned executives, economic development professionals and transition volunteers.



Department of Development CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Microenterprise Revolving Loan Fund
Launch Date: 02/01/2013
CCWRF Vertical: Innovation Development

OVERVIEW

Cuyahoga County created the MicroEnterprise Revolving Loan Fund (MRLF) for the purpose of providing access to capital and financial counseling for microenterprise businesses and entrepreneurs unable to obtain traditional financing. The MRLF provides microloans to qualified small businesses that can be capitalized with modest loans and can attain traditional financing within three to five years. The MRLF is an effort to grow the number and size of enterprises owned by economically isolated populations, expand access to capital for underserved communities, and sustain a capital system that generates economic opportunities for all residents. The County entered into a contract with the Economic and Community Development Institute (ECDI) to administer the MRLF and providing technical assistance to startup and established small businesses.

1. Use of Funds:

- a. Establishment of new businesses. (less than one year of operations)
- b. Expansion of existing businesses (1 or more years of operations)
- c. Purchase of equipment, machinery, or supplies/inventory
- d. Startup operating costs/working capital (limited to no greater than 50% of total loan request)
- e. Debt refinancing – must demonstrate cost savings to the business

2. Eligibility:

- a. For-profit business located in Cuyahoga County with revenues typically less than \$500,000
- b. Must have a credit score above 600 and be current with all taxes
- c. Must provide personal guarantee and sufficient collateral to secure the loan
- d. The borrower is required to participate in business training and technical assistance programs

3. Application and Review:

- a. Application information includes but is not limited to: Complete ECDI Application Form and provide business plan, balance sheet and profit and loss statement, existing and projected monthly cash flow, sources and uses of funds, existing debt schedule, personal financial statements, verification of costs/invoices in proposed use of funds, verification of collateral
- b. Loan Approval:
 - i. Loans under \$25k receive internal approval from ECDI senior management: Cleveland Market VP along with President & CEO review and approve.
 - ii. Loans over \$25k are referred to a Cleveland based ECDI Loan Review Committee (LRC) – Cleveland based ECDI Relationship Manager presents underwriting to the LRC, who approve along with the President & CEO.

- 4. Partners:** ECDI is a nonprofit economic development organization based in Columbus, Ohio with an office located in Cleveland focused on micro lending in Cuyahoga County. ECDI is a US Treasury Department certified Community Development Financial Institution and is the 7th largest US Small Business Administration intermediary microlender in the country. Additionally, ECDI has a formalized loan referral program with Huntington Bank, KeyBank, PNC Bank, and US Bank.

The County's support for ECDI is coordinated with Huntington Bank, The Cleveland Foundation, Federal Reserve Bank of Cleveland, US Small Business Administration, and the City of Cleveland.

TERMS

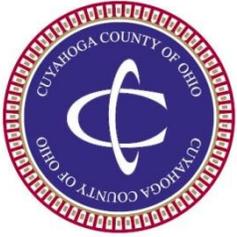
- 1. Loan Amount:** \$15,000 to \$100,000
- 2. Interest Rate:** up to 7.25%
- 3. Term/Repayment:** 6 to 60 months
- 4. Forgiveness Terms:** N/A
- 5. Security/Collateral/Guarantor(s):** Priority Lien on Business Assets, Personal Guarantees

METRICS

- 1. Jobs Created/Retained:** Create 25 jobs with a minimum of 11 low to moderate-income jobs
- 2. Economic Impact:** Leverage County funding at a ratio of at least 1:1, making an additional \$456,500 in loan capital available to Cuyahoga County entrepreneurs
- 3. Community Benefit:** Provide pre- and post-loan technical assistance to both potential borrowers and portfolio companies in the form of one-on-one help with finalizing the business plan, cash flow analysis, financial projections, profit-and-loss statements, and budgeting.

LAUNCH

The County executed contract CE1300019 for \$550,000 with the Economic and Community Development Institute (ECDI) for the purpose of administering the Cuyahoga County MRLF and providing technical assistance to startup and established small businesses. ECDI is a nonprofit economic development organization based in Columbus, Ohio with an office located in Cleveland focused on micro lending in Cuyahoga County. ECDI will manage a \$456,000 microloan fund. ECDI will make 5 to 30 loans, ranging from \$15,000 to \$100,000. All principal and interest repayments will be revolved into the loan fund and relent to new entrepreneurs. Additionally, ECDI will provide technical assistance and financial counseling opportunities to help businesses optimize operations and improve the ability to generate cash flow and pay back the loan.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: North Coast Opportunities Technology Fund (Pre-Seed)
Launch Date: 01/24/2012
CCWRF Vertical: Innovation Development

OVERVIEW

Cuyahoga County created the Pre-Seed Fund to accelerate technology-based entrepreneurship, create new high paying jobs, and increase the flow of private investment to Cuyahoga County technology companies. Known as the North Coast Opportunities (NCO) Technology Fund, Cuyahoga County established the program as a regional collaborative approach to support the development of early stage companies that are well positioned for future capital investment. The County works with partners to identify and vet companies. The program provides payment-deferred, low interest loans to complete a specific project that will make the company more attractive to investors.

1. Use of Funds:

- a. Equipment, machinery, or supplies/inventory
- b. Prototype development and testing/clinical trials
- c. Software development
- d. Creating and protecting intellectual property, regulatory approval

2. Eligibility:

- a. Must be a high growth, technology company with prospects for raising venture capital in the future
- b. Must be located in or planning to move to Cuyahoga County
- c. Must be a JumpStart registered company (www.jumpstartinc.org/Request)
- d. Companies engaged in due diligence or received investment more than \$1.5 million are not eligible

3. Application and Review:

- a. Submit a brief description of the specific project that funding is being sought and illustrate how the project will bring the company closer to venture or seed stage funding
- b. The NCO Selection Committee (JumpStart Entrepreneurial Network Director, Entrepreneurs-in-Residence, the MAGNET Incubator Director and Entrepreneurial Expert, and a Cuyahoga County representative) score the Companies with the highest potential for attracting future capital investment
- c. Recommendations are reviewed and approved by the appropriate County approval body consistent with County contracting process

- 4. Partners:** Jumpstart is a nonprofit economic development organization that provides intensive assistance to Northeast Ohio based early stage, high growth potential companies. Jumpstart works with companies to achieve milestones such as raising capital, generating revenues, testing commercial viability, and market launch. Jumpstart also selectively invests in the highest potential companies with breakthrough, market-driven technologies.

TERMS

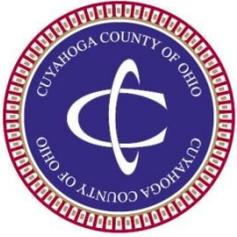
1. **Loan Amount:** Loans range from \$25K- \$125K, with typical loans in the \$50-75K range
2. **Interest Rate:** Typically the interest rate is 5.00% fixed for the term of the loan
3. **Term/Repayment:** Five (5) years or sixty (60) with a five (5) year deferment. Payments of principal and interest shall be deferred until the earlier of (i) the occurrence of a Financing Event in an amount, separately or in the aggregate, equal to or exceeding One Million Five Hundred Thousand Dollars (\$1,500,000), (ii) the last day of the sixtieth (60th) full month following the first Disbursement Date, or (iii) a declaration of default by the County.
4. **Forgiveness Terms:** N/A
5. **Security/Collateral/Guarantor(s):** The County will secure a first position UCC Financing Statement on all company assets in the amount of the loan.

METRICS

1. **Jobs Created/Retained:** The program does not require but anticipates the creation of jobs over five years with an increase in average annual salary above the County median wage. All companies are required to execute a workforce cooperation agreement.
2. **Economic Impact:** The program leverages at least a 1 to 1 match in terms of technical assistance received from Jumpstart, Inc. through the Ohio Third Frontier Entrepreneurial Signature Program.
3. **Community Benefit:** Accelerate the development of early-stage companies in Cuyahoga County, create high paying jobs, and increase the flow of private investment.

EXAMPLE

Zuga Medical, Inc. is a dental device manufacturer that has designed a new innovative dental implant system that offers a simplified design compared to conventional procedures for replacing a missing tooth. The system allows dental professionals to reduce chair time, eliminate outsourced patient and laboratory services, and allow general dentists to perform the complete patient service with fewer visits. Zuga Medical received a \$100,000 NCO Loan to manufacture and assemble components for the dental implant tooling system and apply for FDA regulatory approval. The project leveraged \$100,000 from the GLIDE Innovation fund and \$50,000 from the City of Cleveland through the NASA Adopt a City Initiative with MAGNET, Inc. Subsequently, Zuga Medical was selected for due diligence for a \$250,000 investment from Jumpstart Ventures. The company anticipates increasing its annual payroll by \$1,600,000 within five years and creating 25 jobs.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Next Stage Fund
Launch Date: 01/08/2013
CCWRF Vertical: Innovation Development

OVERVIEW

Cuyahoga County created the Next Stage Fund to provide capital to market-ready high-growth companies well positioned to achieve rapid commercial sales growth. The goal of the program is to support and retain maturing high growth companies, accelerate commercialization, increase business revenue growth, and create high paying jobs. The Next Stage Fund builds on the success of the NCO Technology Fund and leverages the pipeline of companies within the Northeast Ohio Entrepreneurial Network. The program allows the County to transform innovative and high-growth commercial opportunities into viable businesses.

1. Use of Funds:

- a. Land and/or building purchase - the business must occupy at least 51% of the premises
- b. Purchase of equipment, machinery, or supplies/inventory
- c. Building construction and/or renovation costs - business must occupy at least 60% of the premises
- d. Long-term leasehold improvements
- e. Software development
- f. Creating and protecting intellectual property
- g. Working capital

2. Eligibility:

- a. Must be a high growth, technology-oriented company with consistent revenue growth
- b. Must be within 12 to 18 months of positive cash
- c. Must be located in or commit to move to Cuyahoga County by loan closing
- d. Must be a ventured backed company that has successfully raised \$5 to \$7 million
 - i. Cuyahoga County seeks to provide follow on financing that leverages existing investment
- e. Must commit to creating 10 to 20 new jobs within three years

3. Application and Review:

- a. Application information includes but is not limited to:
 - i. Business Information: operational history, description of target market, products and services, detailed IP description and position/patents
 - ii. Financial Information: income statement and balance sheet for past three fiscal years, capitalization table with ownership, sale projections for two years, customer pipeline analysis
 - iii. Project Information: project summary with time table and milestones, sources and uses of funds with detailed project plan, job creation and revenue growth plan
- b. Loan Review/Approval:

- i. Applications will receive preliminary review by County DOD based on but not limited to factors such as: the number of high-value jobs created, level of risk associated with the commercialization, ability to attract follow on investment, ability to repay the loan
- ii. After preliminary review, applications are referred to Jumpstart, Inc. for due diligence. Jumpstart prepares an investment memo to the County. Upon completion, the investment memo is reviewed by DOD and then presented to the CCCIC for a funding recommendation to the appropriate County approval body (Council or BOC).

4. Partners: Jumpstart is a nonprofit economic development organization that provides intensive assistance to Northeast Ohio based early stage, high growth potential companies. Jumpstart works with companies to achieve milestones such as raising capital, generating revenues, testing commercial viability, and market launch. Jumpstart also selectively invests in the highest potential companies with breakthrough, market-driven technologies.

TERMS

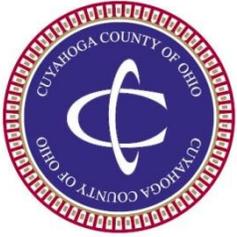
- 1. **Loan Amount:** up to \$700,000
- 2. **Interest Rate:** up to 7.00% with a 5.00-10.00% success fee
- 3. **Term/Repayment:** Three (3) years or thirty-six (36) months with two (2) one (1) year extension options to be granted based upon achieving defined project milestones and exercised at the sole discretion of the County. Interest only payments for up to twelve (12) months, with the balance of the loan becoming fully amortizable in the thirteenth (13th) month and continuing over the remaining term of the loan.
- 4. **Forgiveness Terms:** N/A
- 5. **Security/Collateral/Guarantor(s):** Priority Lien on Business Assets, Personal Guarantees may be required

METRICS

- 1. **Jobs Created/Retained:** Create 10-20 jobs with an average annual wage above the County average
- 2. **Economic Impact:** Help companies achieving year over year revenue growth of 30% or more and attract at least \$2 million in follow-on funding.
- 3. **Community Benefit:** Support and retain maturing high growth companies, accelerate commercialization, increase revenue growth, and create high paying jobs. The Next Stage Fund builds on the success of the NCO Technology Fund and leverages the pipeline of companies within the Northeast Ohio Entrepreneurial Network.

EXAMPLE

Sparkbase, Inc. is a financial software company that developed a leading loyalty processing and customer marketing solution for merchants. Sparkbase developed a unique software-as-a-service processing network for specialty gift cards, customer loyalty, and community rewards programs. Sparkbase was approved for a \$700,000 Next Stage Fund Pilot Loan to build and deploy loyalty solutions directly to large scale merchants and launch its loyalty marketing solutions in 6 to 8 new markets. Sparkbase will create 15 jobs, achieve year over year growth of 40% and raise an additional \$7 million dollars in follow on funding over three years.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Innovation Match Fund
Launch Date: 1/24/2012
CCWRF Vertical: Innovation Development

OVERVIEW

The Cuyahoga Innovation Match Fund (CIMF) is a flexible source of funding to ensure that research and development efforts in Cuyahoga County result in commercial products that help drive economic growth. The goal of the CIMF is to attract large, nationally designated and highly visible corporate, non-profit, and federal research and development centers or laboratory facilities in Cuyahoga County. The objective is to accelerate the movement of new technology developed by county based institutions and businesses to the commercial market in sectors important to the county's economy. The CIMF provides local match for the establishment of technology development centers of excellence that are part of a state or federal funding opportunity.

1. Use of Funds:

- a. Land and/or building purchase
- b. Purchase of equipment, machinery, or supplies/inventory
- c. Building construction and/or renovation costs
- d. Long-term leasehold improvements

2. Eligibility:

- a. The center must be sponsored by an existing anchor institution and leverage research investments and core competencies in Cuyahoga County
- b. The center must have direct application for key industry clusters within Northeast Ohio and private industry participation
- c. The center must demonstrate direct, short-term job creation and economic development impact for Cuyahoga County
- d. The proposal must achieve at least a \$20 to \$1 leverage

3. Application and Review:

- a. Application includes but not limited a description of the specific project that funding is being sought, illustrating how the project will bring the center closer to being established in Cuyahoga County and leverage new business attraction, job creation, as well as other grant awards
 - i. The Center description should include purposes and activities, budget, technological focus, duration of the award, integration and collaboration with County based research institutions and industry and evidence that local match cost share is an evaluation factor for the award
- b. After preliminary review, applications will be referred to regional technology based economic development organizations for due diligence review. Upon completion, an investment package be presented to the appropriate County Council for approval.

4. **Partners:** Northeast Ohio possesses a national recognized technology based economic development system made up of a robust network of support organizations working together to commercialize new technologies. The County partners with organizations like Jumpstart, BioEnterprise, Nortech, and MAGNET to assess and vet new innovation and research opportunities that will directly lead to economic development investment and job creation.

TERMS

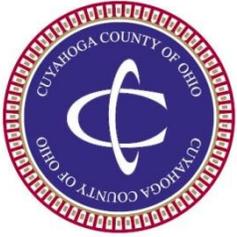
1. **Grant Amount:** maximum amount \$300,000
2. **Interest Rate:** 0.00%
3. **Term/Repayment:** N/A (Grant) – Grantee could be required to repay the full amount of County loan if it fails to complete the project, moves, or fails to create the requisite jobs
4. **Forgiveness Terms:** 100%
5. **Security/Collateral/Guarantor(s):** The County will secure a first position UCC Financing Statement and/or mortgage on the asset being financed.

METRICS

1. **Jobs Created/Retained:** The program requires job creation of 1 new job for each \$35,000 of funding with an average annual salary above the County median wage. The Grantee will be required to execute a workforce cooperation agreement.
2. **Economic Impact:** The program will leverage at least a \$20 to \$1 match in terms of the direct funding award for the establishment of a technology development center of excellence.
3. **Community Benefit:** Accelerate the rate of innovation in the Cuyahoga County and leverage the region's institutional and industrial strengths through a strategic place-based economic development plan.

EXAMPLE

In 2011, the County was notified about federal funding opportunity through NASA to establish the International Space Station (ISS) National Laboratory in Cleveland, Ohio. The NASA RFP sought a non-profit entity to develop and manage the ISS Laboratory. The proposed award was for 10 year at \$150,000,000. The County supported the proposal of the Universities Space Research Association (USRA) and Battelle Memorial Institute to operate the NASA ISS National Laboratory in Cuyahoga County. The joint proposal called for the creation of 25 senior research positions initially at approximately \$140,000 compensation per position. The County offered a \$300,000 local match for the project that was earmarked for a "space translational incubator" to support the technology commercialization efforts at the ISS National Lab. Partners in the proposal included Case Western Reserve University, the Cleveland Clinic, University Hospitals, PolyOne, and several other key industry and research institutions. Unfortunately, the proposal was ranked second and did not receive the award from NASA.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Redevelopment and Modernization
Launch Date: 1/24/2012
CCWRF Vertical: Commercial Property Reutilization

OVERVIEW

This partially-forgivable loan program will provide financing to for-profit entities with committed end users for existing site improvements, including asbestos abatement and tenant improvements, as well as the modernization of buildings located in Cuyahoga County. Private developers and/or businesses are eligible; however, in all cases, the applicant must be the borrower and must own the property. A firm commitment from an end user for the project satisfactory to the County must be provided at time of application. Projects with tax-exempt end uses are not eligible.

1. Use of Funds:

- a. Acquisition (maximum 25% of loan)
- b. Asbestos and/or lead-based paint abatement
- c. Building renovations
- d. Demolition

2. Eligibility:

- a. For-profit businesses within the targeted industry clusters
- b. Demonstrated ability to repay the loan, maintain adequate collateral and acceptable credit
- c. Evidence of other funding commitments must be provided

3. Application and Review:

- a. Applications are issued to prospective borrowers after meeting with DOD staff.
- b. Loan Review/Approval:
 - i. Applications will be reviewed by County DOD based on but not limited to factors such as: the number of high-value jobs created, level of risk associated with the loan, project readiness
 - ii. After review, applications are considered by the Cuyahoga County Community Improvement Corporation (CCCIC) Economic Development Loan Committee, which can recommend approval of the loan to County Council.

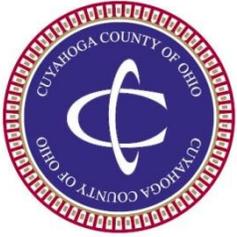
TERMS

- 1. Loan Amount:** up to \$1 million
- 2. Interest Rate:** 4.00%
- 3. Term/Repayment:** Maximum ten-year term
- 4. Forgiveness Terms: Up to 35% of the loan may be forgiven.** The forgivable portion of the loan is reduced in equal amounts over a seven-year period following the completion of the project.
 - Project location in Business Attraction Agreement Community or identified area of economic growth (up to 10%).

- Projects with known end users can receive a job creation credit of 1% per job created above the average County wage (up to 15% total forgiveness). Borrower must execute County Workforce Agreement.
- A minimum of 50% of the loan proceeds must be spent with Cuyahoga County vendors to receive 10% loan forgiveness.

5. Security/Collateral/Guarantor(s): Second priority-position mortgage, corporate and/or personal guarantees

PROJECT EXAMPLE: Lincoln Electric Company relocation of Tech Alloy operations to Euclid Plant. The County provided two low-interest, partially forgivable, \$1 million loans (total \$2 million), to assist with the building renovations necessitated by the acquisition and relocation of Tech Alloy from Maryland. The project will retain 1,800 FTEs in the County and create at least 100 new FTEs.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Site Expansion
Launch Date: 1/24/2012
CCWRF Vertical: Commercial Property Reutilization

OVERVIEW

This fully-forgivable loan program will provide financing to for-profit entities with committed end users for the environmental cleanup and demolition of abandoned, vacant and otherwise underutilized properties that are adjacent to the existing committed end user in Cuyahoga County. Job creation and an increase in property values are expected outcomes of remediation and redevelopment. Parties responsible or potentially responsible for the environmental contamination at a site are not eligible for assistance.

1. Use of Funds:

- a. Acquisition (maximum 25% of loan)
- b. Environmental assessments and remediation
- c. Demolition and site clearance

2. Eligibility:

- a. For-profit businesses within the targeted industry clusters that are expanding onto an adjacent parcel
- b. Demonstrated ability to repay the loan, maintain adequate collateral and acceptable credit
- c. Evidence of other funding commitments must be provided
- d. Must obtain Ohio EPA No Further Action Letter for cleanup

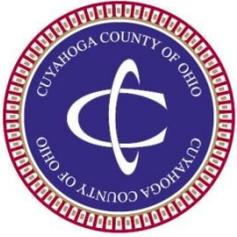
3. Application and Review:

- a. Applications are issued to prospective borrowers after meeting with DOD staff.
- b. Loan Review/Approval:
 - i. Applications will be reviewed by County DOD based on but not limited to factors such as: the number of high-value jobs created, level of risk associated with the loan, project readiness
 - ii. After review, applications are considered by the Cuyahoga County Community Improvement Corporation (CCCIC) Economic Development Loan Committee, which can recommend approval of the loan to County Council.

TERMS

- 1. Loan Amount:** up to \$500,000 (1 job created per \$25,000 in funding)
- 2. Interest Rate:** 0.00%
- 3. Term/Repayment:** Maximum ten-year term
- 4. Forgiveness Terms:** Up to 100% of the loan may be forgiven, provided that the Ohio EPA VAP No Further Action Letter is obtained, and the requisite number of jobs is created on the expansion site. The forgivable portion of the loan is reduced in equal amounts over a seven-year period following the completion of the project.
- 5. Security/Collateral/Guarantor(s):** Second priority-position mortgage, corporate and/or personal guarantees

PROJECT EXAMPLE: Great Lakes Towing Company expansion project. The County provided a fully-forgivable \$500,000 loan to facilitate the acquisition and environmental cleanup of adjacent property for the expansion of the tug boat manufacturing operations in Cleveland. The project retained 50 FTEs and created over 20 new FTEs.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Redevelopment Ready
Launch Date: 1/24/2012
CCWRF Vertical: Commercial Property Reutilization

OVERVIEW

This partially-forgivable loan program will provide financing to for-profit entities with or without end users for the environmental cleanup and demolition of abandoned, vacant, and otherwise underutilized properties in Cuyahoga County. Private developers and/or businesses are eligible; however, in all cases, the applicant must be the borrower and must own the property. If an end user has been identified for the project site, commitment of end user in form and substance satisfactory to the County must be provided at time of application. Parties responsible or potentially responsible for the environmental contamination at a site are not eligible for assistance.

1. Use of Funds:

- d. Acquisition (maximum 35% of loan)
- e. Environmental assessments and remediation
- f. Infrastructure (maximum 15% of loan)
- g. Demolition and site clearance

2. Eligibility:

- e. For-profit businesses within the targeted industry clusters
- f. Demonstrated ability to repay the loan, maintain adequate collateral and acceptable credit
- g. Evidence of other funding commitments must be provided
- h. Must obtain Ohio EPA No Further Action Letter for cleanup

3. Application and Review:

- a. Applications are issued to prospective borrowers after meeting with DOD staff.
- b. Loan Review/Approval:
 - i. Applications will be reviewed by County DOD based on but not limited to factors such as: the number of high-value jobs created, level of risk associated with the loan, project readiness
 - ii. After review, applications are considered by the Cuyahoga County Community Improvement Corporation (CCCIC) Economic Development Loan Committee, which can recommend approval of the loan to County Council.

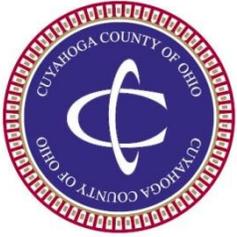
TERMS

- 1. Loan Amount:** up to \$1 million
- 2. Interest Rate:** 4.00%
- 3. Term/Repayment:** Maximum ten-year term
- 4. Forgiveness Terms:** Up to 40% of the loan may be forgiven. The forgivable portion of the loan is reduced in equal amounts over a seven-year period following the completion of the project.

- Projects after NFA issuance will receive 15% loan forgiveness.
- Projects with known end users can receive a job creation credit of 1% per job created above the average County wage (up to 15% total forgiveness. The known end user must execute a County Workforce Agreement.
- A minimum of 50% of the loan proceeds must be spent with Cuyahoga County vendors to receive 10% loan forgiveness

5. Security/Collateral/Guarantor(s): Second priority-position mortgage, corporate and/or personal guarantees

PROJECT EXAMPLE: Miceli Dairy Company expansion project. The County provided a low-interest, partially-forgivable, \$1 million loan to assist with the acquisition and brownfield cleanup of property in the Buckeye neighborhood of Cleveland that will facilitate the expansion of the dairy operations. The project will retain 50 FTEs in the county and create at least 14 new FTEs in the County.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Small Business Loan Guarantee Program
Launch Date: Spring, 2013
CCWRF Vertical: Business Growth, Commercialization and Attraction

OVERVIEW

Cuyahoga County created the Small Business Loan Guarantee (SBLG) Program as a loan enhancement program to help small businesses gain access to capital. The SBLG program provides support for private lending institutions to increase lending to small businesses that would have otherwise been unable to secure the funds needed to grow. When a bank makes an approved loan within the County's program guidelines, the County will help guarantee that the borrower will repay the loan. If the borrower defaults on the loan, the County will reimburse the bank a percentage of the loss. The result is a larger local pool of borrowers eligible for loans that foster growth and job creation in Cuyahoga County, while leveraging the expertise, systems, and infrastructure of traditional lenders.

1. Use of Funds:

- a. Land and/or building purchase – must be owner occupied property
- b. Building construction and/or renovation costs – must be owner occupied property
- c. Purchase of equipment, machinery, or supplies/inventory
- d. Long-term leasehold improvements
- e. Working capital

2. Eligibility:

- a. Businesses with sales of \$500,000 - \$15 million in Cuyahoga County
- b. Businesses with at least a Three-Year track record and demonstrate cash flow to cover debt service
- c. Target industries in Five Year Economic Development Plan preferred (i.e. advanced manufacturing, energy, materials, devices, aerospace, controls, etc.)
- d. Ineligible businesses include real estate investment, religious institutions, and other non-profits.

3. Application and Review:

- a. Borrowers complete lenders' standard loan application. Lenders originate and underwrite the loans. Additional County application information includes but is not limited to project summary, sources and uses of funds, detailed job creation and revenue growth plan, and Workforce Cooperation Agreement.
- b. Completed applications are forwarded from bank underwriting teams after structuring, credit write-up and decision-making. Eligible applications are referred to the County for review. For applicants who meet the banks' underwriting standards, and reinforced by the County's additional due diligence, credit may be extended to the borrower. If approved, the County sends lender notification and closing documents.

- 4. Partners:** The County and a network of participating lenders have developed the criteria for referring potential businesses to the small business loan guarantee application process. Banks that have agreed to participate will help the County cull through declined bank loan applications to identify viable candidates.

TERMS

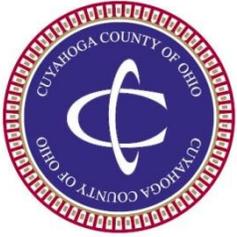
1. **Loan Amount:** Loan Guarantees range from \$50K- \$500K, with typical loans in the \$150-250K range
2. **Interest Rate:** N/A – a onetime 3% guarantee fee of the guarantee amount at closing
3. **Term/Repayment:** Guarantees will be provided for up to five (5) years with a five (5) year renewable option at the request of Bank, and subject to County re-approval.
4. **Forgiveness Terms:** N/A
5. **Security/Collateral/Guarantor(s):** The Cuyahoga County enhancement is unsecured and structured as a Performance Guarantee (or a deficiency guarantee), not a covenant or payment default trigger for guarantee. The Performance Guarantee effectuates after all collection efforts have taken place and a loan balance deficiency needs to be satisfied via the guarantee. Lender must exhaust all collection efforts before making a claim on the guarantee.

METRICS

1. **Jobs Created/Retained:** Job Creation Requirement of 1 New Job for each \$35,000 of funding.
2. **Economic Impact:** The program anticipates leveraging \$100 million in private financing.
3. **Community Benefit:** Create a vital link between community development lending and small business lending strategies and foster a greater deal flow of credit-worthy borrowers.

EXAMPLE

N/A



Department of Development

PROJECT EXECUTIVE SUMMARY

PROJECT NAME: Incumbent Worker Training
DATE: 1/24/2012
DOD Program: Business Growth, Commercialization and Attraction

OVERVIEW

1. Summary:

Cuyahoga County created the Incumbent Worker Training (IWT) program to support training projects that will benefit local businesses, industries and agencies by assisting in the skill development of existing employees, thereby increasing employee productivity, the growth/retention of the company and its workforce, and improve the economic competitiveness of Cuyahoga County's employers.

2. Use of Funds:

Incumbent Worker Training funds are available to a business within the *Target Industries* or a group of businesses requesting training that leads to one or more of the following:

- Improve/upgrade the skills of the employers' workforce
- Raise the skill level of employees so that they can be eligible for promotion
- Provide career progression that opens entry-level positions to others
- Increase retention in employment
- Increase individual wages

IWT funds for approved training cannot exceed \$50,000 for the employer per year. Employers are required to provide a cash or in-kind contribution match. Employer's match is determined by the total number of employees/size of company. The match is as follows:

- 33% for companies with 1 to 100 employees
- 50% for companies with 100 or more employees

3. Employer Eligibility:

- IWT funding may be used to supplement, but not to supplant current training efforts
- Must agree to list all job openings with Employment Connection
- Must have at least one full-time employee
- Must be current on all state tax obligations
- Must be able to demonstrate financial viability
- Must be located in Cuyahoga County

4. Employee Eligibility:

Must be directly employed by the company at a facility located within Cuyahoga County and meets all of the following requirements:

- Employed in any of the following business functions: production, back office operations, information technology, logistics, or research & development
- Earning at least minimum wage but not more than \$90,000
- An Ohio resident, at least 18yrs of age and legal to work in the USA
- Working at least 25 hrs. per week and
- Must not be related to business owner(s) if company has 50+ employees

5. Eligible Training Costs:

The employer may request reimbursement for up to 50% of the employer's cost to train an employee and may be used for any of the following purposes:

- Tuition
- Instructor or trainer fees
- Instructional materials including manuals, text books, handout (.05/copy)
 - Note that instruction materials cost must be prorated per employee and will be capped at 10% of the cost of training per employee per training.
- Lodging necessary for training
- Equipment rental necessary for training (capped at % of training costs)

6. Targeted Industries:

- | | |
|------------------------|---------------------------|
| • Manufacturing | • Financial Services |
| • Aerospace / Aviation | • Information Technology |
| • Automotive | • Polymers & Chemicals |
| • BioHealth | • Food Processing |
| • Health Care | • Corporate Headquarters |
| • Energy | • Social Service Agencies |

7. Available Funding:

The IWT program is operated as a cost-reimbursement program. Cuyahoga County Department of Development will reimburse the employer for up to 50% of the cost of the training (up to \$2,000 per employee), after: 1) the employer pays the full cost of the training, and 2) the employee successfully completes the training. Funding approvals for this IWT program will be on a first-come, first-served basis.

8. Eligible Training:

Training opportunities that expand and improve employees' workforce skills and develop his or her opportunities for growth, promotion and/or wage increase are eligible for the IWT program. Training need and training opportunity are to be determined by the employer and employee. The training provider is selected independently and may be public, private or in-house trainer. Funds will not be provided to independent contractors. Trainings may be conducted at the employer's facility, at the training provider's facility, on-line or at a third-party site.

A. Eligible training will relate to the employee's current position or for future advancement within the company.

Training activities may include:

- Classes, (credit or non-credit) at an accredited education institution
- Training that lead to an industry recognized certificate
- Training provided in conjunction with the purchase of a new piece of equipment related to the business operation
- Training from a national, regional, or state trade association that offers an independently certified training curriculum and testing
- Training for improved process efficiency (e.g. ISO-9000, Six Sigma, Lean Manufacturing)

B. Ineligible training activities include (but are not limited to):

- Training that would happen without public funds
- Training that is already being reimbursed by another local, state or federal training program (OH workforce Guarantee, National Emergency Grant, WIA, Veteran Admin, TANF, etc.)
- Continuing Education Units (CEUs) required for continued professional certification
- Soft Skills

- Training which is required by another public agencies or departments (OSHA, Worker’s Compensation, etc.)
- GED
- Conference fees
- Travel costs
- Wages of trainees while being trained (can be used towards match if training occurs during regularly scheduled work day).
- Company’s orientation training

9. Application and Review

- a. Application information includes but is not limited to:
 - i. Business Information: business description, training target, benefit employee, cost
 - ii. Training Information: training occupation, goal/objective of training, training costs, training curriculum
- b. Grant Review/Approval:
 - i. Applications will be reviewed by the Employment Connection (EC) review committee. Recommendations will be made based on but not limited to factors such as: A complete application including all required documents, projected outcomes, grant request, training curriculum and employer/employee expectations.
 - ii. After committee review, score sheets are referred to management for review and signature by EC and DoD Director, and then presented for a funding recommendation to the appropriate County approval body (CPB or BOC).

10. Partners: Employment Connection, collaborative workforce system of the City of Cleveland and Cuyahoga County.

TERMS

The program is operated on a reimbursement basis. The County will reimburse the employer (based on the number of employees) for the cost of the training: up to \$2000/per employee and/or up to \$50,000/per company.

- 33% for companies with 1 to 100 employees
- 50% for companies with 100 or more employees

METRICS

- 4. Employer/Employee Benefit:** Support and retain companies and increase earning potential of employees.
- 5. Economic Impact:** To improve the economic competitiveness of Cuyahoga County’s employers.
- 6. Jobs Retained:** Assist in the skill development of existing employees thereby increasing employee productivity, the growth/retention of the company and its workforce, and creating the capacity for business growth.
- 7. Promotion:** Incumbent employee is promoted and Employment Connection is source for back-fill candidates.

PROJECT EXAMPLES:

Safety Controls.....6 staff for power system engineering software training
 Jennings Center.....200 employees for integrated electronic health record system
 Forest City Tree Protection....one staff for basic and advanced tree care training
 Menorah Park.....18 nursing assistants for clinical technician training program
 Northcoast Composites.....7 staff for various jobs in composite parts production



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Business Growth (Accelerated Growth)
Launch Date: 1/24/2012
CCWRF Vertical: Business Growth, Commercialization and Attraction

OVERVIEW

Cuyahoga County created the Business Growth Program to enhance the growth opportunities and maximize the potential of businesses and industries already in the region. The Program provides Economic Development Loans to businesses that are relocating, expanding or building new facilities and creating and retaining jobs in Cuyahoga County. Economic Development Loans are structured to leverage private investment and stimulate business expansion and growth. The County offers subordinated long-term, fixed-rate gap financing at below-market rates to businesses that generally have difficulty securing capital for growth due to collateral and equity shortfalls.

1. Use of Funds: - *Fixed Asset Financing only*

- a. Land & Building Acquisition
- b. Building Improvements/Renovations
- c. New Construction
- d. Purchase of Machinery & Equipment

2. Eligibility:

- a. For-profit commercial, industrial or service businesses that expand in or move into the County
- b. Business must have 3 years prior financial history
- c. Business must demonstrate adequate collateral, credit and capacity to repay the loan
- d. Businesses must provide a minimum of ten percent (10.00%) equity

3. Application and Review:

- a. Application includes but is not limited to: business summary, operational history, description of products and services, balance sheet and profit and loss statement, existing and projected cash flow, sources and uses of funds, existing debt schedule, personal financials, and collateral verification
 - i. Applications are reviewed and underwritten by County DOD based on but not limited to factors such as: ability to cover debt service, collateral value, the number of high-value jobs created, private investment participation
- b. After review, loan packages are presented to the Cuyahoga County Community Improvement Corporation (CCCIC) Economic Development Loan Committee for a funding recommendation and then presented to the appropriate County approval body for final approval of the loan

4. Partners: The County works with multiple public and private sector partners to leverage investment and address funding gaps for projects to with significant economic development benefit. Projects are funded primarily through owner equity and private bank financing, with Economic Development Loans available for "gap financing". County Economic Development Loans never exceeds 40% of any project.

TERMS

1. **Loan Amount:** Up to 40% of Total Project Cost, with a maximum loan amount of \$1,500,000 and a minimum loan of \$150,000
2. **Interest Rate:** Below market rate, with a typical interest rate between 2% and 4% fixed for the term of the loan
3. **Term/Repayment:** 5 - 10 years leasehold improvements, 7 - 10 on machinery and equipment, Up to 15 years on land and building. Borrowers could be required to repay the full amount of County loan if it moves, sells, fails to complete the project, or fails to create the requisite jobs
4. **Forgiveness Terms:** N/A
5. **Security/Collateral/Guarantor(s):** The County will secure a second-position UCC lien and/or mortgage on the collateral asset being financed with a LTV up to 90%.

METRICS

1. **Jobs Created/Retained:** The program requires job creation of 1 new job for each \$35,000 of funding. All companies are required to execute a workforce cooperation agreement.
2. **Economic Impact:** The program increases the flow of private investment by providing a loan for the difference between what a business may need for a project, and the combined amount that they have available through equity and from their lender.
3. **Community Benefit:** The County supplements private financing in order to increase the number of credit worthy economic development projects, enabling job creation projects to proceed that would otherwise not have taken place.

EXAMPLE

Swift Filters is a second generation; family owned business that was established in 1957. The company manufactures specialty filters used in applications for air-filtration, hydraulic oils, oil and water separation and specialty fuels. All of the company's products are manufactured in the USA at their facility located in Oakwood Village, Ohio. They service the Department of Defense, automotive (NASCAR), aerospace, chemical and fluid power industries and most recently the oil and gas industry. The Company is ISO 9001:2008 certified and is listed as one of Weather head's Top 100 companies in Northeast Ohio. The Company received a \$1,260,000 Cuyahoga County Economic Development Loan for a freestanding 42,500 sq. ft. facility in Oakwood Village. The County loan allowed the company to leverage funding from Liberty National Bank to financing the expansion of their filter manufacturing operation. The total cost of this expansion project is estimated at \$3,150,000. The Company will create 36 new jobs within 3 years.



Department of Development

CCWRF PROGRAM - EXECUTIVE SUMMARY

Program Name: Large Scale Attraction
Launch Date: 1/24/2012
CCWRF Vertical: Business Growth, Commercialization and Attraction

OVERVIEW

The Large Scale Attraction Loan Program provides businesses with financial assistance to support their job creation in Cuyahoga County. The Program is available to provide gap financing and incentives for large scale growth and attraction opportunities for communities within Cuyahoga County. The Program targets businesses in select industry clusters that create at least 100, new to Cuyahoga County, full time equivalent jobs with an average annual salary at or above the County median annual wage.

1. Use of Funds:

- e. Land and/or building acquisition
- f. Purchase of equipment and/or machinery
- g. Building construction and/or renovation costs
- h. Working capital

2. Eligibility:

- i. At least 100, new to the County, full time equivalent jobs with an average annual salary at or
above the County median annual wage
- j. For-profit businesses within the targeted industry clusters
- k. Demonstrated ability to repay the loan, maintain adequate collateral and acceptable credit
- l. County loan cannot exceed 40% of total project cost
- m. Evidence of other funding commitments must be provided

3. Application and Review:

- a. Applications are issued to prospective borrowers after meeting with DOD staff.
- b. Loan Review/Approval:
 - i. Applications will be reviewed by County DOD based on but not limited to factors such as: the number of high-value jobs created, level of risk associated with the loan, project readiness
 - ii. After review, applications are considered by the Cuyahoga County Community Improvement Corporation (CCCIC) Economic Development Loan Committee, which can recommend approval of the loan to County Council.

TERMS

1. **Loan Amount:** up to 40% of project
2. **Interest Rate:** 1.00% to 7.00%
3. **Term/Repayment:** One to three years for working capital, five to 10 years for renovations, seven for machinery and/or equipment, and 15 years for acquisition.
4. **Forgiveness Terms:** Projects that create at least 100, new to Cuyahoga County, full time equivalent jobs with an average annual salary 1.5 times above the County median annual wage OR create at least 300, new to Cuyahoga County, full time equivalent jobs AND are willing to utilize 50% of the loan proceeds with vendors located in Cuyahoga County may be eligible for additional incentivization.
5. **Security/Collateral/Guarantor(s):** Second priority-position mortgage, corporate and/or personal guarantees

EXAMPLE PROJECT: AmTrust Financial Services consolidation, expansion and relocation project. The County provided a \$3 million low-interest loan to assist with the acquisition and renovation of the former Key Bank Building, located at 800 Superior Avenue, in Cleveland. The project retained 250 FTEs in the County and is projected to create 750 new FTEs in the County.

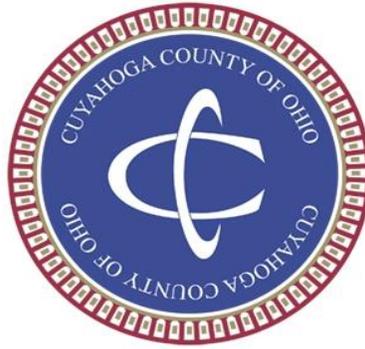
Cuyahoga County – Department of Development

Reserve Square
 1701 East 12th Street – 1st Floor
 Cleveland, Ohio 44114

Economic Development Division - Staff

<p>Arnold Lockett Senior Development Finance Analyst (216) 443-3159 alockett@cuyahogacounty.us Programs: - Economic Development Loans (General Fund, CDBG, HUD 108) - CCWRF Accelerated Growth Program - CCWRF Large Scale Attraction Program - Enterprise Zones</p>	<p>Laura Clark Senior Development Finance Analyst (216) 698-2575 lclark@cuyahogacounty.us Programs: - CCWRF Large Scale Attraction Program - CCWRF Redevelopment & Modernization - CCWRF Site Expansion Program - CCWRF Redevelopment Ready Program - Brownfield Redevelopment Fund Program</p>
<p>Gregory Zucca Senior Development Finance Analyst (216) 443-8086 gzucca@cuyahogacounty.us Programs: - CCWRF North Coast Opportunities Fund Program with Jumpstart, Inc. - CCWRF Next Stage Fund Program - CCWRF MicroEnterprise Program with ECDI</p>	<p>Bob Flauto Senior Development Finance Analyst (216) 698-2898 bflauto@cuyahogacounty.us Programs: - Grow Cuyahoga Fund - SBA (7a) with National Development Council - Economic Development Loans - New Product Development Loans with MAGNET</p>
<p>Michael May Economic Development Administrator (216) 348-4847 mmay@cuyahogacounty.us Programs: CCWRF MicroEnterprise Program with Economic & Community Development Institute (ECDI)</p>	<p>Janise Bayne Senior Development Finance Analyst (216) 698-2574 jbayne@cuyahogacounty.us Programs: - Community Assessment Initiative Environmental Assessments Funding - Clean Ohio Assistance Fund</p>

Appendix III



Cuyahoga County Western Reserve Fund

Economic Development Dashboard

Department of Development

May 15, 2013

2011 Economic Development Projects

DOD Product	Index Code	Index Code Name	Corporate Name/Project Name	Loan/Contract Amount	Dollars Leveraged	Jobs Created	Jobs Retained	Created-Retained	Count of Project
Brownfield Redevelopment Loan	Huntington Bank Trustee	Brownfield Redevelopment Bond	7000 Euclid Avenue	\$ 500,000.00	\$ 5,000,000.00	20	-	20	1
			OverDrive, Inc.	\$ 1,000,000.00	\$ 6,185,893.00	100	100	200	1
Brownfield Revolving Loan Fund	DV713404	US EPA Revolving Loan Fund	Former St. Roberts	\$ 150,000.00	\$ -	-	-	-	1
	DV713420	US EPA Revolving Loan Fund	1850 Superior Avenue	\$ 200,000.00	\$ 40,000.00	-	9	9	1
			Administration Building	\$ 101,813.00	\$ -	20	200	220	1
			Former Midland Steel	\$ 200,000.00	\$ 6,111,434.00	300	-	300	1
			Gordon Square Arcade	\$ 77,642.00	\$ 500,000.00	20	28	48	1
			Richard E. Sering Center	\$ 166,851.00	\$ 15,000,000.00	-	192	192	1
Community Assessment Initiative	DV520726	Brownfield Revolving Loan Fund	4582 Willow Parkway	\$ 34,865.00	\$ -	-	-	-	1
			Cleveland Trencher	\$ 41,500.00	\$ -	-	-	-	1
			Van Dorn Building	\$ 6,500.00	\$ -	-	-	-	1
	DV708792	US EPA Assessment Grant 2008 - Petroleum	Breakwater Redevelopment	\$ 4,600.14	\$ -	-	-	-	1
			Former Benjamin Moore	\$ 1,742.50	\$ -	-	-	-	1
			Hawley Park	\$ 2,000.00	\$ -	-	-	-	1
			Lee -Silsby	\$ 2,500.00	\$ -	-	-	-	1
	DV708784	US EPA Assessment Grant 2008 - Hazardous Substances	Former Benjamin Moore	\$ 1,584.50	\$ -	-	-	-	1
			West 105th- BUSTR	\$ 6,310.00	\$ -	-	-	-	1
	DV713412	US EPA Assessment Grant 2009	7702 St. Clair	\$ 3,573.50	\$ -	-	-	-	1
			Breakwater Redevelopment	\$ 6,457.86	\$ -	-	-	-	1
			Pierres NFA	\$ 60,000.00	\$ -	-	-	-	1
			Triangle Stamping	\$ 6,117.00	\$ -	-	-	-	1
UniControl Expansion			\$ 33,570.00	\$ -	-	-	-	1	
		Van Dorn Building	\$ 35,000.00	\$ -	-	-	-	1	
Economic Development Loan	DV713255	CDBG Project Plan - 2010	MB&W Consumer Collections	\$ 500,000.00	\$ 2,000,000.00	75	-	75	1
	DV713362	CDBG Project Plan - 2011	7204 Pearl Road Associates, LLC	\$ 500,000.00	\$ 1,900,000.00	33	28	61	1
			Anchor Enterprises	\$ 53,000.00	\$ 110,000.00	3	11	14	1
			SDC University Circle Developer, LLC	\$ 800,000.00	\$ 27,000,000.00	55	-	55	1
Energy Development Task Force	DV014100	Economic Development	Lincoln Electric Wind Turbine	\$ 350,000.00	\$ 5,564,000.00	-	60	60	1
North Coast Opportunities	DV014100	Economic Development	BestHomeHealthCare.com, Inc.	\$ 100,000.00	\$ 100,000.00	-	-	-	1
			Bioelectrics, LLC	\$ 122,000.00	\$ 100,000.00	-	-	-	1
			CFRC Water and Energy Solutions, Inc.	\$ 85,000.00	\$ 67,500.00	-	-	-	1
			Cleveland Whiskey, LLC	\$ 123,500.00	\$ -	-	-	-	1
			Milo Biotechnology, LLC	\$ 100,000.00	\$ 700,000.00	-	-	-	1
			Sooth, Inc.	\$ 100,000.00	\$ 100,000.00	-	-	-	-
Grand Total				\$ 5,476,126.50	\$ 70,478,827.00	626	628	1,254	34

2012 Economic Development Projects

CCWRF Program	Index Code	Index Codes Name	Corporate Name/Project Name	Loan Contract Amount	Dollars Leveraged	Jobs Created	Jobs Retained	Created-Retained	Count of Project		
Business Growth	DV520692	ED Revolving Loan Fund	S&P Data LLC	\$ 110,000.00	\$ 1,300,000.00	100	125	225	1		
			J&F Transportation	\$ 202,000.00	\$ 525,000.00	6	2	8	1		
			AKFB, Inc.	\$ 36,550.00	\$ 109,973.35	-	-	-	1		
			Industrial Resources	\$ 78,000.00	\$ 234,000.00	-	7	7	1		
			Louis A. Bodnar & Son	\$ 53,009.82	\$ 183,390.19	-	4	4	1		
			Ohio Mills	\$ 158,250.00	\$ 474,750.00	-	95	95	2		
			DV713362	CDBG Project Plan - 2011	1805 East Carson Street Corporation	\$ 485,468.00	\$ 1,213,670.00	18	-	18	1
			DV711606	HUD Section 108	Premier Pump	\$ 212,000.00	\$ 530,000.00	10	20	30	1
					Stoneworks Inc.	\$ 468,000.00	\$ 1,461,960.00	10	60	70	1
			Large Scale Attraction	Huntington Bank Trustee	Commercial Redevelopment Bond	AmTrust Expansion	\$ 3,000,000.00	\$ 17,055,000.00	750	245	995
North Coast Opportunities	DV014100	Economic Development	TIP Imaging, LLC dba Plexar Imaging	\$ 100,000.00	\$ 100,000.00	-	-	-	1		
	DV520676	Western Reserve Fund	BoxCast, LLC	\$ 125,000.00	\$ 167,000.00	-	-	-	1		
			Building 2, LLC dba eFuneral	\$ 110,958.00	\$ -	-	-	-	1		
			In2une, LLC dba GETn2it	\$ 125,000.00	\$ 100,000.00	-	-	-	1		
			Paragon Robotics, LLC	\$ 90,000.00	\$ -	-	-	-	1		
Zuga Medical, Inc.	\$ 100,000.00	\$ 100,000.00	-	-	-	1					
Redevelopment Ready	DV520726	Brownfield Revolving Loan Fund	11701 Superior	\$ 31,936.00	\$ -	-	-	-	1		
			1200 W 76th	\$ 35,000.00	\$ -	-	-	-	1		
			1265 West 65th	\$ 26,807.40	\$ -	-	-	-	1		
			2323 Lee Road	\$ 24,966.75	\$ -	-	-	-	1		
			4400 Woodland Avenue	\$ 41,500.00	\$ -	-	-	-	1		
			4971 Woodland Avenue	\$ 8,500.00	\$ -	-	-	-	1		
			5700 Detroit	\$ 6,500.00	\$ -	-	-	-	1		
			826 E Schaaf	\$ 6,418.00	\$ -	-	-	-	1		
			Euclid 115 Apartments	\$ 6,000.00	\$ -	-	-	-	1		
			Intesa Lot 45	\$ 33,560.00	\$ -	-	-	-	1		
			Rockside Redevelopment	\$ 10,550.00	\$ -	-	-	-	1		
			DV713404	US EPA Revolving Loan Fund	Dike 14	\$ 600,000.00	\$ 600,000.00	-	-	-	1
			DV713412	US EPA Assessment Grant 2009	1235 West 65th	\$ 35,000.00	\$ -	-	-	-	1
					5700 Detroit	\$ 34,937.00	\$ -	-	-	-	1
					826 E Schaaf	\$ 35,082.00	\$ -	-	-	-	1
			DV713420	US EPA Revolving Loan Fund	Warner & Swasey	\$ 1,129,788.00	\$ 3,000,000.00	200	-	200	1
			DV713529	Clean Ohio Revitalization Fund	Viking Hall Demo	\$ 2,000,000.00	\$ 26,900,000.00	50	-	50	1
Huntington Bank Trustee	Brownfield Redevelopment Bond	Asia Plaza	\$ 500,000.00	\$ -	-	400	400	1			
		Micelis Phase II Expansion	\$ 1,000,000.00	\$ 4,800,000.00	50	130	180	1			
GRAND TOTAL				\$ 11,020,780.97	\$ 58,854,743.54	1,194	1,088	2,282	36		

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0131

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

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

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

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

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

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

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

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 Safety & Justice Affairs

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0149

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p>	<p>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.</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.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0150

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p> <p>Co-sponsored by: Councilmember Jones</p>	<p>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.</p>
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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: July 9, 2013

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: July 17, 2013

Journal CC011

July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0151

Sponsored by: County Executive FitzGerald/Department of Workforce Development	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.
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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,

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0152

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

First Reading/Referred to Committee: July 9, 2013
Committee(s) Assigned: Education, Environment & Sustainability

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0153

Sponsored by: County Executive FitzGerald/Medical Examiner	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.
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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: July 9, 2013

Committee(s) Assigned: Public Safety & Justice Affairs

Journal CC011

July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0154

Sponsored by: County Executive FitzGerald on behalf of Juvenile Court	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.
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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: July 9, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0155

<p>Sponsored by: County Executive FitzGerald/Department of Public Safety and Justice Services</p> <p>Co-sponsored by: Councilmembers Rogers, Germana, Miller, Conwell and Greenspan</p>	<p>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 8/1/2013 - 1/31/2025; 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.</p>
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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 8/1/2013 - 1/31/2025; 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 8/1/2013 - 1/31/2025.

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: July 9, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Additional Sponsorship Requested: July 16, 2013

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0156

Sponsored by: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities	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 - 7/31/2015; 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.
Co-sponsored by: Councilmember Germana	

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 – 7/31/2015; 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 – 7/31/2015.

Additional Sponsorship Requested: July 17, 2013

Journal CC011
July 23, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0157

<p>Sponsored by: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities</p> <p>Co-sponsored by: Councilmember Germana</p>	<p>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.</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: July 9, 2013

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: July 17, 2013

Journal CC011

July 23, 2013

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0018

Sponsored by: County Executive FitzGerald/Department of Law and Councilmember Jones	An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County’s performance bond and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Department of Law’s Risk Management Division has been working on developing risk management practices, including performance bond requirements, to simultaneously promote the County’s interest in contracting with small businesses and protect the County against risk;

WHEREAS, it is necessary to enact legislation to deviate from the rigid performance bond requirements under state law and to provide the Law Department with the flexibility to make performance bond and insurance determinations as appropriate for each individualized case; and

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

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

SECTION 1. Chapters 507 and 508 of the Cuyahoga County Code are hereby enacted as follows:

Chapter 507: Performance Bonds

Section 507.01: Performance Bond Requirements

Notwithstanding any provisions in the Ohio Revised Code, Ohio Administrative Code, or any other law or regulation to the contrary, the County, through the Director of Law, shall have the discretion to determine whether to require performance bonds, and the amounts of any such bonds, on a contract-by-contract basis, including all construction contracts.

Section 507.02 Small Business Considerations

In exercising his or her discretion on whether to require performance bonds and the amounts for such bonds, the Director of Law, through the Law Department’s

Risk Management Division, shall give deference to the County's interest in contracting with small businesses without causing undue risk to the County.

Chapter 508: County's Insurance Requirements

Section 508.01: Insurance Requirements

The Director of Law, through the Law Department's Risk Management Division, shall determine the County's insurance needs and requirements, including all insurance requirements related to County contracts.

Section 508.02: Updates to County's Insurance Requirements

The Director of Law, through the Law Department's Risk Management Division, shall continually update the County's insurance requirements as necessary to protect the County's interests.

SECTION 2. Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 of the Cuyahoga County Code are hereby repealed.

SECTION 3. 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 4. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0015

Sponsored by: County Executive FitzGerald/County Sheriff and Director of Law	An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article V, Section 5.08 of the Cuyahoga County Charter provides that "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;" and,

WHEREAS, O.R.C. § 311.07(A) provides that the general powers and duties of a county sheriff include, among others, the duty to preserve the public peace, and to execute warrants, writs and other process directed to the sheriff by any lawful and proper authorities of this state and of other states; and,

WHEREAS, O.R.C. § 341.01 provides that the county sheriff shall have charge of the county jail and all persons confined therein; and,

WHEREAS, Article III, Section 3.09(2) of the Cuyahoga County Charter provides Council with the power "to establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in this Charter, as the Council determines to be necessary for the efficient administration of the County;" and,

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

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

SECTION 1. Section 202.07 of the Cuyahoga County Code is hereby enacted as follows:

Section 202.07: Sheriff's Department

A. The Sheriff's Department is hereby established, and it shall be its own appointing authority pursuant to the relevant provisions of the Cuyahoga County Charter.

B. The Sheriff's Department shall be under the direction of the County Sheriff. The Sheriff's Department and its employees shall aid and assist the County Sheriff in carrying out the powers, duties, and responsibilities that are assigned to the Sheriff by the general law, the County Charter, and by County law. With the approval of the County Executive, the Sheriff shall employ and supervise such number of deputies, assistants, and employees as are reasonably necessary to carry out the Department's functions. All employees assigned to the County Sheriff are hereby assigned to the Sheriff's Department. Nothing in the Cuyahoga County Code is intended to limit the ability of the County Executive and the County Sheriff to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law or County law.

C. The Sheriff's Department shall include, but is not limited to, the following divisions:

1. Division of Civil Court Orders whose responsibility shall be to carry out court orders.
2. Division of Corrections whose responsibility shall be the administration and operation of the Cuyahoga County Corrections Center;
3. Division of Law Enforcement whose responsibility shall be the law enforcement duties of county sheriffs.
4. Division of Protective Services whose responsibility shall be the provision of security services for county offices and buildings where the County Sheriff determines that such services should be provided using County personnel. Protective Services Officers shall be considered County security personnel who are not law enforcement officers. The Sheriff shall determine the training necessary for the certification of Protective Services Officers. Such training shall, at a minimum, include satisfactory completion of programs that have been approved by the Ohio Peace Officer Training Commission designed to qualify persons for positions as security guards.

D. Authority to Carry Weapons:

1. Employees of the Sheriff's Department who are authorized to carry weapons pursuant to general law shall comply with all state and federal laws governing certification and re-certification necessary to carry weapons.
2. Where general law does not govern the certification and re-certification of employees to carry weapons, the following provisions shall apply:

- a. The Sheriff may issue firearms, other intermediate weapons (e.g., pepper spray), and/or hard controls (e.g., handcuffs) to any employees in the Sheriff’s Department who are specifically pre-authorized by the Sheriff and are designated in the Department’s written policies and procedures. The Sheriff shall have the power to commission employees in the Sheriff’s Department to carry firearms if the employee has successfully completed the firearms training and requalification programs that are required by law for Deputy Sheriffs. The Sheriff may permit employees to carry intermediate weapons and hard controls if the employee has successfully completed required training as determined by the Sheriff.
3. The Sheriff shall ensure that the Department’s continuum of force policy applies to all employees who carry weapons. All employees who carry weapons shall properly secure firearms or other weapons, while on duty and off as required by the Sheriff.

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

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: June 11, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal CC011
July 23, 2013