



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 24, 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) September 10, 2013 Regular Meeting (See Page 11)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**
 - a) M2013-0028: A Motion confirming the County Executive's appointment of Matt Carroll to serve on the Group Plan Commission for the term ending 4/8/2017, and declaring the necessity that this Motion become immediately effective. (See Page 22)

Sponsors: Councilmembers Connally and Conwell

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

- b) M2013-0029: A Motion confirming the County Executive’s appointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective: (See Page 24)

- 1) Carol Dayton
- 2) BJ Brown
- 3) Constance Hill-Johnson

Sponsors: Councilmembers Connally and Conwell

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

10. COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES OF COUNCIL FOR SECOND READING

- a) O2011-0048: An Ordinance enacting Chapter 509 of the Cuyahoga County Code of Ordinances directing the County Executive to conduct a Disparity Study and, if required by law, validate the Disparity Study every five years thereafter; and requiring annual updates of said Study. (See Page 27)

Sponsors: Councilmembers Jones, Connally, Brady, Conwell, Rogers and Miller and County Executive FitzGerald

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

- b) O2013-0019: An Ordinance amending Sections 704.01 to 704.03 of the Cuyahoga County Code to designate that the Additional DTAC Fee commence on 1/1/2014 and continue through 12/31/2018, and declaring the necessity that this Ordinance become immediately effective. (See Page 33)

Sponsors: Councilmembers Jones, Miller, Brady and Simon

Committee Assignment and Chair: Finance & Budgeting – Miller

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

- 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 36)

Sponsors: Councilmembers Gallagher, Greenspan, Conwell and Germana

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

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

- a) R2013-0204: 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. R2013-0148 dated 7/9/2013 by rescinding Item C in Section 3; and declaring the necessity that this Resolution become immediately effective. (See Page 40)

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

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

- a) R2013-0205: A Resolution declaring that public convenience and welfare requires replacement of Akins Road Culvert 01.12 in the City of North Royalton; total estimated construction cost \$490,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 56)

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

- b) R2013-0206: A Resolution declaring that public convenience and welfare requires replacement of Eastland Road Culvert 00.53 in the City of Middleburg Heights; total estimated construction cost \$420,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said

municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 61)

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

- c) R2013-0207: A Resolution approving Right-of-Way plans as set forth in Plat No. 5017 for rehabilitation of various Highland Road Bridges over Euclid Creek in the City of Euclid; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective: (See Page 66)

- 1) No. 156 (nka 00.13)
- 2) No. 157 (nka 00.31)
- 3) No. 158 (nka 00.54)
- 4) No. 226 (nka 00.64)

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

- d) R2013-0208: A Resolution making an award on RQ27661 to Regency Construction Services, Inc. in the amount not-to-exceed \$2,467,000.00 for construction of the Cuyahoga County Crime Lab; 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 72)

Sponsor: County Executive FitzGerald/Department of Public Works and
Medical Examiner

- e) R2013-0209: A Resolution making an award on RQ27988 to Trafftech, Inc. in the amount not-to-exceed \$1,222,800.00 for striping in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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 84)

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

- f) R2013-0210: A Resolution authorizing a Continuation Agreement with County Commissioners Association of Ohio Service Corporation for participation in the Natural Gas Purchase Program for the period 1/1/2014 - 12/31/2019; 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 90)

Sponsor: County Executive FitzGerald/Department of Public Works

- g) R2013-0211: A Resolution authorizing two Economic Development Redevelopment Ready Loans, each in the amount not-to-exceed \$1,000,000.00, to Parmatown Station LLC for asbestos abatement, partial demolition and renovations of property located at the southwest corner of Ridge and Ridgewood Roads, Parma; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loans and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 96)

Sponsor: County Executive FitzGerald/Department of Development

- h) R2013-0212: A Resolution authorizing an Economic Development Redevelopment and Modernization Loan in the amount not-to-exceed \$680,000.00 to Playhouse Square 1317 LLC for renovation of property located at 1317 Euclid Avenue, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 102)

Sponsor: County Executive FitzGerald/Department of Development

- i) R2013-0213: A Resolution making awards to various municipalities in the total amount of \$1,050,000.00 for various municipal grant projects for the 2014 Community Development Block Grant Municipal Grant Program for the period 10/1/2013 - 9/30/2014; authorizing the County Executive to execute the agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 107)

- 1) City of Bedford in the amount of \$150,000.00 for the Ellenwood Community Center Renovation Project.
- 2) City of Berea in the amount of \$150,000.00 for the North Rocky River Drive Corridor Improvement Project.
- 3) City of Brook Park in the amount of \$150,000.00 for the West 147th and Elm Avenue Full Depth Concrete Repairs Project.

- 4) City of Maple Heights in the amount of \$150,000.00 for the Neighborhood Infrastructure Improvement Project.
- 5) City of Olmsted Falls in the amount of \$150,000.00 for the Olmsted Falls Senior Center Project.
- 6) City of Warrensville Heights in the amount of \$150,000.00 for the Clarkwood Area Streetlight Replacement Safety Project.
- 7) Village of Glenwillow in the amount of \$150,000.00 for the Pergl Road Reconstruction Project.

Sponsor: County Executive FitzGerald/Department of Development

- j) R2013-0214: A Resolution authorizing a contract with Pointe Blank Solutions, Ltd. in the amount not-to-exceed \$1,800,000.00 for consultant services for the Case Management and Document Imaging System for the period 3/1/2013 - 2/28/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 114)

Sponsor: County Executive FitzGerald on behalf of County Prosecutor

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

- a) R2013-0092: A Resolution authorizing a Casino Revenue Fund Loan in the amount not-to-exceed \$3,684,650.00 to Playhouse Square District Development Corporation for streetscape improvements; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 119)

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

Committee Assignment and Chair: Economic Development & Planning – Schron

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

- a) R2013-0172: A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services for the period 8/24/2013 - 8/23/2017; authorizing the County Executive to execute the contract and

all related documents; and declaring the necessity that this Resolution become immediately effective. (See Page 121)

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

Committee Assignments and Chairs: Finance & Budgeting – Miller and Education, Environment & Sustainability – Rogers

- b) R2013-0197: A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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 124)

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

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

- c) R2013-0198: A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; 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 126)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- d) R2013-0199: A Resolution authorizing the issuance and sale of Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) in an aggregate principal amount not-to-exceed \$5,000,000.00 for the purpose of providing moneys to pay costs of a "Project" within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement, authorizing the preparation, execution and use of an official statement;

approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective. (See Page 129)

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Benesh Friedlander Coplan & Aronoff, LLP

Committee Assignment and Chair: Economic Development & Planning – Schron

- e) R2013-0200: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective. (See Page 148)

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

Committee Assignment and Chair: Finance & Budgeting – Miller

- f) R2013-0201: A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 151)

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

Committee Assignment and Chair: Finance & Budgeting – Miller

- g) R2013-0202: A Resolution making an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 - 7/31/2014; 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 154)

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

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

- h) R2013-0203: A Resolution making an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period 9/1/2013 - 9/30/2014; 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 156)

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council

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

16. CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- a) R2013-0179: A Resolution making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the projects; and declaring the necessity that this Resolution become immediately effective: (See Page 158)
- 1) in the amount not-to-exceed \$3,023,641.80 for lease of the Marion Building, located at 1276 West Third Street, Cleveland, for a period of three years.
 - 2) in the amount not-to-exceed \$391,272.00 for lease of the Superior Auto Title Building, located at 1261 Superior Avenue, Cleveland, for a period of one year.
 - 3) in the amount not-to-exceed \$130,470.96 for lease of the Hamilton Garage, located at 1801 St. Clair Avenue, Cleveland, for a period of six months.

Sponsor: County Executive FitzGerald/Department of Public Works

17. MISCELLANEOUS COMMITTEE REPORTS

18. MISCELLANEOUS BUSINESS

19. PUBLIC COMMENT UNRELATED TO AGENDA

20. ADJOURNMENT

NEXT MEETING

REGULAR MEETING:

TUESDAY, OCTOBER 8, 2013
5:00 PM / COUNCIL CHAMBERS

*In accordance with Section 108.01 of the Cuyahoga County Code, 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 COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 10, 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 5:02 p.m.

2. ROLL CALL

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

A motion was then made by Mr. Schron, seconded by Mr. Gallagher and approved by unanimous vote to excuse Ms. Conwell from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally expressed condolences and requested a moment of silent meditation be dedicated in memory of Leonard Miller, father of Councilmember Miller, who passed away recently at the age of 99-1/2. Council President Connally also requested a moment of silent meditation be dedicated in memory of Marty Skutnik, manager of Marty's Coffee Shop in the Cuyahoga County Courthouse, operated by the Bureau of Services for the Visually Impaired, who also recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

6. APPROVAL OF MINUTES

- a) August 27, 2013 Committee of the Whole Meeting
- b) August 27, 2013 Regular Meeting

A motion was made by Mr. Germana, seconded by Mr. Brady and approved by unanimous vote to approve the minutes of the August 27, 2013 Committee of the Whole and regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

There were no announcements from the County Executive.

9. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS 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 Motion Nos. M2013-0025 and M2013-0027.

- a) M2013-0025: A Motion confirming the County Executive's appointment of David Crampton to serve on the Cuyahoga County Board of Developmental Disabilities for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective.

Sponsors: Councilmembers Connally and Conwell

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

On a motion by Mr. Rogers with a second by Mr. Gallagher, Motion No. M2013-0025 was considered and approved by unanimous vote.

- b) M2013-0027: A Motion confirming the County Executive's reappointment of Matthew A. Charboneau to serve on the Cuyahoga Arts

and Culture Board of Trustees for the term ending 3/31/2016, and declaring the necessity that this Motion become immediately effective.

Sponsors: Councilmembers Connally and Conwell

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

On a motion by Mr. Schron with a second by Mr. Rogers, Motion No. M2013-0027 was considered and approved by unanimous vote.

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

- a) O2013-0022: An Ordinance establishing a Cuyahoga County Monument Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Connally

Council President Connally referred Ordinance No. O2013-0022 to the Public Works, Procurement & Contracting Committee.

11. 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. R2013-0196.

- a) R2013-0196: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

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

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2013-0196 by reducing the amount as set forth in Item I. by \$450,000.000, with the allocation of reductions among

personal services, other expenses and capital outlays to be determined at the discretion of the Director of the Office Budget & Management. Discussion ensued.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0196 was considered and adopted by unanimous vote, as amended.

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

- a) R2013-0197: A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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 Public Works/
Division of County Engineer

Council President Connally referred Resolution No. R2013-0197 to the Public Works, Procurement & Contracting Committee.

- b) R2013-0198: A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2013-0198 to the Public Works, Procurement & Contracting Committee.

- c) R2013-0199: A Resolution authorizing the issuance and sale of Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) in an aggregate principal amount not-to-exceed \$5,000,000.00 for the purpose of providing moneys to pay costs of a "Project" within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement,

authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Benesh Friedlander Coplan & Aronoff, LLP

Council President Connally referred Resolution No. R2013-0199 to the Economic Development & Planning Committee.

- d) R2013-0200: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2013-0200 to the Finance & Budgeting Committee.

- e) R2013-0201: A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; authorizing the County Executive to execute the agreement 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/Fiscal Officer/County Treasurer

Council President Connally referred Resolution No. R2013-0201 to the Finance & Budgeting Committee.

- f) R2013-0202: A Resolution making an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 - 7/31/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2013-0202 to the Education, Environment & Sustainability Committee.

- g) R2013-0203: A Resolution making an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period 9/1/2013 - 9/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council

Council President Connally referred Resolution No. R2013-0203 to the Education, Environment & Sustainability Committee.

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

- a) R2013-0179: A Resolution making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the projects; and declaring the necessity that this Resolution become immediately effective:
- 1) in the amount not-to-exceed \$3,023,641.80 for lease of the Marion Building, located at 1276 West Third Street, Cleveland, for a period of three years.
 - 2) in the amount not-to-exceed \$391,272.00 for lease of the Superior Auto Title Building, located at 1261 Superior Avenue, Cleveland, for a period of one year.
 - 3) in the amount not-to-exceed \$130,470.96 for lease of the Hamilton Garage, located at 1801 St. Clair Avenue, Cleveland, for a period of six months.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

Clerk Schmotzer read Resolution No. R2013-0179 into the record.

This item will move to the September 24, 2013 Council meeting agenda for third reading.

14. 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. R2013-0190, R2013-0191, R2013-0193, R2013-0194 and R2013-0195.

- a) R2013-0190: A Resolution making an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for cleaning and televising sanitary sewers in various communities for the period 10/1/2013 - 9/30/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0190 was considered and adopted by unanimous vote.

- b) R2013-0191: A Resolution authorizing an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12th Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to change the scope of services, effective 10/1/2013, and for additional funds in the amount of \$220,000.03; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0191 was considered and adopted by unanimous vote.

- c) R2013-0193: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety Answering Point consolidation support for the period 9/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreement 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/Office of Emergency Management

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0193 was considered and adopted by unanimous vote.

- d) R2013-0194: A Resolution authorizing a Master Services Agreement with The MetroHealth System in the total amount not-to-exceed \$4,417,955.84 for various services for various time periods; 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:
- 1) in the amount not-to-exceed \$268,000.00 for toxicology services for Common Pleas Court/Adult Probation Department for the period 6/1/2011 - 12/31/2016.
 - 2) in the amount not-to-exceed \$2,430,991.84 for medical services for Common Pleas Court/Juvenile Court Division for the period 7/1/2013 - 6/30/2015.
 - 3) in the amount not-to-exceed \$443,964.00 for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services for the period 8/1/2013 - 7/31/2015.

- 4) in the amount not-to-exceed \$1,275,000.00 for toxicology services for Division of Children and Family Services for the period 8/1/2011 - 7/31/2016.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and on behalf of Common Pleas Court/Adult Probation Department and Juvenile Court Division

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2013-0194 by changing the time period for the agreement for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services from 8/1/2013 – 7/31/2015 to 10/1/2013 – 9/30/2015.

On a motion by Mr. Germana with a second by Mr. Brady, Resolution No. R2013-0194 was considered and adopted by unanimous vote, as amended.

- e) R2013-0195: A Resolution making an award on RQ28280 to Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,383,696.00 for managing the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2013 - 7/31/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2013-0195 was considered and adopted by unanimous vote.

15. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ~~ADOPTION UNDER SUSPENSION OF RULES~~ AND REFERRAL TO COMMITTEE

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's risk management

procedures 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.

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

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

A motion was made by Mr. Jones, seconded by Mr. Rogers and approved by unanimous vote to refer Ordinance No. O2013-0018 to the Public Works, Procurement & Contracting Committee.

16. MISCELLANEOUS COMMITTEE REPORTS

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 11, 2013 and Wednesday, September 18, 2013 at 11:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Tuesday, September 17, 2013 at 3:00 p.m.

Mr. Schron reported that the Economic Development & Planning Committee will meet on Wednesday, September 18, 2013 at 1:00 p.m.

Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, September 18, 2013 at 3:00 p.m.

17. MISCELLANEOUS BUSINESS

Mr. Brady reported that the kickoff for the Health and Human Services levy campaign will be held at the MetroHealth Medical Center on Monday, September 16, 2013 at 11:00 a.m.

Mr. Germana conveyed a personal anecdote relating to the Cuyahoga County Veterans ID Card and encouraged all veterans who are residents of Cuyahoga County to participate in the program.

Mr. Miller thanked his colleagues for their support during his father's passing.

18. PUBLIC COMMENT UNRELATED TO AGENDA

Ms. Tina Tricarichi addressed Council regarding issues of concern to her relating to the Cuyahoga County Public Library, its Board and Telling Mansion, which houses the South Euclid/Lyndhurst Branch.

Reverend Pamela M. Pickney Butts addressed Council regarding issues of concern to her relating to various agencies in Cuyahoga County government.

19. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:11 p.m., without objection.

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0028

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive's appointment of Matt Carroll to serve on the Group Plan Commission for the term ending 4/8/2017, and declaring the necessity that this Motion become immediately effective.

WHEREAS, the Group Plan Commission is a non-profit corporation formed with the purpose to transform the Mall area of downtown Cleveland; and,

WHEREAS, the Group Plan Commission is comprised of eleven (11) members. Four (4) members are appointed by Cuyahoga County, four (4) are appointed by the City of Cleveland, one (1) is appointed by the Greater Cleveland Partnership, one (1) is appointed by MMPI (or its successor organization), and one (1) is appointed by the Richard E. Jacobs Group, Inc.; and,

WHEREAS, members of the Group Plan Commission shall be appointed to serve a four (4) 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 Matt Carroll to be appointed to serve on the Group Plan Commission, to fill a vacancy for an unexpired term commencing immediately, and expiring April 8, 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 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:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0029

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive’s appointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective.

WHEREAS, Ohio Revised Code Section 173.011 provides for the designation of a private nonprofit entity as an “area agency on aging” to administer programs granted under the Older Americans Act of 1965; and,

WHEREAS, the Western Reserve Area Agency on Aging (“WRAAA”) is a private non-profit corporation organized and designated by the State of Ohio to be the planning, coordinating, administrative agency for federal and state aging programs in Cuyahoga, Geauga, Lake, Lorain, and Medina Counties and is one of twelve (12) Area Agencies on Aging that the State organized together with local service provider organizations and the Ohio Department of Aging to form the State’s public aging network; and,

WHEREAS, the Western Reserve Area on Aging Board of Trustees is composed of twenty one (21) members who serve three (3) year 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 be appointed to serve on the Western Reserve Area on Aging Board of Trustees:

- a) Carol Dayton, ACSW, LISW-S, to fill a vacancy for a term commencing immediately and expiring January 31, 2017;
- b) BJ Brown, to fill a vacancy for a term commencing immediately, and expiring January 31, 2017;

- c) Constance Hill-Johnson, to fill a vacancy for a term commencing immediately, and expiring January 31, 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 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 Western Reserve Area on Aging Board of Trustees:

- a) Carol Dayton, ACSW, LISW-S, to fill a vacancy for a term commencing immediately and expiring January 31, 2017;
- b) BJ Brown, to fill a vacancy for a term commencing immediately, and expiring January 31, 2017; and,
- c) Constance Hill-Johnson, to fill a vacancy for a term commencing immediately, and expiring January 31, 2017.

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: August 27, 2013

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

Journal CC011
September 24, 2013

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0048

Sponsored by: Councilmembers Jones, Connally, Brady, Conwell, Rogers and Miller and County Executive FitzGerald	An Ordinance enacting Chapter 509 of the Cuyahoga County Code of Ordinances directing the County Executive to conduct a Disparity Study and, if required by law, validate the Disparity Study every five years thereafter; and requiring annual updates of said Study.
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WHEREAS, Cuyahoga County desires to affirm its commitment to economic inclusion and wishes to ensure that its business practices allow equal opportunities to compete for all willing and able businesses eligible to contract and to subcontract with the County for construction, architecture and engineering, and other professional services, and for the procurement of other goods and services; and

WHEREAS, the County conducted a Disparity Study in 2002 that resulted in the County adopting a Small Business Enterprise Policy; and

WHEREAS, the County desires to evaluate whether its business practices are encouraging all willing and able businesses designated as Minority Business Enterprises (MBEs) and/or Female Business Enterprises (FBEs) to contract and subcontract with the County; and

WHEREAS, the County further desires to assess the level of participation in County contracts and subcontracts of those businesses designated as MBEs and/or FBEs in order to determine whether there is a disparity or underutilization in the award of any such contracts to such businesses; and

WHEREAS, the United States Supreme Court established in *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989) that the appropriate manner of determining disparity and recommending corrective action is to conduct a Disparity Study, which includes a comprehensive analysis of County contracting data to determine statistically significant disparities or underutilization in the award of contracts to MBEs and/or FBEs, a regression analysis, legal analysis, and collection of anecdotal evidence; and

WHEREAS, the County, in order to monitor the effectiveness of any corrective action recommended by the Disparity Study, desires to update the Disparity Study on an annual basis.

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

SECTION 1. Chapter 509 of the Cuyahoga County Code is hereby enacted as follows:

Chapter 509: Disparity and Economic Inclusion

Section 509.01 Disparity Study

The County shall conduct a Disparity Study and, if required by law, shall validate the Disparity Study every five (5) years thereafter. All such studies shall be designed to meet the legal standards established by court rulings with respect to the constitutionality of programs designed to encourage greater participation of women and minorities in our economy.

Section 509.02 Monitoring Corrective Action

The County Executive shall monitor the effectiveness of any corrective action implemented as a result of the Disparity Study and shall annually update the Disparity Study.

Section 509.03 Approval of Contracts and Agreements

All contracts and agreements performed in furtherance of the Disparity Study shall be reviewed and approved by the appropriate approval authority depending on the monetary threshold of each contract or agreement in accordance with Chapter 501 of the County Code.

SECTION 2. It is found and determined that all formal actions of this County Council meeting relating to the adoption of this Ordinance were adopted in an open meeting of the County Council and that all deliberations of this County Council and any of its committees that resulted in such formal actions took place in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: October 11, 2011
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: October 11, 2011

Committee Report/Second Reading: September 24, 2013

Journal _____
_____, 2013

[PROPOSED SUBSTITUTE ORDINANCE]

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0048

<p>Sponsored by: Councilmembers Jones, Connally, Brady, Conwell, Rogers and Miller and County Executive FitzGerald</p>	<p>An Ordinance enacting Chapter 509 of the Cuyahoga County Code of Ordinances directing the County Executive to conduct a Disparity Study and, if required by law, validate the Disparity Study every five years thereafter; and requiring annual updates of said Study; and declaring the necessity that this Ordinance become immediately effective.</p>
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WHEREAS, Cuyahoga County desires to affirm its commitment to economic inclusion and wishes to ensure that its business practices allow equal opportunities to compete for all willing and able businesses eligible to contract and to subcontract with the County for construction, architecture and engineering, and other professional services, and for the procurement of other goods and services; and

WHEREAS, the County conducted a Disparity Study in 2002 that resulted in the County adopting a Small Business Enterprise Policy; and

WHEREAS, the County desires to evaluate whether its business practices are encouraging all willing and able businesses designated as Minority Business Enterprises (MBEs) and/or Female Business Enterprises (FBEs) to contract and subcontract with the County; and

WHEREAS, the County further desires to assess the level of participation in County contracts and subcontracts of those businesses designated as MBEs and/or FBEs in order to determine whether there is a disparity or underutilization in the award of any such contracts to such businesses; and

WHEREAS, the United States Supreme Court established in *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989) that the appropriate manner of determining disparity and recommending corrective action is to conduct a Disparity Study, which includes a comprehensive analysis of County contracting data to determine statistically significant disparities or underutilization in the award of contracts to MBEs and/or FBEs, a regression analysis, legal analysis, and collection of anecdotal evidence; and

WHEREAS, the County, in order to monitor the effectiveness of any corrective action recommended by the Disparity Study, desires to update the Disparity Study on an annual basis.

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 efficient and effective operation of the County.

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

SECTION 1. Chapter 509 of the Cuyahoga County Code is hereby enacted as follows:

Chapter 509: Disparity and Economic Inclusion

Section 509.01 Disparity Study

The County shall conduct a Disparity Study and, if required by law, shall validate the Disparity Study every five (5) years thereafter. All such studies shall be designed to meet the legal standards established by court rulings with respect to the constitutionality of programs designed to encourage greater participation of women and minorities in our economy.

Section 509.02 Monitoring Corrective Action

The County Executive shall monitor the effectiveness of any corrective action implemented as a result of the Disparity Study and shall annually update the Disparity Study.

Section 509.03 Approval of Contracts and Agreements

All contracts and agreements performed in furtherance of the Disparity Study shall be reviewed and approved by the appropriate approval authority depending on the monetary threshold of each contract or agreement in accordance with Chapter 501 of the County Code.

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

or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 23. It is found and determined that all formal actions of this County Council meeting relating to the adoption of this Ordinance were adopted in an open meeting of the County Council and that all deliberations of this County Council and any of its committees that resulted in such formal actions took place in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: October 11, 2011
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: October 11, 2011

Committee Report/Second Reading: September 24, 2013

Journal _____
_____, 2013

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0019

Sponsored by: Councilmembers Jones and Miller	An Ordinance amending Sections 704.01 to 704.03 of the Cuyahoga County Code to designate that the Additional DTAC Fee commence on 1/1/2014 and continue through 12/31/2018, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: Councilmembers Brady and Simon	

WHEREAS, pursuant to division (B) of Section 321.261 of the Ohio Revised Code, this County Council may designate an additional five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (the "Additional DTAC Fee") to be deposited in the delinquent tax and assessment collection fund (the "DTAC Fund") and appropriated for the use of a county land reutilization corporation, including the Cuyahoga County Land Reutilization Corporation (the "Corporation"); and

WHEREAS, pursuant to subdivision (B) of Section 321.261 of the Ohio Revised Code, the Corporation has requested that this Council consider designating the Additional DTAC Fee, commencing January 1, 2014, and continuing through December 31, 2018, subject to the limitation provided for in Section 1 of this Ordinance; and

WHEREAS, this Council finds that designating the Additional DTAC Fee, subject to the limitation provided for in Section 1 of this Ordinance, to provide a portion of the Corporation's Annual Base Funding, is in the best interests of the County and is necessary for the Corporation to continue to achieve its mission and public purposes of, among others, alleviating the slum and blight of vacant, abandoned and foreclosed properties within the County and the negative consequences which certain national real estate practices and the prior recession have inflicted on the local real estate markets; 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 efficient and effective operation of the County and the Corporation.

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

SECTION 1. Sections 704.01 to 704.03 of the Cuyahoga County Code shall be amended and replaced to read as follows:

CHAPTER 704: Delinquent Tax Anticipation Notes (DTAN)/Delinquent Tax and Assessment Collection (DTAC)

Section 704.01: Additional DTAC Fee

Pursuant to and in accordance with Section 321.261(B) of the Ohio Revised Code and subject to the other provisions of this Chapter, this Council hereby designates the Additional DTAC Fee in the annual amount of five percent (5%) to be applied on all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments solely for the use of the Corporation as part of its annual base funding, commencing on January 1, 2014 and continuing through December 31, 2018.

Section 704.02: Maximum Base Funding

Notwithstanding the provisions of Section 704.01 of the Cuyahoga County Code, the aggregate amount transferred to the Corporation from the DTAC Fund and the penalties and interest on current late and delinquent taxes and assessments deposited into the County Land Reutilization Fund in any single fiscal year of the Corporation shall not exceed \$7,000,000.00 (the "Maximum Annual Base Funding Amount").

Section 704.03: Deposit and Appropriation of Additional DTAC Fee

All amounts constituting the Additional DTAC Fee shall be deposited in the DTAC Fund, and such amounts upon their deposit in such fund, subject to the provisions of Section 704.02 of the Cuyahoga County Code, are hereby appropriated for the sole use of the Corporation and shall be disbursed to the Corporation upon warrant of the Fiscal Officer of the County (the "Fiscal Officer").

SECTION 2. The Clerk of Council is hereby instructed to transmit a copy of this Ordinance upon its execution by the County Council President, the County Executive and the Clerk of Council to the Fiscal Officer and the County Treasurer.

SECTION 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.

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.
Co-sponsored by: Councilmembers Conwell and Germana	

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 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 buildings are in working order to prevent the spread of fire and smoke inside walls and floors.

603.02 Definitions

(A) Fire damper: A listed device installed in ducts and air transfer openings designed to close automatically upon detection of heat and resist the passage of flame. Fire dampers are classified for use in either static systems that will automatically shut down in the event of a fire, or in dynamic systems that continue to operate during a fire. A dynamic fire damper is tested and rated for closure under elevated temperature airflow.

(B) Smoke damper: A listed device installed in ducts and air transfer openings designed to resist the passage of smoke. The device is installed to operate automatically, controlled by a smoke detection system, and where required, is capable of being positioned from a fire command center.

603.03 Regularity and Monitoring Inspections

All fire and smoke damper units in buildings that are County owned shall be tested and inspected every four (4) years. Compliance with this testing and inspections shall be completed and monitored by the Department of Public Works and the Director of Public Works.

603.04 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 technicians or 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. If contracted, procurement of these technicians and contractors shall be made in accordance with the Contracts and Purchasing Procedures set forth in Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.05 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 technicians or 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. If contracted, procurement of these technicians and contractors shall

be made in accordance with the Contracts and Purchasing Procedures set forth in Title 5 of the Cuyahoga County Code by the Department of Public Works and the Director of Public Works.

603.06 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 technicians or contractors to the Department of Public Works and the Director of Public Works within thirty (30) days of the completion of each County owned 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 completed four (4) years later. The Department of Public Works and the Director of Public Works shall publish on its website semiannual reports of the testing and inspection results (the first of which will cover the period January 1st – June 20th and will be due in July and the second of which will cover the period July 1st – December 21st and will be due in February). The Department of Public Works and the Director of Public shall report to Council through a Council Meeting, Committee of the Whole, or a designated Committee of Council, as requested, the results of the testing and inspection.

Within one year of the effective date of this Ordinance, the County shall complete the inspection and repair of all fire and smoke dampers located in all County owned buildings. During this one-year period, the Department of Public Works and the Director of Public Works shall provide quarterly updates on the progress of the inspections and repairs through a council meeting, committee of the whole, or a designated committee of council. Within one year of the effective date of this Ordinance, the Department of Public Works and the Director of Public Works shall deliver a time-line regarding the County’s timeline and scheduling for the on-going regular maintenance and repair of each fire and smoke damper in each County owned building through a council meeting, committee of the whole, or a designated committee of council.

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

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

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: July 23, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Additional Sponsorship Requested: September 17, 2013

Journal CC011
September 24, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0204

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	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. R2013-0148 dated 7/9/2013 by rescinding Item C in Section 3; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on December 11, 2012, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2013 (Resolution No. R2012-0232) establishing the 2013 biennial budget update for all County departments, offices and agencies; and

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

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

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

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

Fund Nos./Budget Accounts

Journal Nos.

A. 20A630 –Home Detention Fees **BA1301479**
SH586115-Home Detention Fees
Capital Outlays \$ 18,750.00

Funding Source: Funding is from fees collected for those placed on home detention covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the special revenue fund to support the increased appropriations.

B. 22A268 –HWAP 2012 **BA1301481**
DV725325-HWAP DOE Health & Safety 2012
Other Expenses \$ 2,125.00

Funding Source: Funding for the grant is from the United States Department of Energy covering the period April 1, 2012 through June 30, 2013.

C. 22A268 –HWAP 2012 **BA1301482**
DV725366-HWAP HHS Health & Safety 2012
Other Expenses \$ 3,392.97

Funding Source: Funding for the grant is from the United States Department of Health & Human Services and the Department of Energy covering the period April 1, 2012 through June 30, 2013.

D. 22A268 –HWAP 2012 **BA1301483**
DV725366-HWAP HHS Health & Safety 2012
Other Expenses \$ 5,338.00

Funding Source: Funding for the grant is from the United States Department of Health & Human Services and the Department of Energy covering the period April 1, 2012 through June 30, 2013.

E. 21A762 –Port Security Grant **BA1301484**
JA767954-Port Security Grant FFY11-2011/2014
Other Expenses \$ 140.00

Funding Source: Funding is from the United States Department of Homeland Security covering the period September 1, 2011 through August 31, 2014.

F. 20A805 – Court of Appeals Special Projects **BA1301491**
CA360115 – Court of Appeals Special Projects
Capital Outlays \$ 41,176.04

Funding Source: The funding source is the Court’s Special Revenue Fund from fees assessed on court filings for the 2013 fiscal year.

G. 21A182 – TASC Drug Court **BA1301492**
CO753913 – FY 2014 TASC Drug Court
Personnel Services \$ 134,239.00
Other Expenses \$ 3,671.00

Funding Source: The funding source is a grant from the Ohio Department of Mental Health and Addiction Services. The grant budget period is 07/01/2013-06/30/2014, and awards are distributed on a quarterly basis.

H.	21A043 – GIS Enterprise Feasibility Study IT470617 – GIS Enterprise Feasibility Other Expenses	\$ 100,000.00	BA1301506
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Funding Source: The Dept. of Information Technology Geographic Information System (GIS) division has been awarded a Local Government Innovation Grant award of \$100,000 from the Ohio Department of Development Services.

I.	22A967 –Brownfield RFL CO-OP Agreement DV709956-Brownfield RFL CO-OP Agreement Other Expenses	\$ 81,480.00	BA1301513
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Funding Source: Funding for the program is from the Environmental Protection Agency covering the period August 1, 2008 through July 31, 2014.

J.	01A001 – General Fund LA000794 – Law Department Other Expenses	\$ 150,000.00	BA1301494
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The Law Department is requesting \$150,000 for outside counsel for the Ameritrust litigation. The funding source is the General Fund. The funding period is January 1, 2013-December 31, 2013.

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: 20A695 – Clerk of Courts Computerization CL576124 – Clerk of Courts Computerization Capital Outlays	\$ 256,223.00 BA1301476
TO: 20A695–Clerk of Courts Computerization CL576124 –Clerk of Courts Computerization Other Expenses	\$ 256,223.00

Funding Source: Funding is from a \$10 court cost fee covering the period January 1, 2013 through December 31, 2013.

B. FROM:	21A762 – Port Security Grant JA767905 – Port Security Grant FFY10-2010/2013 Other Expenses	\$ 508.00	BA1301477
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TO: 21A762–Port Security Grant
 JA767905 –Port Security Grant FFY10-2010/2013
 Personnel Services \$ 508.00

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

C. FROM: 01A001 – General Fund **BA1301478**
 SH350272 – Law Enforcement-Sheriff
 Other Expenses \$ 5,900.00

TO: 01A001–General Fund
 SH350272 –Law Enforcement-Sheriff
 Capital Outlays \$ 5,900.00

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

D. FROM: 20A658 – Fiscal Certificate of Title Administration **BA1301507**
 FS109694 – Fiscal Operations – Title Administration
 Other Expenses \$ 15,000.00

TO: 20A658 – Fiscal Certificate of Title Administration
 FS109694 – Fiscal Operations – Title Administration
 Capital Outlay \$ 15,000.00

Funding Source: Funding comes from fees for titling motor vehicles.

E. FROM: 21A512 – C a 408 Jail/Misdemeanant **BA1301488**
 CO741488 –Jail Intensive Supervision Prog 13
 Other Expenses \$ 40,134.00

TO: 21A512 – C a 408 Jail/Misdemeanant
 CO741488 –Jail Intensive Supervision Prog 13
 Personal Services \$ 40,134.00

Funding Source: The funding source is the Ohio Department of Rehabilitation and Correction.

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

Fund Nos. /Budget Accounts

Journal Nos.

A. FROM: 21A762 – Port Security Grant **JT1305202**
 JA767855 – Port Security Grant FFY09-2009/2012
 Transfer Out \$ 34,046.00

TO: 21A065 – Cleveland Safe Port
 SH456087-Cleveland Safe Port II
 Revenue Transfer \$ 34,046.00

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

SECTION 5. That items approved in Resolution No. R2013-0148, passed on July 9, 2013, be corrected as follows to reconcile appropriations for 2013 in the County’s financial system:

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

Rescind Item C, Section 3

The original item being rescinded by Justice Services as a result of reconciliation of the grant to correct the amount that included the cash match in error which was already provided by the Sheriff’s Department in the amount of \$11,349.00 as well as a correction to the Sheriff’s Department grant account. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through May 31, 2013.

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

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

And that the remainder of said Resolution No. R2013-0148 is to remain in full force and effect.

SECTION 6. 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 7. 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
September 24, 2013



EDWARD FITZGERALD
Cuyahoga County Executive

CUYAHOGA COUNTY
FISCAL OFFICER



September 17, 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 September 24, 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
Law Department – Additional appropriation to cover outside counsel relative to the Ameritrust litigation. Funding is from the General Fund.	\$150,000.00
TOTAL	\$150,000.00

Other Operating Funds	Amount
Sheriff – Additional appropriation to cover the purchase of transdermal alcohol detention units. Funding is from fees collected for those placed on home detention.	\$18,750.00
Court of Appeals – Additional appropriation to cover the purchase of furniture. Funding is from fees assessed on court filings.	\$41,176.04
TOTAL	\$59,926.04

Grants/Projects	Amount
Development – To appropriate funds received from the landlord used to offset expenditures in the Home Weatherization Assistance Program and to prepare for grant closure. Funding is from the U.S. Department of Energy and the U.S. Department of Health & Human Services.	\$10,855.97
Justice Services – To appropriate additional grant award for the Port Security Grant FFY 2011/2014 from the U.S. Department of Homeland Security.	\$140.00
Common Pleas Court – To establish the FY 2014 Treatment Alternatives to Street Crimes Drug Court grant from the Ohio Department of Mental Health and Addiction Services.	\$137,910.00
Information Technology – To establish appropriations for the Geographic Information System (GIS) Feasibility Study grant from the Ohio Department of Development Services.	\$100,000.00
Development – To appropriate revenue and reprogram revenues received in the Brownfield RFL Co-Op Agreements fund from various agreements from 2011 and 2013. Funding is from the Environmental Protection Agency.	\$81,480.00
TOTAL	\$330,385.97

Total Additional Appropriations - All Funds	\$540,312.01
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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>09/24/13 Agenda</u>	<u>Year to Date*</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 150,000.00	\$ 361,708,846.00	\$ 379,725,801.49
HHS Levy Impact	\$ 0.00	\$ 222,615,901.00	\$ 206,502,911.39
Other Fund Impact	\$ <u>290,312.01</u>	\$ <u>919,467,552.00</u>	\$ <u>1,015,171,016.27</u>
Total Impact	\$ 540,312.01	\$ 1,503,792,299.00	\$ 1,601,399,729.15

* 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.

General Fund/Health & Human Services *	Amount
Sheriff – Realigning appropriation within the Law Enforcement fund to cover security cages, lights, sirens and other applicable police equipment for the recently purchased police cars. Funding is from the General Fund.	\$5,900.00
TOTAL	\$5,900.00

Other Operating Funds	Amount
Clerk of Courts – Realigning appropriation within the Computerization fund to cover a requisition for the 2013 COOP Disaster Recover Project. Funding is from a \$10 court cost fee.	\$256,223.00
Fiscal Office – Realigning appropriation to cover the purchase of security cameras. Funding is from fees assessed on motor vehicle titles.	\$15,000.00
TOTAL	\$271,223.00

Grants/Projects	Amount
Justice Services – Realigning appropriation within the Port Security Grant to prepare for grant closure. Funding is from the U.S. Department of Homeland Security.	\$508.00
Common Pleas Court– Realigning appropriation to	\$40,134.00
TOTAL	\$40,642.00

Total Appropriation Transfers - All Funds	\$208,832.01
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Cash Transfer Summary – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

Grants/Projects	Amount
Justice Services – A cash transfer to reimburse the Sheriff’s Office for maritime exercises reported on May 31, 2013 financial reports as approved through an intra-agency agreement with Public Safety/Justice Services. Funding is from the U.S. Department of Homeland Security.	\$34,046.00
TOTAL	\$34,046.00

Total Cash Transfers - All Funds	\$34,046.00
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Thank you for your consideration regarding this matter.

Sincerely,

A handwritten signature in black ink, reading "Matthew Rubino". The signature is written in a cursive style with a large, circular flourish at the end of the name.

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



EDWARD FITZGERALD
Cuyahoga County Executive

CUYAHOGA COUNTY
FISCAL OFFICER



MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

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

DATE: September 17, 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 September 24, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A.	20A630 –Home Detention Fees SH586115-Home Detention Fees Capital Outlays	\$ 18,750.00	BA1301479
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Increase appropriations in the Sheriff’s Home Detention Fees account for the procurement of additional transdermal alcohol detention units. Funding is from fees collected for those placed on home detention covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the special revenue fund to support the increased appropriations.

B.	22A268 –HWAP 2012 DV725325-HWAP DOE Health & Safety 2012 Other Expenses	\$ 2,125.00	BA1301481
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Increase appropriations in the Department of Development Home Weatherization Assistance Program for funds received from the landlord used to offset expenditures incurred in the program and to prepare the grant for closure. Funding for the grant is from the United States Department of Energy covering the period April 1, 2012 through June 30, 2013.

C.	22A268 –HWAP 2012 DV725366-HWAP HHS Health & Safety 2012 Other Expenses	\$ 3,392.97	BA1301482
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Increase appropriations in the Department of Development Home Weatherization Assistance Program for funds received from the landlord used to offset expenditures incurred in the program and to prepare the grant for closure. Funding for the grant is from the United States Department of Health & Human Services and the Department of Energy covering the period April 1, 2012 through June 30, 2013.

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.	22A268 –HWAP 2012 DV725366-HWAP HHS Health & Safety 2012 Other Expenses	\$ 5,338.00	BA1301483
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Increase appropriations in the Department of Development Home Weatherization Assistance Program for funds received from the landlord used to offset expenditures incurred in the program and to prepare the grant for closure. Funding for the grant is from the United States Department of Health & Human Services and the Department of Energy covering the period April 1, 2012 through June 30, 2013.

E.	21A762 –Port Security Grant JA767954-Port Security Grant FFY11-2011/2014 Other Expenses	\$ 140.00	BA1301484
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Increase appropriations in the Justice Services Port Security Grant FFY11-2011/2014 for change in the award amount from \$1,000,000 to \$1,000,140. Approval of the original award was on July 11, 2011 on the County Executive Calendar EA2011-0937 with the Contracts and Purchasing Board approving the increase on November 21, 2011, CPB2011-273. Funding is from the United States Department of Homeland Security covering the period September 1, 2011 through August 31, 2014.

F.	20A805 – Court of Appeals Special Projects CA360115 – Court of Appeals Special Projects Capital Outlays	\$ 41,176.04	BA1301491
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The Court of Appeals is requesting original appropriation to pay for furniture that is currently on the NSF report. The funding source is the Court’s Special Revenue Fund from fees assessed on court filings for the 2013 fiscal year.

G.	21A182 – TASC Drug Court CO753913 – FY 2014 TASC Drug Court Personal Services Other Expenses	\$ 134,239.00 \$ 3,671.00	BA1301492
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The Court of Common Pleas is requesting original appropriation to establish the TASC Drug Court FY2014 Grant. The funding source is a grant from the Ohio Department of Mental Health and Addiction Services. The grant budget period is 07/01/2013-06/30/2014, and awards are distributed on a quarterly basis.

H.	21A043 – GIS Enterprise Feasibility Study IT470617 – GIS Enterprise Feasibility Other Expenses	\$ 100,000.00	BA1301506
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The Dept. of Information Technology Geographic Information System (GIS) division has been awarded a Local Government Innovation Grant award of \$100,000 from the Ohio Department of Development Services. The grant was awarded for a project 'Enterprise GIS Feasibility Study' to hire a consultant to analyze and project manage a feasibility study of a shared enterprise GIS with partners City of Lakewood, City of Euclid, City of Broadview Heights, Northeast Ohio Regional Sewer District, and One Community.

I.	22A967 –Brownfield RFL CO-OP Agreement		BA1301513
	DV709956-Brownfield RFL CO-OP Agreement		
	Other Expenses	\$	81,480.00

Increase appropriations in the Department of Development Brownfield RFL Co-Op Agreement fund to re-program revenues received from various agreements deposited in the fund from 2011 and 2013. Funding for the program is from the Environmental Protection Agency covering the period August 1, 2008 through July 31, 2014.

J.	01A001 – General Fund		BA1301494
	LA000794 – Law Department		
	Other Expenses	\$	150,000.00

The Law Department is requesting \$150,000 for outside counsel for the Ameritrust litigation. The funding source is the General Fund. The funding period is January 1, 2013-December 31, 2013.

Resolution: Appropriation Transfers:

A.	FROM:	20A695 – Clerk of Courts Computerization CL576124 – Clerk of Courts Computerization Capital Outlays	\$	256,223.00	BA1301476
	TO:	20A695–Clerk of Courts Computerization CL576124 –Clerk of Courts Computerization Other Expenses	\$	256,223.00	

Transfer appropriations within the Clerk of Courts Computerization Fund for requisition CO-132569 for the 2013 COOP Disaster Recovery Project. The requisition was initiated by the Common Pleas Court. Funding is from a \$10 court cost fee covering the period January 1, 2013 through December 31, 2013.

B.	FROM:	21A762 – Port Security Grant JA767905 – Port Security Grant FFY10-2010/2013 Other Expenses	\$	508.00	BA1301477
	TO:	21A762–Port Security Grant JA767905 –Port Security Grant FFY10-2010/2013 Personal Services	\$	508.00	

Transfer appropriations within the Port Security FFY10-2010/2013 grant for final expense adjustment to fringes to facilitate closure of the grant. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through May 31, 2013.

C.	FROM:	01A001 – General Fund SH350272 – Law Enforcement-Sheriff Other Expenses	\$	5,900.00	BA1301478
	TO:	01A001–General Fund SH350272 –Law Enforcement-Sheriff Capital Outlays	\$	5,900.00	

Transfer appropriations within the Sheriff’s Law Enforcement Division budget for outfitting recently purchased police cars with security cages, lights, sirens and other applicable police equipment. Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

D.	FROM:	20A658 – Fiscal Certificate of Title Administration FS109694 – Fiscal Operations – Title Administration Other Expenses	\$	15,000.00	BA1301507
	TO:	20A658 – Fiscal Certificate of Title Administration FS109694 – Fiscal Operations – Title Administration Capital Outlay	\$	15,000.00	

A transfer of appropriation is requested to the capital outlay line to cover the purchase of security cameras. Funding comes from fees for titling motor vehicles.

E.	FROM:	21A512 – C a 408 Jail/Misdemeanant CO741488 –Jail Intensive Supervision Prog 13 Other Expenses	\$ 40,134.00	BA1301488
	TO:	21A512 – C a 408 Jail/Misdemeanant CO741488 –Jail Intensive Supervision Prog 13 Personal Services	\$ 40,134.00	

The Court of Common Pleas is requesting an adjustment in order to align the budget to grant budget documents. This grant funding period is July 1, 2012-June 30, 2013. The funding source is the Ohio Department of Rehabilitation and Correction.

Resolution: Cash Transfers:

A.	FROM:	21A762 – Port Security Grant		JT1305202
		JA767855 – Port Security Grant FFY09-2009/2012		
		Transfer Out	\$	34,046.00
	TO:	21A065 – Cleveland Safe Port		
		SH456087-Cleveland Safe Port II		
		Revenue Transfer	\$	34,046.00

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

Corrective Action Resolution: R2013-0148 dated July 09, 2013:

Amending Resolution R2013-0148 dated July 9, 2013 as follows:

Rescind item C, Section 3

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

The original item being rescinded by Justice Services as a result of reconciliation of the grant to correct the amount that included the cash match in error which was already provided by the Sheriff's Department in the amount of \$11,349.00 as well as a correction to the Sheriff's Department grant account. 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.

And that the remainder of said Resolution R2013-0148 is to remain in full force and effect.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0205

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution declaring that public convenience and welfare requires replacement of Akins Road Culvert 01.12 in the City of North Royalton; total estimated construction cost \$490,000.00; 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.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the replacement of Akins Road Culvert 01.12 in the City of North Royalton; and

WHEREAS, the anticipated construction cost for this improvement is \$490,000.00; 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) 60% from the County's Road and Bridge Fund and 40% from the City of North Royalton for the design work, and (b) 80% from the County's Road and Bridge Fund and 20% from the City of North Royalton for construction, and

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

WHEREAS, this project is located in at Akins Road Culvert 01.12 in the City of North Royalton, Council District 5; 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 public convenience and welfare requires the replacement of Akins Road Culvert 01.12 in the City of North Royalton.

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 North Royalton in connection with this project.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__



3a-b

Item Details:

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

SUMMARY OF REQUESTED ACTION:

A. Scope of Work Summary

1. Department of Public Works requesting that Council find: a) that the public convenience and welfare requires the replacement of Akins Road Culvert 01.12 in the City of North Royalton
 b) that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements
 c) authorize the County Executive to enter into and execute the necessary agreement of cooperation with the appropriate municipality.
 The anticipated cost for this improvement is \$490,000 (\$70,000 for design, \$420,000 for construction). The project is to be funded 60% with County Road and Bridge Fund and 40% from City of North Royalton for design and 80% with County Road and Bridge Fund and 20% from City of North Royalton for construction. The anticipated start date for construction is 2015.
2. The primary goal of this request is to begin the process of Council review and approval of this project. The primary goal of the project itself is to properly maintain the County's infrastructure.
3. N/A

B. Procurement - N/A

C. Contractor and Project Information

1. N/A
2. N/A
- 3a. The location of the project is Akins Road Culvert 01.12 in the City of North Royalton
- 3b. The project is located in Council District 5.

D. Project Status and Planning

1. The project is new to the County.

- 2. N/A
- 3. N/A
- 4. N/A
- 5. N/A

E. Funding

1. The project is to be funded 60% with County Road and Bridge Fund and 40% from City of North Royalton for design and 80% with County Road and Bridge Fund and 20% from City of North Royalton for construction.

- 2. N/A
- 3. N/A

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source:	Explanation:
Other	County Road and Bridge/City of North Royalton

Total Amount Requested:

\$

ATTACHMENTS:

Click to download

[Project Sheet](#)

History

Time

Who

Approval

Clerk of the Board



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0206

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution declaring that public convenience and welfare requires replacement of Eastland Road Culvert 00.53 in the City of Middleburg Heights; total estimated construction cost \$420,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the replacement of the Eastland Road Culvert 00.53 in the City of Middleburg Heights; and

WHEREAS, the anticipated construction cost for this improvement is \$420,000.00 of which \$60,000.00 is for the design work and \$360,000.00 for construction; and

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

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

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

WHEREAS, this project is located at Eastland Road Culvert 00.53 in the City of Middleburg Heights, Council District 4; and

WHEREAS, the anticipated start date for construction of this project is 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 declares public convenience and welfare requires the replacement the Eastland Road Culvert 00.53 in the City of Middleburg Heights.

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

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



4a-b

Item Details:

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

SUMMARY OF REQUESTED ACTION:

The request for Council action does not involve a contract.

A. Scope of Work Summary

1. Department of Public Works requesting that Council find: a) that the public convenience and welfare requires the replacement of Eastland Road Culvert 00.53 in the City of Middleburg Heights
 b) that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements
 c) authorize the County Executive to enter into and execute the necessary agreement of cooperation with the appropriate municipality.
 The anticipated construction costs for this improvement is \$420,000 (\$60,000 for design, \$360,000 for construction). The project is to be funded 60% with County Road and Bridge Fund and 40% from City of Middleburg Heights for design and 80% with County Road and Bridge Fund and 20% from City of Middleburg Heights for construction. The anticipated start date for construction is 2014.
2. The primary goal of this request is to begin the process of Council review and approval of this project. The primary goal of the project itself is to properly maintain the County's infrastructure.
3. N/A

B. Procurement - N/A

C. Contractor and Project Information

1. N/A
2. N/A
- 3a. The location of the project is Eastland Road Culvert 00.53 in the City of Middleburg Heights
- 3b. The project is located in Council District 4.

D. Project Status and Planning

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

E. Funding

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

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source:	Explanation:
Other	Road and Bridge/City of Middleburg Heights

Total Amount Requested:
\$

ATTACHMENTS:

Click to download

[Project Sheet](#)

History

Time

Who

Office of Procurement & Diversity

Approval



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0207

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution approving Right-of-Way plans as set forth in Plat No. 5017 for rehabilitation of various Highland Road Bridges over Euclid Creek in the City of Euclid; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended approval of the Right-of Way plans as set forth in Plat No. 5017 for the rehabilitation of various Highland Road Bridges over Euclid Creek in the City of Euclid; and,

WHEREAS, the various Highland Road Bridges over Euclid Creek in the City of Euclid are:

- 1) No. 156 (nka 00.13)
- 2) No. 157 (nka 00.31)
- 3) No. 158 (nka 00.54)
- 4) No. 226 (nka 00.64); and,

WHEREAS, Resolutions 070801, 070802, 070803 and 070804 were adopted on February 22, 2007 which declared that the public convenience and welfare required the rehabilitation of these various Highland Road Bridges; and,

WHEREAS, that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and,

WHEREAS, the current estimated construction cost is \$12,000,000.00, with 80% of eligible costs being funded with federal funds, and 20% being funded by the County (Road and Bridge Fund); and,

WHEREAS, the balance of the cost will be paid from the County's Road and Bridge 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 approves Right-of-Way plans as set forth in Plat No. 5017 for the rehabilitation of various Highland Road Bridges over Euclid Creek in the City of Euclid as set forth below:

- 1) No. 156 (nka 00.13)
- 2) No. 157 (nka 00.31)
- 3) No. 158 (nka 00.54)
- 4) No. 226 (nka 00.64).

SECTION 2. That the County Executive through the Department of Public Works is hereby authorized to acquire the Right-of-Way necessary for said improvement.

SECTION 3. That special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement.

SECTION 4. That all proceedings relative to Right-of-Way Plat No. 5017 are hereby ordered copied into the Road Record of the County by Department of Public Works and copied into all other proper records of the County by the Fiscal Officer as required by law.

SECTION 5. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



Item Details:

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:

Scope of Work Summary

1. This Legislative Action Request does not involve a contract.

The Department of Public Works is seeking the following in connection with the rehabilitation of Highland Road Bridge Nos. 156 (00.13), 157 (00.31), 158 (00.54) and (00.64) spanning Euclid Creek in the City of Euclid:

- a) Approval of right-of-way plans;
- b) Authority to acquire required right-of-way; and,
- c) A finding that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements.

Since Tuesday, August 20, 2013, and continuing until the Resolution granting the requested action is either adopted or rejected, the Department of Public Works has posted and provided continuous notice of the following on its website:

- a. The Department of Public Works has submitted the right-of-way plans for the Highland Road Bridge Nos. 156 (00.13), 157 (00.31), 158 (00.54) and 226 (00.64) Project for County Council approval and that the same is available of viewing on said website;
- b. The Department of Public Works intends to acquire right-of-way for said improvement;
- c. As part of the approval of the right-of-way plans, the Department of Public Works will be seeking a finding that special assessments will not be levied nor collected to pay for any part of the County's costs of said improvement;
- d. That a First Reading of the Resolution approving the revised right-of-way plans will be made by the Cuyahoga County Council at its meeting scheduled to begin at 5:00 p.m. on September 24, 2013; and,
- d. That general public access and ability to review the right-of-way plans via an electronic link as indicated.

Resolutions 070801, 070802, 070803 and 070804 were adopted on February 22, 2007. Said Resolutions declared that the public convenience and welfare required the rehabilitation of Highland Road Bridge Nos. 156, 157, 158 and 226, respectively.

There are a total of 2 owners and 12 parcels associated with the acquisition of right-of-way for this project. All of the parcels to be acquired are temporary easements for the purpose of access and grading, with 11 of the parcels owned by the Board of Commissioners of the Cleveland Metropolitan Park District, and 1 parcel owned by private parties.

2. The primary goal of this project is to rehabilitate the four (4) bridges in order to improve safety on each bridge, extend their service life and provide a superior driving surface for vehicles.

3. NA

B. Procurement

1. N/A

2. N/A

3. N/A

C. Contractor and Project Information

1. N/A

2. N/A

3.a. The location of the project is in the City of Euclid

b. The project is located in Council District 11.

D. Project Status and Planning

1. Construction is expected to begin in 2015, with two bridges being rehabilitated at a time.

2. N/A

3. N/A

4. N/A

5. N/A

E. Funding

1. As noted above, this Legislative Action Request does not involve a contract. There will be subsequent, separate Legislative Action Requests to award settlement amounts, or to commence appropriation actions, for all required parcels.

The current estimated construction cost is \$12,000,000, with 80% of the eligible costs being funded with federal funds, and 20% being funded by the County (Road and Bridge Fund).

2. N/A

3. N/A

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The purpose/outcome of this legislative action is: 1) Approval of right-of-way plans; 2) Authority to acquire required right-of-way; and, 3) A finding that special assessments will not be levied nor collected to pay for any part of the County's costs of said improvement.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: **Explanation:**
Other 80% Federal 20% road and bridge rund

Total Amount Requested:
\$

ATTACHMENTS:

Click to download
 [Highland Road Bridge Nos. 156, 157, 158 and 226 Right-of-Way Plans](#)

History	Who	Approval
Time	Clerk of the Board	



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0208

Sponsored by: County Executive FitzGerald/Department of Public Works and Medical Examiner	A Resolution making an award on RQ27661 to Regency Construction Services, Inc. in the amount not-to-exceed \$2,467,000.00 for construction of the Cuyahoga County Crime Lab; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, the County Executive/Department of Public Works and Medical Examiner has recommended an award on RQ27661 to Regency Construction Services, Inc. (34-13) in the amount not-to-exceed \$2,467,000.00 for construction of the Cuyahoga County Crime Lab; and

WHEREAS, County Council has determined that awarding RQ27661 to Regency Construction Services, Inc. is in the best interest of the 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 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 RQ27661 to Regency Construction Services, Inc. (34-13) in the amount not-to-exceed \$2,467,000.00 for construction of the Cuyahoga County Crime Lab.

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



6

Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Ginger Cox
Type of Request:	Award Recommendation		
Request Prepared by:	Juliann Conway	Telephone No.	216-348-3838

SUMMARY OF REQUESTED ACTION:

Department of Public Works

A) SCOPE OF WORK SUMMARY

1. is recommending an award on RQ27661 to Regency Construction Services, Inc. in the amount not-to-exceed \$2,467,000.00 for the Construction of the Cuyahoga County Crime Lab.

2. and enter into a contract with Regency Construction Services, Inc. They submitted all necessary documentation per the Bid Specifications.

PROCUREMENT

1) Competitive Bid process.

2) The Office of Procurement and Diversity (OPD) assessed a 30% SBE Goal. The SBE plan submitted by Regency Construction Services, Inc. was met and approved by OPD (see OPD Bid Tab).

The architect's estimate was \$2,490,550.00. The bids were open on July 30, 2013.

There were thirty-four (34) proposals were pulled from OPD and thirteen (13) bids were submitted for review and an award recommendation is being made to Regency Construction Services, Inc.

3) N/A.

C) CONTRACTOR AND PROJECT INFORMATION

Regency Construction Services, Inc., 14600 Detroit Avenue, #1495, Lakewood, Ohio, 44107 (Council District 2).

Phone No. 216-529-1188

Primary Owner is Tari S. Rivera, President.

Crime Lab is located in Council District 7

D. PROJECT STATUS AND PLANNING

1. Work is scheduled to be completed approximately two hundred and twenty-seven days from the Notice to Proceed date (October 15, 2013 - July 14, 2014).

E. FUNDING

1. General Fund - Capital Improvements

The contractor has completed ethics training as required

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Construction includes demolition of the existing offices and constructing a new laboratory layout including walls, ceilings, electrical, HVAC, Plumbing and Fire Alarm systems. Environmental abatement work is included. Furnish and install new security (access control and CCTV) and communications and data. All interior finishes are included (paint, flooring and blinds). Work shall include Furnish & Install casework, lockers, shelving and other necessary equipment for the Crime Lab.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Competitive Bid

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

Financial Information:

Funding source: Explanation:

General Fund

Total Amount Requested:

\$2,467,000.00

ATTACHMENTS:

Click to download

[Contract Part 1 of 11 Instruction to Bidders](#)



(OPD USE ONLY) Date Sent to Dept: 8/15/13 Date Received from Dept: 8/15/13

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 CONTRACT PERIOD: N/A
 REQUISITION NUMBER: CT - 13 - 27661 NUMBER OF ITB'S SENT/RETURNED: 34 / 13
 REQUISITIONING DEPT.: Public Works - Central Services ESTIMATE: \$2,490,550.00
 COMMODITY DESCRIPTION: Construction at the County Crime Lab SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)		TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER								
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P-Back Y/N	P - ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of \$226,410.00	SBE SUB-CONTRACTOR NAME	CCBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Regency Construction Services Inc. 14600 Detroit Avenue, #1495 Lakewood, Ohio 44107	Bid Bond, 100% - Liberty Mutual Insurance Company	N/A	P: yes - <u>CMHC</u> IG# 12-2354 VCF=ok NCA=ok PH=yes 2% match = yes <u>D-YES DAS</u>	\$2,467,000.00	Western Reserve Insurance 57% @ \$42,000 VIP Restoration, Inc 1% @ 26,000 with Castle Heating & Air 15.8% @ \$390,000 with Work Built Electric 15.8% with \$299,000 12.12% with Paganony Constr. SBE Prime 20%	N	Y	34.11%	Y	Prime is certified but did not bid SBE 2 papers for Shemely AMT 8/15/13 MM 8/15/13
Seitz Builders, Inc. 8055 Broadview road Broadview Heights, Ohio 44147	Bid Bond, 100% - Ohio Farmers Insurance Company	N/A	P: yes* - <u>twb</u> IG# no VCF = ok NCA = ok PH = yes 2% match = no <u>D-NO DAS</u>	\$2,483,410.00	with Castle Heating & Air 9% \$406,000 16.35% with General Insurance 7% \$312,000 12.56% with Work Built Electric 7% \$359,400 15.7 with Western Reserve Insurance 6.2% @ \$1,544,655 with D.E. Williams Electric \$343,400	N	N	65.4%	Y	AMT 8/15/13 MM 8/15/13

CCBB: Low Non-CCBB Bid: \$2,467,000.00 +2% = \$2,515,900.00 Does CCBB apply: Y (Note: CCBB must meet all bid requirements)
 * LOWEST BID REC'D \$ 2,467,000.00 RANGE OF LOWEST BID REC'D \$ 2,000,000.00 - 3,000,000.00 PRICE PEEF % & \$ LIMIT: 3% \$71,950.00 MAX SBE PRICE PEEF \$ 684,360.00

OBM APPROVAL (if actual bid exceeds estimate) _____ DATE _____
 DEPARTMENT DIRECTOR SIGNATURE: [Signature] DATE: 8/22/13
 DEPARTMENT DIRECTOR NAME: BONITA G. TRUMPER (Date Signed)
 LOW BIDDER NOTIFIED No Yes

***PAGE 1 OF 8 - SEE BID EVALUATION FOR ADDITIONAL INFORMATION REGARDING ADMINISTRATIVE REVIEW OF BIDS**



(OPD USE Only) Date Sent to Dept: _____ Date Received from Dept: _____

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 CONTRACT PERIOD: N/A

REQUISITION NUMBER: CT - 13 - 27661 NUMBER OF ITB'S SENT/RETURNED: 34 / 13

REQUISITIONING DEPT.: Public Works - Central Services ESTIMATE: \$2,490,550.00

COMMODITY DESCRIPTION: Construction at the County Crime Lab SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)			TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER							
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P-Back Y/N	P-ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of	SBE SUBCONTRACTOR NAME	CBB	SBB PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Mid American Construction LLC 8506 Lake Avenue, Suite B Cleveland, Ohio 44102	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	N/ A	P: yes - <u>OK</u> D: <u>OK</u> IG# 12-0203 VCF = ok NCA = ok PH = yes 2% match = yes D-NO VAS	\$2,505,805.00 includes cash allowance of \$226,410.00	Mid American Constr. SBE Prime 20% \$511,610.00 with 2 EB Electric 15.6% \$396,000.00 with North American Contract 19% \$4,800 with Western Reserve Insur. S.G % \$129,655		<u>Y</u>	<u>41.3%</u>	<u>Y</u>	<u>AW 8/15/13</u> <u>NM 8/15/13</u>
Whitthouse Construction 23660 Miles Road, Suite 76 Bedford Heights, Ohio 44128	Bid Bond, 100% - International Fidelity Insurance Company	N/ A	P: yes - <u>OK</u> D: <u>OK</u> IG# 12-2995 VCF = ok NCA = ok PH = yes 2% match = yes D-NO VAS	\$2,554,000.00 includes cash allowance of \$226,410.00	Whitthouse Constr. SBE Prime 20% \$510,800.00 with DE. W. A. W. Electric 14% \$367,400 with Western Reserve Insur. 5.5% \$139,485 with North American Contract 22% \$567,800		<u>Y</u>	<u>39.7%</u>	<u>Y</u>	<u>AW 8/15/13</u> <u>NM 8/15/13</u>

CCBB: Low Non-CCBB Bid: \$ _____ -2% \$ _____ Does CCBB apply? Y/N _____ (*Note: CCBB must meet all bid requirements)

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PREF % & \$ LIMIT: _____ MAX SBE PRICE PREF \$ _____

OBM APPROVAL: _____ (if actual bid exceeds estimate)

DEPARTMENT DIRECTOR SIGNATURE: _____ DEPARTMENT DIRECTOR NAME: _____

DATE: _____

LOW BIDDER NOTIFIED: No Yes Date: _____

Tub sheet with S Updated 04/19/21



(OPD USE Only) Date Sent to Dept: _____ Date Received from Dept: _____

OFFICE OF PROCUREMENT & DIVERSITY
TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 CONTRACT PERIOD: N/A
 REQUISITION NUMBER: CT-13-27661 NUMBER OF ITB'S SENT/RETURNED: 34/13
 REQUISITIONING DEPT.: Public Works - Central Services ESTIMATE: \$2,490,550.00
 COMMODITY DESCRIPTION: Construction at the County Crime Lab SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)				TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER					
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P - ADMINISTRATIVE D - TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of \$226,410.00	SBE SUBCONTRACTOR NAME	CBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
SONA Construction, LLC 7344 Forestwood Drive Independence, Ohio 44131	Bid Bond, 100% - Western Surety Company	P: yes* - <u>OK</u> IC# no VCF = ok NCA = ok PH = yes 2% match = yes <u>D-YES DAD</u>	\$2,572,000.00	SONA Constr, SBE Bidder 20% \$514,400 Western Reserve Insur 6% \$154,000 Global Furnishing 12.6% \$325,000	N	4	38.6	Y	<u>AWB 8/15/13</u> <u>NM 8/15/13</u>
EnviroCom Construction, Inc. 23632 Mercantile Road Beachwood, Ohio 44122	Bid Bond, 100% - Great American Insurance Company	P: yes* - <u>OK</u> IC# no VCF = ok NCA = ok PH = yes 2% match = yes <u>D-NO DAD</u>	\$2,572,000.00 <u>SBE \$819,000.00</u>	Donnell Roberts Insur 6% \$154,000 Wood Best Electric \$284,000 Extremes Cabling 35% Global Furnishing 12.2% \$310,000	N	0	31.8%	Y	<u>AWB 8/15/13</u> <u>NM 8/15/13</u>

CCBB: Low Non-CCBB Bid: \$ _____ +2% \$ _____ Does CCBB apply? : Y / N (*Note: CCBB must meet all bid requirements)
 RANGE OF LOWEST BID REC'D \$ _____ PRICE PREF % & \$ LIMIT: _____ MAX SBE PRICE PREF \$ _____

DEPARTMENT DIRECTOR SIGNATURE: _____ DATE: _____
 DEPARTMENT DIRECTOR NAME: _____
 LOW BIDDER NOTIFIED: No Yes Date: _____
 OBM APPROVAL (If actual bid exceeds estimate): _____
 Updated 04/19/12



(OPD USE Only) Date Sent to Dept: _____

Date Received from Dept: _____

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 CONTRACT PERIOD: N/A

REQUISITION NUMBER: CT - 13 - 27661 NUMBER OF ITB'S SENT/RETURNED: 34 / 13

REQUISITIONING DEPT.: Public Works - Central Services ESTIMATE: \$2,490,550.00

COMMODITY DESCRIPTION: Construction at the County Crime Lab SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)				TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER					
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P-ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of \$226,410.00	SBE SUBCONTRACTOR NAME	CCBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Infinity Construction Co., Inc. 18440 Cranwood Parkway Warrensburg Heights, Ohio 44128	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	P: yes *-Dunk IG# no VCF =ok NCA =ok PH= yes 2% match = yes N/A-Dunk	WF \$2,575,000.00	Western Reserve Insulator Co. 3% & 164,185 Total Insulating 50% 4% \$11,500 Western Insurance Council 10% \$4,800 Global Finishing 12% \$370,000 Lafayette Electric 15% \$370,000	N	N	34.5%	Y	and 8/15/13 mm 8/15/13
Cold Harbor Building Company 115 Industrial Parkway Chardon, Ohio 44024	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	P: yes -Dunk IG# 12-3047 VCF =ok NCA =ok PH= yes 2% match = no N/A-Dunk	WF \$2,587,410.00	TE Services Electric 16% \$435,000 Global Finishing 15% \$450,000	N	N	31	Y	and 8/15/13 mm 8/15/13

CCBB: Low Non-CCBB Bid: \$ _____ +2% \$ _____ = \$ _____ Does CCBB apply? : Y / N (*Note: CCBB must meet all bid requirements)

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PREF % & \$ LIMIT: _____ MAX SBE PRICE PREF \$ _____

DEPARTMENT APPROVAL: _____ DEPARTMENT DIRECTOR SIGNATURE: _____ DEPARTMENT DIRECTOR NAME: _____

DATE: _____ DATE SIGNED: _____

LOW BIDDER NOTIFIED: No Yes Date: _____

Tab sheet with: _____ Updated 04/19/12



(OPD USE Only) Date Sent to Dept: _____

Date Received from Dept: _____

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 N/A
 REQUISITION NUMBER: CT - 13 - 27661 34 / 13
 REQUISITIONING DEPT.: Public Works - Central Services
Construction at the County Crime Lab
 COMMODITY DESCRIPTION: _____ ESTIMATE: \$2,490,550.00
 SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT) TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER

BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P-Back Y/N	P - ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of	SBE SUBCONTRACTOR NAME	CBB	SBB PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Panzica Construction Company 739 Beta Drive Mayfield Village, Ohio 44143	Bid Bond, 100% - Federal Insurance Company	N/ A	P: yes - bank IG# 12-2147 VCF = ok NCA = ok PH = yes 2% match = yes D - YES [Signature]	\$2,603,410.00 \$226,410.00	Western Business Interiors 6% \$154,635 Titanium-Tech 3% \$7,350 Global Furnishings 12.5% \$325,000 Woodstock Supply 1.8% \$47,000 G & B Electrical 1.5% \$370,000 Cable Restoring 1.5% \$45,000	N	U	57.7%	Y	MM 8/15/13 Prime is certified but did not submit SBE document for his company MM 8/15/13
Coastal Quality Construction, Inc. 315 Ken Mar Industrial Parkway Broadview Heights, Ohio 44147	Bid Bond, 100% - Granite RE, Inc.	N/ A	P: yes - bank IG# 12-4056 VCF = ok NCA = ok PH = yes 2% match = yes D - YES [Signature]	\$2,610,000.00 \$89,900.40	Coastal Quality Count 20% SBE Prime \$522,000.00 Woodward Electric 15% \$399,900	Y	4	35%	Y	Prime is certified but did not submit SBE document for his company MM 8/15/13

CCBB: Low Non-CCBB Bid: \$ _____ +2% \$ _____ Does CCBB apply? Y / N
 * LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PEEF % & \$ LIMIT: _____ MAX SBE PRICE PEEF \$ _____
 (*Note: CCBB must meet all bid requirements)

OBM APPROVAL (if actual bid exceeds estimate) _____ DEPARTMENT DIRECTOR SIGNATURE _____
 DATE _____ DEPARTMENT DIRECTOR NAME _____
 LOW BIDDER NOTIFIED No Yes Date: _____ (Date Signed) _____
 Tab sheet with: _____ Updated 04/19/2

(OPD USE Only) Date Sent to Dept: _____ Date Received from Dept: _____
OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 CONTRACT PERIOD: N/A
 REQUISITION NUMBER: CT - 13 - 27661 NUMBER OF ITB'S SENT/RETURNED: 34 / 13
 REQUISITIONING DEPT.: Public Works - Central Services ESTIMATE: \$2,490,550.00
 COMMODITY DESCRIPTION: Construction at the County Crime Lab SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)				TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER					
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P - ADMINISTRATIVE D - TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of	SBE SUBCONTRACTOR NAME	CBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
ABC Piping Co. 1277 East Schaaf Road Brooklyn Heights, Ohio 44131	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	P: yes - <u>OK</u> D: <u>IG# 12-0035</u> VCF = ok NCA = ok PH = yes 2% match = yes <u>D- NO DAS</u>	\$2,694,322.00 w/m \$226,410.00	ABC Piping 30% SBE Prime \$538,864.40	<u>N/A</u>	<u>4</u>		<u>N</u>	Did not Submit c SBE Documents (SBE 1-2-8) <u>AM 8/15/13</u> <u>AM 8/15/13</u>
Charles Schulz Building Co., Inc. 4519 Brookpark Road Parma, Ohio 44134	Bid Bond, 100% - Ohio Farmers Insurance Company	P: yes* - <u>OK</u> IG# no VCF = ok NCA = ok PH = yes 2% match = n/a <u>D- NO DAS</u>	\$2,767,080.00 w/m w/ \$55,416.00 w/ \$389,400	Charles Schulz Building SBE Prime 20% \$55,416.00 w/ \$389,400 14% North American Cement 2% \$4,500	<u>N/A</u>	<u>4</u>	34.2%	<u>Y</u>	Also requesting a part: all bidders to part: not needed. <u>AM 8/15/13</u> <u>AM 8/15/13</u>

CCBB: Low Non-CCBB Bid: \$ _____ +2% \$ _____ - \$ _____ Does CCBB apply? Y / N (*Note: CCBB must meet all bid requirements)
 RANGE OF LOWEST BID REC'D'S: _____ PRICE PREF % & \$ LIMIT: _____ MAX SBE PRICE PREF S: _____

LOW BIDDER NOTIFIED No Yes Date: _____
 DEPARTMENT DIRECTOR SIGNATURE: _____ DEPARTMENT DIRECTOR NAME: _____
 DATE: _____ (Date Signed)
 OBM APPROVAL (if actual bid exceeds estimate) _____
 Updated 04/19/

(OPD USE Only) Date Sent to Dept: _____

Date Received from Dept: _____

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: July 30, 2013 CONTRACT PERIOD: N/A

REQUISITION NUMBER: CT - 13 - 27661 NUMBER OF ITB'S SENT/RETURNED: 34 / 13

REQUISITIONING DEPT.: Public Works - Central Services ESTIMATE: \$2,490,550.00

COMMODITY DESCRIPTION: Construction at the County Crime Lab SBE GOAL: 30%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)				TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER					
BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P - ADMINISTRATIVE D - TECHNICAL REVIEW	ACTUAL BID AMOUNT includes cash allowance of \$226,410.00	SBE SUBCONTRACTOR NAME	CBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Erie Affiliates, Inc. 29015 Chardon Road Suite 200 Willoughby Hills, Ohio 44092	Bid Bond, 100% - International Fidelity Insurance Company	P: yes * - OK IG# no VCF = ok NCA = ok PH = yes 2% match = n/a D - No DAS	\$2,795,000.00 Bid Field Day Clearing 2% \$4,304 Western Reserve Tooling 5.5% \$154,635 Woodhill Supply 1.7% \$47,000 Tanner-Tech 2.6% \$7,350 Lowville Hardware & Inc 14.53% \$466,000 Worke Best Electric 13.95% \$389,500						and 8/15/13 nm 9/15/13
			1,009,744.00						

CCBB: Low Non-CCBB Bid: \$ _____ +2% \$ _____ = \$ _____ Does CCBB apply: Y/N _____ (*Note: CCBB must meet all bid requirements)

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PREF % & \$ LIMIT: _____ MAX SBE PRICE PREF \$ _____

OBM APPROVAL (if actual bid exceeds estimate) _____ DATE _____ DEPARTMENT DIRECTOR SIGNATURE _____ DEPARTMENT DIRECTOR NAME _____ (Date Signed)

LOW BIDDER NOTIFIED No Yes Date: _____ Tab sheet wit Updated 04/13

BID EVALUATION

Construction at Cuyahoga County Crime Laboratory
RQ27661

Seitz Builders, Inc.

Vendor will need to register with the Inspector General's Office if considered for an award.

SONA Construction, LLC

Vendor will need to register with the Inspector General's Office if considered for an award.
Vendor site visit confirmation did not provide name of escort.

EnviroCom Construction, Inc.

Vendor will need to register with the Inspector General's Office if considered for an award.

Infinity Construction Co., Inc.

Vendor will need to register with the Inspector General's Office if considered for an award.

Panzica Construction Company

Did not acknowledge receipt of Addendums 1 thru 4.

Vendor did not confirm site visit for this specific project.

Charles Schulz Building Co., Inc.

Vendor will need to register with the Inspector General's Office if considered for an award.

Erie Affiliates, Inc.

Vendor will need to register with the Inspector General's Office if considered for an award.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0209

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ27988 to Trafftech, Inc. in the amount not-to-exceed \$1,222,800.00 for striping in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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 Public Works/Division of the County Engineer has recommended an award on RQ27988 to Trafftech, Inc. in the amount not-to-exceed \$1,222,800.00 for striping in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014; and,

WHEREAS, the intent of this project is to perform pavement striping on a task order basis throughout Cuyahoga County; and,

WHEREAS, this project is funded 100% by municipalities throughout 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 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 RQ27988 to Trafftech, Inc. in the amount not-to-exceed \$1,222,800.00 for striping in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014.

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,



5

Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept.Head Name:	Thomas P. Sotak, P.E.
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Type of Request: Award Recommendation

Request Prepared by:	Juliann Conway	Telephone No.	216-348-3838
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SUMMARY OF REQUESTED ACTION:

Department of Public Works

A) SCOPE OF WORK SUMMARY

1. is recommending an award on RQ27988 to Trafftech, Inc. in the amount not-to-exceed \$1,222,800.00 for the 2013 - 2014 Countywide Maintenance Program - Striping.
2. and enter into a contract with Trafftech, Inc.. They were determined to be the lowest qualified bidder and submitted all necessary documentation per the Bid Specifications.

PROCUREMENT

- 1) Competitive Bid process.
 - 2) The Office of Procurement and Diversity (OPD) assessed a 5% SBE Goal and goal was met and approved.
 - 3) The engineer's estimate was \$1,259,870.00. The bids were open on August 1, 2013.
- There were five (5) proposals pulled from OPD and two (2) bids were submitted for review and an award recommendation is being made to the lowest qualified bidder.

3) N/A.

C) CONTRACTOR AND PROJECT INFORMATION

Trafftech, Inc. 216-361-8808
7000 Hubbard Avenue
Cleveland, Ohio 44127

Principal Owner (s): William J. Porter, President

Council District - ?

3. Work will take place in all Council Districts.

D. PROJECT STATUS AND PLANNING

1. As per specifications this is an open contract from approximately October 1, 2013 through October 31, 2014. Work will be performed upon request by the municipalities throughout Cuyahoga County.

E. FUNDING

1. 100% Municipality

This contractor has completed ethics training as required

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Project Description The intent of this project is to perform pavement striping on a task order basis throughout Cuyahoga County for the duration of this contract. This contract expires on October 31, 2014. At various times throughout the duration of the contract the contractor will be asked to log the existing pavement markings and provide an estimate based on the agreed upon contract price. Based upon review of the contractors estimate the county will decide which road to proceed with and a notice to proceed for one or more roads will be issued to the contractor. The contractor will have four (4) weeks from notice to proceed for each individual task (consisting of one or more roads) to complete the work for that task no work shall be started until notice to proceed for that task is issued by the county. The quantity listed in the bid form is an estimate for the anticipated amount of work to be performed during this contract. The county reserves the right to increase or decrease the amount of actual work requested during the contract period. No minimum quantity of material or of work to be performed is guaranteed.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:



(OPD USE Only) Date Sent to Dept: 8/12/2013

Date Received from Dept: 8/16/2013

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

Revised 9/17/2013

BID DUE DATE: August 1, 2013
 REQUISITION NUMBER: CE - 13 - 27988
 REQUISITIONING DEPT.: Public Works - Engineer
 COMMODITY DESCRIPTION: Preventive Maintenance - Road Striping

CONTRACT PERIOD: N/A
 NUMBER OF ITB'S SENT/RETURNED: 5/2
 ESTIMATE: \$1,259,870.00
 SBE GOAL: 5%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT)

TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER

BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P-Back Y/N	P - ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT	SBE SUBCONTRACTOR NAME	CCBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Trafftech, Inc. 7000 Hubbard Avenue Cleveland, Ohio 44127	Bid Bond, 100% - Ohio Farmers Insurance Company	N/A	P: yes - <u>Good 8/4/13</u> IG# <u>12-2808</u> VCF = <u>yes</u> NCA = <u>ok</u> PH = <u>yes</u> 2% match = <u>yes</u>	<u>200,000.00</u> Vendor's Calculation - \$1,215,300.00	<u>20%</u> Trafftech, Inc.		<u>Y</u>	<u>20%</u>	<u>Y</u>	<u>and 8/9/13</u> <u>mm 8/9/13</u>
Oglesby Construction, Inc. 1600 Toledo Road Norwalk, Ohio 44857	Bid Bond, 100% - Travelers Casualty & Surety Company of America	N/A	P: yes - <u>Article 8-24-2013</u> IG# <u>no*</u> <u>see #</u> VCF = <u>Inc*</u> NCA = <u>ok</u> PH = <u>yes</u> 2% match = <u>no</u>	<u>1,304,620.00</u>	<u>139,775.00</u> Trafftech, Inc. <u>10,719.00</u>		<u>N</u>	<u>N</u>	<u>Y</u>	<u>and 8/9/13</u> <u>mm 8/9/13</u>

CCBB: Low Non-CCBB Bid: \$1,222,300.00 +2% \$ 1,262,310.00 = \$ 1,262,310.00
 *LOWEST BID RECEIVED: \$1,222,300.00 RANGE OF LOWEST BID RECEIVED: \$1,222,300.00 - \$1,344,530.00
 Does CCBB apply? Y (Note: CCBB must meet all bid requirements)
 PRICE PREFERRED & \$ LIMIT: 10% max \$1,222,300.00 MAX SBE PRICE PREFERRED \$ 1,344,530.00

DEPARTMENT DIRECTOR SIGNATURE: [Signature] DATE: 8/14/13 LOW BIDDER NOTIFIED: Yes Date: 8/14/13
 DEPARTMENT DIRECTOR NAME: BONNIE G. TREMPER (Date Signed)
 OBMA APPROVAL (If actual bid exceeds estimate)

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0210

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing a Continuation Agreement with County Commissioners Association of Ohio Service Corporation for participation in the Natural Gas Purchase Program for the period 1/1/2014 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has submitted a continuation agreement with the County Commissioners Association of Ohio Service Corporation (“CCAOSC”) for participation in their Natural Gas Purchase Program for the period 1/1/2014 - 12/31/2019; and

WHEREAS, the Department of Public works request that the County authorize and approve the Department of Public Works’ Director to participate with the CCAOSC in order to create and adopt comprehensive guidelines for the funding, management, and administration of CCAOSC’s natural gas purchase program; and

WHEREAS, the Ohio Revised Code Section 9.48 allows political subdivisions to participate in joint purchasing program; and

WHEREAS, the reason that the Department of Public Works’ would like to continue participation in the Natural Gas Purchase Program to secures competitively price firm natural gas supplies for the County and its communities; and

WHEREAS, there is no cost for the County’s participation in the program; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes a continuation agreement with the County Commissioners Association of Ohio Service Corporation (“CCAOSC”) for participation in their Natural Gas Purchase Program for the period 1/1/2014 - 12/31/2019.

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

Journal _____
_____, 20__



2

Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Bonnie Teeuwen
Type of Request:	Agreement/Amendment		
Request Prepared by:	Tamala L. DiFilippo for Stan Kosilesky	Telephone No.	216/348-3932
SUMMARY OF REQUESTED ACTION:			
<p>The Department of Public Works is submitting a continuation agreement with the County Commissioners Association of Ohio Service Corporation (CCAOSC) to participate in their Natural Gas Purchase Program for the period commencing January 1, 2014 and ending on December 31, 2019.</p> <p>The Department of Public Works requests that the Cuyahoga County Executive authorize and approve the Department of Public Works Director to participate with the CCAOSC in order to create and adopt comprehensive guidelines for the funding, management, and administration of CCAOSC's natural gas purchase program.</p> <p>The Ohio Revised Code (O.R.C.) 9.48 allows joint purchasing programs.</p> <p>Declaring the necessity that this Resolution become effective to continue our participation in the program as well as our communities.</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
<p>The Department of Public Works would like to continue participated in the Natural Gas Purchase Program which secures competitively priced firm natural gas supplies for the County and its communities.</p>			
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

[Continuation Agreement - Natural Gas Purchase Program](#)

History
Time

Who
Clerk of the Board

Approval



NATURAL GAS USAGE & COST FORECAST

	Apr 14 - Mar 15	Apr 15 - Mar 16	Apr 16 - Mar 17	Apr 17 - Mar 18	Apr 18 - Mar 19	TOTAL ESTIMATE COST OVER 5 YEARS.
Est. Current Market*	\$4.35	\$4.55	\$4.70	\$4.90	\$5.00	
Estimated Price Range	\$3.80 - \$8.00	\$3.80 - \$8.00	\$4.00 - \$9.00	\$4.00 - \$9.00	\$4.00 - \$10.00	
Estimated Usage (Mcf)	102,419	102,419	102,419	102,419	102,419	512,095
TOTAL ESTIMATED DOLLARS	\$445,523	\$466,006	\$481,369	\$501,853	\$512,095	\$2,406,847

***Notes:**

Est. Current Market based upon Aug. 20th, 2013 futures.

Dominion distribution charges not included in the price.

Price Range not guaranteed but highest probability with current knowledge.

Final price will vary and be driven by currently unforeseen factors.

Prices presume current federal and state rules will continue.

Usage estimates were calculated using 2012 usage for existing CCAO program.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0211

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution authorizing two Economic Development Redevelopment Ready Loans, each in the amount not-to-exceed \$1,000,000.00, to Parmatown Station LLC for asbestos abatement, partial demolition and renovations of property located at the southwest corner of Ridge and Ridgewood Roads, Parma; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loans and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Development has recommended two Economic Development Redevelopment Read Loans each in the amount not-to-exceed \$1,000,000.00; total not-to-exceed amount of \$2,000,000.00, to Parmatown Station LLC for asbestos abatement, partial demolition and renovations of property located at the Southwest corner of Ridge and Ridgewood Roads, Parma; and,

WHEREAS, the primary goals of this project are to conduct asbestos abatement, partial demolition and renovations to the former Parmatown Mall located at the southwest corner of Ridge and Ridgewood Roads in Parma for redevelopment as the Shoppes of Parma; and,

WHEREAS, this project will create fifteen (15) new full-time equivalent jobs through the renovations to the four-story medical office building and, the remainder of the project is anticipated to create up to 1,750 jobs; and,

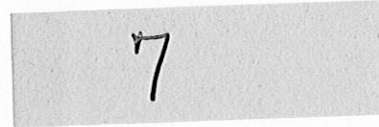
WHEREAS, the total project costs are estimated at \$75,900,000.00 and the County will loan \$2,000,000.00. One of the loans has a fixed interest rate of 2% for ten years, and the second loan has a fixed interest rate of 4% for ten years; and,

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:

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Department Development	Agency/Dept. Head Name:	Larry Benders, Director
Type of Request:	Other		
Request Prepared by:	Laura Clark	Telephone No.	698-2575
SUMMARY OF REQUESTED ACTION:			
Title: Development/2013/Parmatown Station LLC/Economic Development Loan/Former Parmatown Mall/Parma			
A. Scope of Work Summary			
<p>1. Department of Development requesting approval of two Economic Development Redevelopment Ready Loans to Parmatown Station LLC in the amount not-to-exceed \$1,000,000, respectively and authorizing the Director of Development to execute the loan documents, amendments, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the loan.</p> <p>2. The primary goals of the project are to conduct asbestos abatement, partial demolition and renovations to the former Parmatown Mall located at the southwest corner of Ridge and Ridgewood Roads in Parma for redevelopment as the Shoppes of Parma. The project will create 15, new to Cuyahoga County, full-time equivalent jobs through the renovations to the four-story medical office building and, the remainder of the project is anticipated to create up to 1,750 jobs. Total project costs are estimated at \$75,900,000 and the County loans total \$2,000,000.</p>			
B. PROCUREMENT: Economic Development Loan			
The loan was considered by the Cuyahoga County Community Improvement Corporation Economic Development Loan Committee on August 14, 2013. The Committee recommends approval of the loan, contingent upon the following: receipt of the executed term sheet for the loan with Bank of America, County securing same borrower/guarantor structure as Bank of America, and all financing (Bank of America loan, County loans, and TIF bonds) closing at the same time.			
C. CONTRACTOR AND PROJECT INFORMATION:			

1. Economic Development Loan borrower:
Parmatown Station LLC
11501 Northlake Drive
Cincinnati, Ohio 45249
2. Principal Owner of Parmatown Station LLC is Strategic Investment Fund II.
3. The location of the project is
Former Parmatown Mall
SWC Ridge and Ridgewood Roads
Parma, Ohio 44129
County Council District 4

D. PROJECT STATUS AND PLANNING: The Department of Development has Economic Development loans for eligible businesses that create employment opportunities and promote economic growth in the County.

E. FUNDING: This project will be funded by the Cuyahoga County Western Reserve Fund. The schedule of payments will be quarterly.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

PURPOSE: Parmatown Station LLC will be conducting asbestos abatement, partial demolition and renovations to the former Parmatown Mall located at the southwest corner of Ridge and Ridgewood Roads, Parma for redevelopment as the Shoppes of Parma. The County's two \$1,000,000 loans will be utilized to assist with asbestos abatement and demolition of the four-story medical office building and mall property. The total project cost is \$75,90,000; the County's assistance is approximately 2.6% of the project.

The loan was considered by the Cuyahoga County Community Improvement Corporation Economic Development Loan Committee on August 14, 2013. The Committee recommends approval of the loan, contingent upon the following: receipt of the executed term sheet for the loan with Bank of America, County securing same borrower/guarantor structure as Bank of America, and all financing (Bank of America loan, County loans, and TIF bonds) closing at the same time.

OUTCOMES: The project is expected to create 15, new to Cuyahoga County, full-time equivalent jobs at the medical office building within three years of project completion, which must be maintained for ten years, in addition the remainder of the project is anticipated to create 1,750 jobs. One of the loans has a fixed interest rate of 2% for ten years, and the second loan has a fixed interest rate of 4% for ten years.

PRINCIPAL OWNERS: Parmatown Station LLC is 100% Strategic Investment Fund II.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: General Fund	Explanation: Cuyahoga County Western Reserve Fund
Total Amount Requested: \$2,000,000	

ATTACHMENTS:

Click to download

[Executive Summary](#)

History

Time

Who

Approval

Clerk of the Board



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0212

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution authorizing an Economic Development Redevelopment and Modernization Loan in the amount not-to-exceed \$680,000.00 to Playhouse Square 1317 LLC for renovation of property located at 1317 Euclid Avenue, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Development has recommended an Economic Development Redevelopment and Modernization Loan in the amount no-to-exceed \$680,000.00 to Playhouse Square 1317 LLC for renovation of property located at 1317 Euclid Avenue, Cleveland; and,

WHEREAS, the primary goals of this project are to renovate additional floors of the building located at 1317 Euclid Avenue in Cleveland to facilitate the creation of additional lease space for Dwellworks; and,

WHEREAS, through the continued expansion of the business, this project is anticipated to create 39 new full-time equivalent jobs within three (3) years of project completion and these jobs must be maintained for ten (10) years; and,

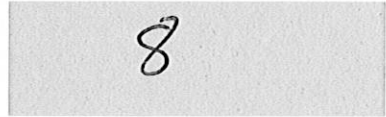
WHEREAS, the total project costs are estimated at \$1,687,529.00 and the County will loan \$680,000.00 with an initial fixed interest rate of 1% over a ten (10) year term; and,

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 authorizes an Economic Development Redevelopment and Modernization Loan in the amount no-to-exceed \$680,000.00 to Playhouse Square 1317 LLC for renovation of property located at 1317 Euclid Avenue, Cleveland.

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Department of Development	Agency/Dept. Head Name:	Larry Benders, Director
Type of Request:	Other		
Request Prepared by:	Laura Clark	Telephone No.	698-2575
SUMMARY OF REQUESTED ACTION:			
Title: Development/2013/Playhouse Square 1317 LLC/Economic Development Loan/1317 Euclid Avenue/Cleveland			
A. Scope of Work Summary			
1. Department of Development requesting approval of an Economic Development Redevelopment and Modernization Loan to Playhouse Square 1317 LLC in the amount not-to-exceed \$680,000 and authorizing the Director of Development to execute the loan documents, amendments, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the loan.			
2. The primary goals of the project are to renovate additional floors of the building located at 1317 Euclid Avenue in Cleveland to facilitate the creation of additional lease space for Dwellworks. The project will create 39, new to Cuyahoga County, full-time equivalent jobs through the continued expansion of the business. Total project costs are estimated at \$1,687,529 and the County loan is \$680,000.			
B. PROCUREMENT: Economic Development Loan			
The loan was considered by the Cuyahoga County Community Improvement Corporation Economic Development Loan Committee on August 14, 2013. The Committee recommends approval of the loan, contingent upon receipt of an appraisal that affords the County a loan-to-value of 90% or better.			
C. CONTRACTOR AND PROJECT INFORMATION:			
1. Economic Development Loan borrower: Playhouse Square 1317 LLC 1501 Euclid Avenue, #200			

Cleveland, Ohio 44115
County Council District 7

2. Principal Owner of Playhouse Square 1317 LLC is Playhouse Square Foundation.

3. The location of the project is

1317 Euclid Avenue
Cleveland, Ohio 44115
County Council District 7

D. PROJECT STATUS AND PLANNING:

The Department of Development has Economic Development loans for eligible businesses that create employment opportunities and promote economic growth in the County.

E. FUNDING:

This project will be funded by the Cuyahoga County Western Reserve Fund
The schedule of payments will be quarterly.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

PURPOSE: Playhouse Square 1317 LLC will be renovating floors of the building located at 1317 Euclid Avenue, Cleveland to create additional lease space for Dwellworks. The County's \$680,000 loan will be utilized to assist with building renovations. The total project cost is \$1,687,529; the County's assistance is approximately 40% of the project.

The loan was considered by the Cuyahoga County Community Improvement Corporation Economic Development Loan Committee on August 14, 2013. The Committee recommends approval of the loan, contingent upon receipt of an appraisal that affords the County a loan-to-value of 90% or better.

OUTCOMES: The project is expected to create 39, new to Cuyahoga County, full-time equivalent jobs within three years of project completion, which must be maintained for ten years. The loan has a fixed interest rate of 1% over a ten-year term.

PRINCIPAL OWNERS: Playhouse Square 1317 LLC is wholly owned by Playhouse Square Foundation.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source:	Explanation:
General Fund	Cuyahoga County Western Reserve Fund

Total Amount Requested:
\$680,000

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0213

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution making awards to various municipalities in the total amount of \$1,050,000.00 for various municipal grant projects for the 2014 Community Development Block Grant Municipal Grant Program for the period 10/1/2013 - 9/30/2014; authorizing the County Executive to execute the agreements 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/Department of Development has recommended awards to various municipalities, each in the amount of \$150,000.00; total amount of \$1,050,000.00, for various municipal grant projects for the 2014 Community Development Block Grant (“CDBG”) Municipal Grant Program for the period 10/1/2013 – 9/30/2014; and,

WHEREAS, the participants of the 2014 CDBG Municipal Grant Program have been chosen from the fifty one (51) communities that are members of the Cuyahoga Urban County; and,

WHEREAS, each of those 51 communities are eligible to apply to receive a grant in an amount not-to-exceed \$150,000.00; and,

WHEREAS, the Department of Development reviews and analyzes each of the applications based on scoring criteria which evaluates participants based on project description, proposed project feasibility, and implementation plan; and,

WHEREAS, based on the scoring criteria, the following is a list of the municipal grant projects recommended for awards:

- a) City of Bedford in the amount of \$150,000.00 for the Ellenwood Community Center Renovation Project;
- b) City of Berea in the amount of \$150,000.00 for the North Rocky River Drive Corridor Improvement Project;

- c) City of Brook Park in the amount of \$150,000.00 for the West 147th and Elm Avenue Full Depth Concrete Repairs Project;
- d) City of Maple Heights in the amount of \$150,000.00 for the Neighborhood Infrastructure Improvement Project;
- e) City of Olmsted Falls in the amount of \$150,000.00 for the Olmsted Falls Senior Center Project;
- f) City of Warrensville Heights in the amount of \$150,000.00 for Clarkwood Area Streetlight Replacement Safety Project;
- g) Village of Glenwillow in the amount of \$150,000.00 for the Pergl Road Reconstruction Project; and,

WHEREAS, the awards are funded 100% from federal Community Development Block 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 hereby makes awards to various municipalities, each in the amount of \$150,000.00; total amount of \$1,050,000.00, for various municipal grant projects for the 2014 Community Development Block Grant (“CDBG”) Municipal Grant Program for the period 10/1/2013 – 9/30/2014 as follows:

- a) City of Bedford in the amount of \$150,000.00 for the Ellenwood Community Center Renovation Project;
- b) City of Berea in the amount of \$150,000.00 for the North Rocky River Drive Corridor Improvement Project;
- c) City of Brook Park in the amount of \$150,000.00 for the West 147th and Elm Avenue Full Depth Concrete Repairs Project;
- d) City of Maple Heights in the amount of \$150,000.00 for the Neighborhood Infrastructure Improvement Project;
- e) City of Olmsted Falls in the amount of \$150,000.00 for the Olmsted Falls Senior Center Project;

- f) City of Warrensville Heights in the amount of \$150,000.00 for Clarkwood Area Streetlight Replacement Safety Project; and,
- g) Village of Glenwillow in the amount of \$150,000.00 for the Pergl Road Reconstruction Project.

SECTION 2. That the County Executive is authorized to execute agreements in connection with said awards and all documents consistent with this Resolution.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

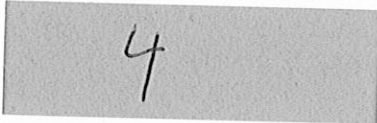
First Reading/Referred to Committee:
Committee(s) Assigned:

Journal _____
_____, 2013

2014 Muni Grant Recommendations:

Score	Municipality	Recommended Funding Amount	Project Type	Project Description
80	City of Warrensville Heights	150,000.00	Safety	Clarkwood Area Streetlight Replacement Safety
81	City of Olmsted Falls	150,000.00	Community Ctr.	Olmsted Falls Senior Center
81	Village of Glenwillow	150,000.00	Infrastructure	Pergl Road Reconstruction
82	City of Berea	150,000.00	Infrastructure	North Rocky River Drive Corridor Improvement
83	City of Maple Heights	150,000.00	Infrastructure	Neighborhood Infrastructure Improvement
84	City of Bedford	150,000.00	Community Ctr.	Ellenwood Community Center Renovation
93	City of Brook Park	150,000.00	Infrastructure	West 147th and Elm Ave Full Depth Concrete Repairs
		1,050,000.00		

Approved for September 24, 2013 Meeting



Item Details:

Agency/Dept. Name:	Department of Development	of Agency/Dept. Head Name:	Larry Benders, Director
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Type of Request:

Request Prepared by:	Sara Parks Jackson	Telephone No.	216-443-8160
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SUMMARY OF REQUESTED ACTION:

**OPD Review (08-07-13). OK to process for BOC Calendar meeting. Alt. Procurement approved 8/19/2013.

A. Scope of Work

1. Department of Development requesting approval of the 2014 Community Development Block Grant (CDBG) Municipal Grant program. Only those 51 communities that are members of the Cuyahoga Urban County are eligible to participate.

2. The allocation of 40% of the annual CDBG entitlement funding for the purpose of a Competitive Municipal Grant Program, is a requirement of the Cooperation Agreement that each of the 51 communities signed with Cuyahoga County. The reservation of these funds for such purpose is contained in each year's application to the U.S. Department of HUD.

B. Procurement:

1. The procurement method was informal RFP. The total value of the informal RFP is \$1,050,000.00. Communities can be awarded a grant in an amount not to exceed \$150,000.

All Urban County communities are informed of the Competitive Municipal Grant program, the scoring criteria and the timeline. Each is invited to submit applications for consideration and scoring.

2. A review committee makes the funding recommendations.

C. Contractor and Project Information
 1. 51 Cuyahoga Urban County communities

D. Project Status and Planning
 1. The Competitive Municipal Grant process reoccurs annually in accordance with the Urban County Cooperation Agreement.

E. Funding
 1. The awards are funded 100% with federal Community Development Block Grant funds.
 2. Payments are made on a reimbursement basis.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):
Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:
 Exempt from Competitive Bid Requirements

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

Financial Information:

Funding source:	Explanation:
General Fund	General Fund / Community Development Block Grant (CDBG) Funds
Total Amount Requested:	
\$1,050,000.00	

ATTACHMENTS:

Click to download

- [Application](#)
- [Introduction](#)

History

Time

Who

Approval

Clerk of the Board



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0214

Sponsored by: County Executive FitzGerald on behalf of County Prosecutor	A Resolution authorizing a contract with Pointe Blank Solutions, Ltd. in the amount not-to-exceed \$1,800,000.00 for consultant services for the Case Management and Document Imaging System for the period 3/1/2013 - 2/28/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive on behalf of the County Prosecutor has recommended a contract with Pointe Blank Solutions, Ltd. in the amount not-to-exceed \$1,800,000.00 for consultant services for the Case Management and Document Imaging System for the period 3/1/2013 – 2/28/2016; and

WHEREAS, County Council has determined that entering into a contract with Pointe Blank Solutions, Ltd. is in the best interest of the 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 a County entity.

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with Pointe Blank Solutions, Ltd. in the amount not-to-exceed \$1,800,000.00 for consultant services for the Case Management and Document Imaging System for the period 3/1/2013 – 2/28/2016.

SECTION 2. That the County Executive is authorized to execute a contract and all other documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of



10

Item Details:

Agency/Dept. Name:	County Prosecutor	Agency/Dept. Head Name:	Marvin J. Davies III
Type of Request:	Contract/Amendment		
Request Prepared by:	Marilynn R. Neff	Telephone No.	216-443-7793
SUMMARY OF REQUESTED ACTION:			
Submitting a contract agreement in the amount of 1,800,000.00 by and between Cuyahoga County, Ohio (CCPO) and Pointe Blank Solutions, Ltd. and Matrix Pointe Software, LLC (collectively with Pointe Blank Solutions, Ltd. a.k.a. "Pointe Blank"), 7055 Engle Road #304, Middleburg Heights, OH 44130, for services related to the continued ongoing maintenance, monitoring, support, consultation, training, development and implementation of a customized case management system/software for the CCPO for the period commencing 3/1/2013 - 2/28/2016			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Joseph J. Whang, Chief Executive Officer 7055 Engle Rd. Suite 304 Middleburg Heights, Ohio 44130			
Explanation for late submittal:			
The SoleSource designation had to be revised to RFP Exemption to comply with OPD definitions/prerequisites.			

Contract/Agreement Information:

Procurement Method:	Sole Source
Explanation for Increase/Decrease in \$ Amount for current request:	Decrease in length of term (from previous four years to three)

Financial Information:

--

Funding source: General Fund	Explanation: General Fund monies already allocated for this purpose 600k per annum
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Total Amount Requested:
\$1,800,000.00

ATTACHMENTS:

Click to download

- [W-9 Form](#)
- [Certificate of Liability Form](#)
- [Cooperative Purchasing Program Form](#)
- [DMA Form](#)
- [Non Collusion Affidavit](#)
- [Required Doc for Award Recommendation](#)
- [Signature Authorization](#)
- [Sole Source Affidavit](#)
- [Vendor Compliance Form](#)
- [Workers Comp Certificate](#)
- [Auditor of State Search for Unresolved Findings](#)
- [Dept. Acknowledgement Form](#)
- [Notice of Intent to Award](#)
- [TAC Approval Document](#)
- [Other than Full and Open...Doc](#)
- [Sole Source Justification Document](#)
- [CONTRACT with Vendor sig](#)
- [Justification](#)
- [Eval](#)
- [SOS](#)
- [Cover TAB](#)
- [Voucher](#)
- [Contract Revised TAB](#)

History

Time

Who

Office of Procurement &
Diversity

Approval



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

Contractor: Pointe Blank Solutions LTD.

Contract/Agreement No.: CE0900516 Time Period: 3/1/2009 – 2/28/2013

Service Description: Consulting and Programming Ongoing Design, Maintenance, Monitoring and Support of the Prosecutor's Case Management System.

Original Contract/Agreement Amount: \$2,400,000

Prior Amendment(s) Amount(s):

Performance Indicators: Delivery of complex, quality trouble free software. Call response time and after hours support.

**Actual performance versus performance indicators (include statistics):
Immediate contact has been available for all critical support calls made during this contract. After hours support has been available as needed throughout the contract period.**

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Availability of resources for important issue resolution is almost always immediate. Complex software

Prosecutor's Office

User Department

9/5/2013

Date

s: evaluation

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0092

<p>Sponsored by: County Executive FitzGerald/Department of Development</p> <p>Co-sponsored by: Councilmember Jones</p>	<p>A Resolution authorizing a Casino Revenue Fund Loan in the amount not-to-exceed \$3,684,650.00 to Playhouse Square District Development Corporation for streetscape improvements; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended a Casino Revenue Fund Loan in the amount not-to-exceed \$3,684,650.00 to Playhouse Square District Development Corporation for streetscape improvements; and

WHEREAS, the primary goal of this project is to assist in the \$16,000,000.00 streetscape improvement activities for the Playhouse Square area in Cleveland, Ohio; and

WHEREAS, this project will be funded from the Casino Tax Revenue Fund; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes a Casino Revenue Fund Loan in the amount not-to-exceed \$3,684,650.00 to Playhouse Square District Development Corporation for streetscape improvements.

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

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: May 14, 2013

Committee(s) Assigned: Economic Development & Planning

Additional Sponsorship Requested: September 18, 2013

Committee Report/Second Reading: September 24, 2013

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 for the period 8/24/2013 - 8/23/2017; authorizing the County Executive to execute the contract and all related documents; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Fiscal Officer/County Treasurer have recommended an award on RQ27791 to KeyBank Inc. for the period 8/24/2013 – 8/23/2017 for various banking and treasury services, including the following:

- (1) Depository and treasury management services;
- (2) Positive pay services;
- (3) Account reconciliation services;
- (4) Web access to account information;
- (5) Web wire service - incoming and outgoing;
- (6) Wire transfer service- incoming and outgoing;
- (7) Zero balance account service;
- (8) Controlled disbursement;
- (9) Image service;
- (10) CD ROM imaging (front and back) of all cleared checks;
- (11) Retail lockbox service – high speed & low speed processing;
- (12) Automated clearing house services – incoming and outgoing;
- (13) Debit filters and blocks;
- (14) Branch services – county warrant cashing for non-bank customers;
- (15) Cash vault services – cash deposits via armored courier;
- (16) Electronic deposit services – image cash letter;
- (17) Electronic data interchange information services;
- (18) Limited international banking service – wires and international check deposits;
- (19) Earned credit rate credits to offset service charges;
- (20) Procurement card services;
- (21) Corporate credit card services; and
- (22) Key Accounts Manager services and other custom services for the County’s College Savings Account Program.

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, 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 the period 8/24/2013 – 8/23/2017 for various banking and treasury services, including the following:

- (1) Depository and treasury management services;
- (2) Positive pay services;
- (3) Account reconciliation services;
- (4) Web access to account information;
- (5) Web wire service - incoming and outgoing;
- (6) Wire transfer service- incoming and outgoing;
- (7) Zero balance account service;
- (8) Controlled disbursement;
- (9) Image service;
- (10) CD ROM imaging (front and back) of all cleared checks;
- (11) Retail lockbox service – high speed & low speed processing;
- (12) Automated clearing house services – incoming and outgoing;
- (13) Debit filters and blocks;
- (14) Branch services – county warrant cashing for non-bank customers;
- (15) Cash vault services – cash deposits via armored courier;
- (16) Electronic deposit services – image cash letter;
- (17) Electronic data interchange information services;
- (18) Limited international banking service – wires and international check deposits;
- (19) Earned credit rate credits to offset service charges;
- (20) Procurement card services;
- (21) Corporate credit card services; and
- (22) Key Accounts Manager services and the development of additional custom services for the County's College Savings Account Program.

SECTION 2. That the County Executive is authorized to execute a contract and all related documents consistent with this Resolution.

SECTION 3. The County Executive shall report to the Council whenever fees for banking and treasury services under this contract exceed \$255,000.00 in any year of the contract.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0197

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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 Public Works has recommended an award on RQ27992 to Specialized Construction Incorporated (6-2) in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014; and,

WHEREAS, this project come under the Deputy Chief Approval No. DC2013-159; and

WHEREAS, the work for this project will take place in all of the Council Districts; and

WHEREAS, this project will be 100% with municipal 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 RQ27992 to Specialized Construction Incorporated (6-2) in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014.

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, 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: September 10, 2013

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC011

September 24, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0198

<p>Sponsored by: County Executive FitzGerald/Department of Public Works</p>	<p>A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; 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/Department of Public Works has recommended an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; and

WHEREAS, this is one of the Auto Title Division's satellite offices to provide easy access to the public to obtain their titles for cars and boats; and

WHEREAS, the underlying lease is for approximately 2,175 square feet of retail space Board and Care contracts are mandated by the Ohio Administrative Code Section 5101:2-42-05; and

WHEREAS, this project will be funded from funds generated from the sale of Auto Titles; with the schedule of payments 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 an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: September 10, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC011
September 24, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0199

<p>Sponsored by: County Executive FitzGerald/Department of Development</p> <p>Co-sponsored by: Councilmember Jones</p>	<p>A Resolution authorizing the issuance and sale of Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project), in an aggregate principal amount not-to-exceed \$5,000,000.00 for the purpose of providing moneys to pay costs of a “Project” within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement, authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this resolution become immediately effective.</p>
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WHEREAS, the County of Cuyahoga, Ohio (the “County”), a county and political subdivision of the State of Ohio (the “State”), is authorized and empowered, by virtue of the laws of the State of Ohio, including, without limitation, Article VIII, Section 13 of the Ohio Constitution and Ohio Revised Code Chapter 165 (the “Act”), among other things, to issue its revenue bonds for the purpose of financing “projects” as defined in the Act, that create or preserve jobs and employment opportunities and improve the economic welfare of the people of the County and of the State; and

WHEREAS, the County has determined that it is necessary and desirable to issue its Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) (the “Bonds”) to create and preserve jobs and employment opportunities and improve the economic welfare of the people of the County and the State, by providing funding for Steelyard West LLC to finance a project as defined in the Act consisting of the construction of approximately 100,000 square feet of retail facilities, adjacent parking and other necessary appurtenances (the “Project”), fund a reserve account and pay certain costs of issuance in connection with such Bonds; and

WHEREAS, the Cuyahoga County Community Improvement Corporation (the “CIC”) has certified to the County that the Project is in accordance with the plan for the industrial, commercial, distribution and research development of the County heretofore confirmed by the County pursuant to Ohio Revised Code Section 1724.10;

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

SECTION 1. DEFINITIONS AND INTERPRETATION. In addition to the words and terms elsewhere in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“*Act*” means Ohio Revised Code Chapter 165.

“*Authorized Denominations*” means the denomination of \$5,000 or any integral multiple thereof.

“*Bond Counsel*” means Benesch, Friedlander, Coplan & Aronoff, LLP.

“*Bond proceedings*” means, collectively, this Resolution, the Final Terms Certificate, the Bond Purchase Agreement, the Bond Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of registered owners of the Bonds.

“*Bond Purchase Agreement*” means the Bond Purchase Agreement between the County and the Original Purchaser authorized by this Resolution.

“*Bond Register*” means all the books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Resolution and the Bond Registrar Agreement.

“*Bond Registrar*” means a bank or trust company authorized to do business in the State and designated by the Fiscal Officer in the Final Terms Certificate as the initial authenticating agent, bond registrar, transfer agent and paying agent until a successor Bond Registrar shall have become such pursuant to the provisions of this Resolution and the Bond Registrar Agreement and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bond Registrar Agreement*” means the Bond Registrar Agreement between the County and the Bond Registrar as authorized by this Resolution.

“*Bond Service Charges*” means the principal (at stated maturity or by redemption), premium (if any) and interest required to be paid by the County on the Bonds.

“*Bond Service Fund*” means the Steelyard Commons Bond Service Fund, and the Bond Service Account and the Bond Reserve Account therein, authorized and established by this Resolution and any additional accounts created therein.

“*Bonds*” means the Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) authorized by this Resolution.

“*Book entry form*” or “*book entry system*” means a form or system under which (a) the ownership of beneficial interests in Bonds and the Bond Service Charges on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository. The book entry maintained by an entity other than the County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

“*Brownfield Bonds*” means, collectively, the County’s Taxable Economic Development Revenue Refunding Bonds, Series 2004C (Brownfield Redevelopment Project) and Taxable Economic Development Revenue Bonds, Series 2010A (Brownfield Redevelopment Project), all issued pursuant to the Brownfield Indenture.

“*Brownfield Indenture*” means the Trust Indenture dated as of October 1, 1988, as amended by the First Supplemental Trust Indenture dated as of February 1, 2004 and the Second Supplemental Trust Indenture dated as of September 1, 2010, each between the County and the Brownfield Trustee.

“*Brownfield Revenues*” means the Project Revenues as defined in the Brownfield Indenture.

“*Brownfield Trustee*” means The Huntington National Bank, as trustee under the Brownfield Indenture, and its successors and assigns.

“*Charter*” means the Charter of the County.

“*City*” means the City of Cleveland, Ohio.

“*City Payments*” means the payments to be made by the City to the County pursuant to the Cooperative Agreement.

“*Clerk*” means the Clerk of the Council.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Commercial Redevelopment Bonds” means the County’s Taxable Economic Development Revenue Bonds, Series 2010B (Commercial Redevelopment Fund Project), issued pursuant to the Commercial Redevelopment Indenture.

“Commercial Redevelopment Indenture” means the Trust Indenture dated as of September 1, 2010 between the County and the Commercial Redevelopment Trustee.

“Commercial Redevelopment Revenues” means the Project Revenues as defined in the Commercial Redevelopment Indenture.

“Commercial Redevelopment Trustee” means The Huntington National Bank, as trustee under the Commercial Redevelopment Indenture, and its successors and assigns.

“Continuing Disclosure Agreement” means, the Continuing Disclosure Agreement authorized by this Resolution.

“Cooperative Agreement” means the Cooperative Agreement by and among the County, the City, the Developer, SWNC, Inc. and Steelyard Commons LLC authorized by this Resolution.

“Council” means the County Council of the County.

“County” means the County of Cuyahoga, Ohio.

“County Executive” means the County Executive of the County; provided, for purposes of the signing of documents, certificates and other instruments other than the Bonds and the Official Statement, County Executive includes the County Executive’s Chief of Staff as the County Executive’s designee pursuant to Executive Order No. 02011-0002.

“Coverage Computation Period” means the three most recent calendar years preceding the date of the certification required by Section 9(b).

“Coverage Ratio” means 150%.

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or the principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“*Developer*” means Steelyard West LLC, an Ohio limited liability company.

“*Director of Law*” means the Director of Law of the County.

“*Fiduciary Fund*” means the Steelyard Commons Fiduciary Fund authorized and established by this Resolution.

“*Final Terms Certificate*” means the Final Terms Certificate authorized by this Resolution to be signed by the Fiscal Officer.

“*Fiscal Officer*” means the Fiscal Officer of the County, including an interim or acting Fiscal Officer.

“*Funds*” means, collectively, the Treasurer Account and the Bond Service Fund.

“*Gateway Bonds*” means, collectively, the County’s Taxable Economic Development Revenue Bonds, Series 1992A (Gateway Arena Project), Taxable Economic Development Revenue Refunding Bonds, Series 2004A (Gateway Arena Project) and Taxable Economic Development Revenue Refunding Bonds, Series 2010C (Gateway Arena Project), all issued pursuant to the Gateway Indenture.

“*Gateway Indenture*” means the Master Indenture dated as of September 15, 1992, as amended and supplemented by the First Supplemental Trust Indenture dated as of September 15, 1992, the Second Supplemental Trust Indenture dated as of September 15, 1992, the Third Supplemental Trust Indenture dated as of February 1, 1994, the Fourth Supplemental Trust Indenture dated as of February 1, 2004 and the Fifth Supplemental Trust Indenture dated as of September 1, 2010, each between the County and the Gateway Trustee.

“*Gateway Revenues*” means the Revenues as defined in the Gateway Indenture.

“*Gateway Trustee*” means The Bank of New York Mellon Trust Company, N.A., as trustee under the Gateway Indenture, and its successors and assigns.

“*Interest Payment Dates*” means June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2013 unless otherwise determined by the Fiscal Officer in the Final Terms Certificate.

“*Mandatory Redemption*” means the obligation to redeem Term Bonds as provided in Section 4(e)(i) and the Final Terms Certificate.

“*Medical Mart/Convention Center Bonds*” means, collectively, the County’s Recovery Zone Economic Development Revenue Bonds, Series 2010E (Medical Mart/Convention Center Project), Recovery Zone Facility Economic Development Revenue Bonds, Series 2010F (Medical Mart/Convention Center Project) and Taxable Economic Development Revenue Bonds, Series 2010G (Medical Mart/Convention Center Project), all issued pursuant to the Medical Mart/Convention Center Indenture.

“*Medical Mart/Convention Center Indenture*” means the Trust Indenture dated as of December 1, 2010 between the County and the Medical Mart/Convention Center Trustee.

“*Medical Mart/Convention Center Revenues*” means the Project Revenues as defined in the Medical Mart/Convention Center Indenture.

“*Medical Mart/Convention Center Trustee*” means U.S. Bank National Association as trustee under the Medical Mart/Convention Center Indenture, and its successors and assigns.

“*Nontax Revenues*” means all moneys of the County that are not raised by taxation, to the extent available for payment of Bond Service Charges on the Bonds, including, but not limited to the following: (a) charges for services and payments received in reimbursement for services; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures; (d) fees from properly imposed licenses and permits; (e) investment earnings on any funds of the County that are credited to the County’s General Fund; (f) proceeds from the sale of assets; (g) rental income; (h) grants from the United States of America and the State; (i) gifts and donations; and (j) Project Revenues; provided that Nontax Revenues do not include the Brownfield Revenues, the Commercial Redevelopment Revenues, the Gateway Revenues or Medical Mart/Convention Center Revenues.

“*Official Statement*” means, as appropriate, the preliminary official statement or the final official statement authorized by this Resolution.

“*Original Purchaser*” means Stifel, Nicolaus & Company, Incorporated.

“*Parity Obligations*” means, collectively, the Brownfield Bonds, the Commercial Redevelopment Bonds, the Gateway Bonds and the Medical Mart/Convention Center Bonds, and any bonds, notes or other obligations of or guaranties by the County secured by a pledge of the Nontax Revenues on a parity with or prior to the Bonds, except that such Parity Obligations shall not be secured by the Project Revenues.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

“*Principal Payment Dates*” means the Principal Payment Dates determined by the Fiscal Officer in the Final Terms Certificate.

“*Payment Dates*” means the Interest Payment Dates and the Principal Payment Dates.

“*Project*” means the construction of approximately 100,000 square feet of retail facilities, adjacent parking and other necessary appurtenances at the area commonly known as the Steelyard Commons.

“*Project Revenues*” means (a) the City Payments received by the County, (b) any money and investments on deposit in the Funds and (c) all income and profit from the investment of the foregoing.

“*Prosecuting Attorney*” means the Prosecuting Attorney of the County.

“*Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided by this Resolution.

“*Rule*” means Rule 15c2-12 promulgated by the SEC pursuant to the Securities Exchange Act of 1934.

“*SEC*” means the Securities and Exchange Commission.

“*Serial Bonds*” means those Bonds, if any, designated as such and maturing on the Principal Payment Dates set forth in the Final Terms Certificate.

“*State*” means the State of Ohio.

“*Term Bonds*” means those Bonds designated as such and maturing on the Principal Payment Dates set forth in the Final Terms Certificate.

“*Treasurer Account*” means the Steelyard Commons Treasurer Account authorized and established by this Resolution.

SECTION 2. DETERMINATIONS BY COUNCIL. This Council finds and determines that the Project (i) based on the certification of the CIC, is a “project” as defined in the Act and is consistent with the purposes of Article VIII, Section 13 of the Ohio Constitution and (ii) will benefit the people of the County and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the County and the State.

SECTION 3. AUTHORIZED PRINCIPAL AMOUNT AND PURPOSE; APPLICATION OF PROCEEDS. It is necessary and determined to be in the County's best interest to issue the Bonds in an aggregate principal amount not to exceed \$5,000,000 to pay costs of the Project, fund a reserve account and pay costs of the issuance of the Bonds. The aggregate principal amount of the Bonds to be issued to provide sufficient funds for those purposes (not to exceed \$5,000,000) shall be determined by the Fiscal Officer in the Final Terms Certificate. The Bonds shall be issued pursuant to this Resolution, the Final Terms Certificate, Article VIII, Section 13 of the Ohio Constitution and the Act. The proceeds from the sale of the Bonds received by the County shall be deposited into the Treasurer Account and shall be used as provided in the Cooperative Agreement. The proceeds of the sale of the Bonds are appropriated for such purpose.

SECTION 4. DENOMINATIONS; DATING; PRINCIPAL AND INTEREST PAYMENT AND REDEMPTION PROVISIONS. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as of the Closing Date.

(a) **Interest Rates and Payment Dates.** The Bonds shall bear interest at the rate or rates (computed on a twelve 30-day months/360-day year basis), as shall be determined by the Fiscal Officer in the Final Terms Certificate, subject to subsection (c) of this Section. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for in full. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) **Principal Payment Schedule.** The Bonds shall mature on the Principal Payment Dates determined by the Fiscal Officer in the Final Terms Certificate.

Consistent with the foregoing and in accordance with his determination of the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Final Terms Certificate (i) the aggregate principal amount of Bonds, to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Serial Bonds, if any, shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of the Bonds, to be issued as Term Bonds, if any, the Principal Payment Date or Dates on which those Term Bonds shall be stated to mature and the dates and amounts of Mandatory Redemption applicable to those Term Bonds.

(c) **Condition for Establishment of Interest Rates.** The net interest rate for the Bonds determined by taking into account the Principal Payment Dates and the principal amounts due on the Bonds (at stated maturity or by Mandatory Redemption) shall not exceed 9% per year.

(d) Payment of Bond Service Charges. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer or the County Executive, in the name and on behalf of the County, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) *Mandatory Redemption.* If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to and redeemed pursuant to mandatory redemption on the Principal Payment Dates set forth in the Final Terms Certificate at a price equal to 100% of the principal amount of the Term Bonds to be redeemed.

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Redemption for the Term Bonds so delivered. That option shall be exercised by the County on or before the 15th day preceding any Mandatory Redemption with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the current or any subsequent Mandatory Redemption for the Term Bonds. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Redemption shall not be reduced. A credit against the then current or any subsequent Mandatory Redemption also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than by Mandatory Redemption) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Redemption for the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Redemption for the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) *Optional Redemption.* Certain maturities of Bonds may be subject to redemption by and at the sole option of the County, in whole or in part, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, all to be determined by the Fiscal Officer in the Final Terms Certificate provided that the redemption price shall not be greater than 103%.

Certain maturities of the Bonds may be subject to redemption by and at the sole option of the County, in whole or in part, on the dates, in the years and at a redemption price that will make the owner of such Bonds whole for the early redemption, all to be determined by the Fiscal Officer in the Final Terms Certificate.

If optional redemption of Term Bonds is to take place as of the date of any Mandatory Redemption applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed by operation of the Mandatory Redemption on that date. The Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

There shall be deposited with the Bond Registrar on or prior to the redemption date, money that, in addition to any other money available therefore and held by the Bond Registrar, will be sufficient to redeem the Bonds for which notice of redemption has been given.

(iii) *Partial Redemption.* If fewer than all of the Bonds are called for optional redemption at one time, they shall be called as selected by, and in a manner determined by the County. If fewer than all Bonds of a single maturity are to be redeemed, the selection of the Bonds to be redeemed, or portions thereof in Authorized Denominations, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of partial redemption of Bonds by lot when Bonds in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance,

without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) *Notice of Redemption.* The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) *Payment of Redeemed Bonds.* Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Bond Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds.

SECTION 5. SIGNING AND AUTHENTICATION OF BONDS; APPOINTMENT AND DUTIES OF BOND REGISTRAR. The Bonds shall be signed by the Fiscal Officer and the County Executive, in the name of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Bond Registrar Agreement now on file with the Clerk is approved. The Fiscal Officer and the County Executive are hereby authorized to sign and deliver, in the name and on behalf of the County, the Bond Registrar Agreement with any changes or amendments that are not inconsistent with this Resolution, are not materially adverse to the County, and are approved by the Fiscal Officer and the County Executive, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement by the Fiscal Officer and the County Executive.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 6. REGISTRATION; TRANSFER AND EXCHANGE; BOOK ENTRY SYSTEM.

(a) Register. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep at its designated corporate trust office, the Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Bond is registered on the Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of the Bond Service Charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any authorized denomination upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at that office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall provide for the signing and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings, as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice by the Bond Registrar of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. The Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall

not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer and the Bond Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer and the Bond Registrar do not or are unable to do so, the Fiscal Officer and the Bond Registrar, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause bond certificates in registered form and Authorized Denominations to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer and the Bond Registrar are hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds, after determining that the signing thereof will not endanger the funds or securities of the County.

SECTION 7. SALE OF THE BONDS. The Fiscal Officer is hereby authorized to sell the Bonds at a private sale to the Original Purchaser for a purchase price of not less than 95% of the aggregate principal amount of the Bonds, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Final Terms Certificate, in accordance with law, the provisions of this Resolution and the Bond Purchase Agreement.

The Bond Purchase Agreement in the form now on file with the Clerk is approved. The Fiscal Officer and County Executive are hereby authorized to sign and deliver, in the name and on behalf of the County, the Bond Purchase Agreement with any changes or amendments that are not inconsistent with this Resolution, are not materially adverse to the County, and are approved by the Fiscal Officer and the County Executive, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement by the Fiscal Officer and the County Executive.

The Fiscal Officer shall sign and deliver the Final Terms Certificate and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. Any member of this Council, the County Executive, the Clerk, the Fiscal Officer, the Prosecuting Attorney, the Director of Law and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and

instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

SECTION 8. OFFICIAL STATEMENT, RATING, BOND INSURANCE AND CONTINUING DISCLOSURE.

(a) Official Statement. The County Executive, the Fiscal Officer and other officials of the County are authorized, on behalf of the County and in their official capacities, to prepare or cause to be prepared a preliminary official statement in connection with the original issuance of the Bonds, and to determine and certify or otherwise represent when that preliminary official statement is to be “deemed final” (except for permitted omissions) for purposes of paragraph (b)(i) of the Rule and authorize the use and distribution of the preliminary official statement. Those officials are further authorized to modify and change the preliminary official statement in order for it to be a final official statement for purposes of paragraphs (b)(3) and (4) of the Rule and to certify or represent such, use and distribute the final official statement and modify, change or supplement the final official statement as necessary or desirable. The County Executive and the Fiscal Officer are further authorized to sign, on behalf of the County and in their official capacities, the final official statement.

(b) Application for Rating, Credit Enhancement or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies, or (ii) a policy of insurance or other credit enhancement facility from a company or companies to better assure the payment of the Bond Service Charges on the Bonds, is in the best interest of and financially advantageous to the County, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for that purpose, to determine whether to obtain such rating or policy, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

(c) Continuing Disclosure Agreement. For the benefit of the owners and beneficial owners from time to time of the Bonds, the County agrees, as the only obligated person with respect to the Bonds under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Agreement in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the County, the Continuing Disclosure Agreement with

such changes that are not inconsistent with this Resolution, are not materially adverse to the County, and are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing in accordance with the Continuing Disclosure Agreement or providing notice of the occurrence of any other events pursuant to the Continuing Disclosure Agreement, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Prosecuting Attorney, the Director of Law and bond or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made.

The performance by the County of its obligations pursuant to the Continuing Disclosure Agreement shall be subject to the appropriation of funds necessary for such performance.

SECTION 9. SECURITY FOR THE BONDS; COVENANTS AND REPRESENTATIONS; COOPERATIVE AGREEMENT.

(a) Special Obligations. The Bonds are special obligations of the County, and the Bond Service Charges are payable solely from the Nontax Revenues, and such payment is secured by a pledge of the Nontax Revenues. The County hereby covenants and agrees that it shall appropriate in its appropriation measure for each year the Bonds are outstanding Nontax Revenues in an amount sufficient to pay all Bond Service Charges due and payable in that year. The County further covenants and agrees that it shall deposit from time to time Nontax Revenues into the Bond Service Fund sufficient, together with amounts then on deposit in the Bond Service Fund, to pay the Bond Service Charges when due.

The payments due hereunder and under the Bonds are payable solely from Nontax Revenues, which Nontax Revenues are determined by this Council as money that is not raised by taxation. The Bonds are not secured by an obligation or pledge of any money raised by taxation. The Bonds do not and shall not represent or constitute a debt or pledge of the faith or credit or taxing power of the County, and the owners of the Bonds have no right to have taxes levied by the County for the payment of the Bond Service Charges.

Nothing herein shall be construed as requiring the County to use or apply to the payment of principal and interest on the Bonds any funds or revenues from any source other than Nontax Revenues. Nothing herein, however, shall be deemed to prohibit

the County, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Resolution or of the Bonds.

(b) Covenant Regarding Parity Obligations. The County covenants that, so long as any of the Bonds are outstanding, it shall not issue any Parity Obligations unless prior to the enactment of legislation authorizing such Parity Obligations the Fiscal Officer shall have certified to this Council that the average Nontax Revenues during the Coverage Computation Period, adjusted to reflect, if appropriate or necessary, changes in the rates or charges resulting in the Nontax Revenues, will aggregate in amount not less than the Coverage Ratio of the highest amount due in any succeeding year of (i) Bond Service Charges and (ii) required payments on the proposed Parity Obligations and all outstanding Parity Obligations.

(c) Cooperative Agreement. The Cooperative Agreement on file with this Council is approved. The Fiscal Officer and the County Executive are authorized to sign and deliver, in the name and on behalf of the County, the Cooperative Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the County and are approved by the Fiscal Officer and the County Executive, all of which shall be conclusively evidenced by the signing of the Cooperative Agreement by the Fiscal Officer and the County Executive. There is hereby created the Fiduciary Fund, the Treasurer Account and the Bond Service Fund, including the Bond Service Account and the Bond Reserve Account therein, in the custody of the Fiscal Officer. All Assigned Service Payments (as defined in the Cooperative Agreement) received by the County from the City shall be deposited into the Bond Service Fund and used as provided in the Cooperative Agreement. Those Assigned Service Payments are appropriated and shall be used for such purpose. The performance by the County of any of its other obligations pursuant to the Cooperative Agreement shall be subject to the appropriation of funds necessary for such performance. The Fiscal Officer is authorized to create such accounts or subaccounts in the Fiduciary Fund, the Treasurer Account and the Bond Service Fund as the Fiscal Officer deems appropriate.

(d) Other Covenants. The County will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be performed on its part under this Resolution, the Continuing Disclosure Agreement, the Cooperative Agreement and the Bonds and under all proceedings of this Council pertaining thereto. The County represents that (i) it is, and upon delivery of the Bonds covenants that it will be, duly authorized by the Constitution and laws of the State including particularly and without limitation the Act, to issue the Bonds and to provide the security for payment of the Bond Service Charges in the manner and to the extent set forth herein and in the Bonds; (ii) all actions on its part for the issuance of the Bonds have been or will be taken duly and effectively; and (iii) the Bonds will be valid and enforceable special obligations of the County according to their terms. Each

obligation of the County required to be undertaken pursuant to this Resolution and the Bonds is binding upon the County, and upon each officer or employee of the County as may from time to time have the authority under law to take any action on behalf of the County as may be necessary to perform all or any part of such obligation, as a duty of the County and of each of those officers and employee resulting from an office, trust or station within the meaning of Section 2731.01, Ohio Revised Code, providing for enforcement by writ of mandamus.

All books and documents in the County's possession relating to the Nontax Revenues shall be open at all times during the County's regular business hours to inspection by such accountants or other agents of the owners of the Bonds as the owners may from time to time designate.

The Clerk, or another appropriate officer of the County, shall furnish to the Original Purchaser a true transcript of proceedings, certified by that officer, of all proceedings had with reference to the issuance of the Bonds along with such information from the records as is necessary to determine the regularity and validity of the issuance of the Bonds.

SECTION 10. BOND COUNSEL. This Council hereby retains Bond Counsel in connection with the authorization, sale, issuance and delivery of the Bonds. Payment for the services of Bond Counsel shall be a cost of the issuance of the Bonds to be paid from the proceeds from the sale of the Bonds. In providing its services, as an independent contractor and in an attorney-client relationship, Bond Counsel shall not exercise any administrative discretion on behalf of the County in the formation of public policy, expenditure of funds, enforcement of laws, rules and regulations of the State or the County, or of any other political subdivision of the State, or the execution of public trusts.

SECTION 11. OTHER DETERMINATIONS. This Council determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding special obligations of the County have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law.

SECTION 12. EFFECTIVE DATE. 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: (i) its approval by the County Executive through signature, (ii) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0200

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Council of Cuyahoga County, Ohio, met in regular session on the 10th of September, 2013; and

WHEREAS, this County Council, in accordance with the provision of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2014; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate of the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; 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 rates as determined by the Budget Commission in its certification be, and the same are, hereby accepted.

SECTION 2. That there be, and is, hereby levied on the tax duplicate of said County, the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNT REQUIRED FROM GENERAL PROPERTY TAX
APPROVED BY BUDGET COMMISSION AND COUNTY FISCAL
OFFICER’S ESTIMATE OF TAX RATES

**County Fiscal Officer’s Estimate of
Tax Rate to be Levied**

Tax Levy	Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund	0.60	0
General Fund – Bond Retirement	0.85	0
Health & Human Services	0	2.90
Board of Developmental Disabilities	0	3.90
Health & Welfare	0	4.80
County Library	0	2.50
	1.45	14.10

SECTION 3. That the Clerk of Council be, and she is, hereby instructed to transmit a certified copy of this Resolution to the County Fiscal Officer; one copy to the County Budget Commission and the Director, Office of Budget & Management.

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: September 10, 2013

Committee(s) Assigned: Finance & Budgeting

Journal CC011
September 24, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0201

Sponsored by: County Executive FitzGerald/Fiscal Officer/County Treasurer	A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; authorizing the County Executive to execute the agreement 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, Cuyahoga County has a high percentage of delinquent taxes compared to other counties in Ohio; and,

WHEREAS, the County Executive appointed a taskforce to study the collection of delinquent taxes and how best to handle this problem to ensure that schools and other local governments are not harmed by the high tax delinquency rate; and,

WHEREAS, the taskforce considered and endorsed the sale of tax certificates to deal with the County's delinquent taxes; and,

WHEREAS, the County Council considered the recommendations of the taskforce and received testimony regarding this process in an open meeting; and,

WHEREAS, the County Council concluded that it is advantageous to the County and its citizens to proceed with the sale of tax certificates to provide funding to schools and other local governments in the County who are in need of this funding; and,

WHEREAS, Ohio Revised Code Section 5721.33 authorizes the County Treasurer to negotiate the sale and transfer of tax certificates; and,

WHEREAS, the Cuyahoga County Board of Control, acting pursuant to Section 501.12(B)(15) of the Cuyahoga County Code, authorized the County Treasurer to utilize the process authorized by O.R.C. § 5721.33 for the negotiation and sale of tax certificates; and,

WHEREAS, in addition to the requirements of O.R.C. § 5721.33, the County also advertised the notice of sale of tax certificates and solicited bids on the web sites of the County Treasurer and the National Tax Lien Association's web site; and,

WHEREAS, the County Treasurer received the bids and negotiated the sale and transfer of the tax certificates pursuant to O.R.C. §5721.33; and,

WHEREAS, the County Executive, through the County Treasurer, is recommending an award on the tax certificates sale to Woods Cove III, LLC as purchaser and Lien Servicing, LLC as servicer for up to \$25,000,000.00 U.S. Dollars; and,

WHEREAS, the County Executive is requesting authorization to enter into the tax certificate sales contract consistent with the award; and,

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

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

SECTION 1. The recommended award on the sale of tax lien certificates is hereby approved to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer. The County Executive and Treasurer are hereby authorized to execute an agreement consistent with the award in the amount not-to-exceed \$25,000,000.00 U.S. Dollars.

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: September 10, 2013

Committee(s) Assigned: Finance & Budgeting

Journal CC011

September 24, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0202

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution making an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 - 7/31/2014; 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.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 – 7/31/2014; and,

WHEREAS, the primary goals of the project are the management and implementation of the Universal Pre-Kindergarten supportive services components; and,

WHEREAS, the project is funded 100% by the Health and Human Services Levy 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 RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 – 7/31/2014.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0203

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/ Division of Community Initiatives/Family and Children First Council</p>	<p>A Resolution making an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period 9/1/2013 - 9/30/2014; 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.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council has recommended an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for out of school time and transition services for the Out-of-School Time Program for the period of 9/1/2013 – 9/30/2014; and,

WHEREAS, the primary goals of this project are to: a) provide out-of-school services, which includes after-school and summer programming for children and teenagers; b) professional development for youth serving workers; c) tutoring services; d) kindergarten readiness services; e) Scenarios USA; f) data collection; and g) college access programming for high school junior and seniors; and,

WHEREAS, the project is funded 100% by the Health and Human Services Levy 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 RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for out of school time and transition services for the Out-of-School Time Program for the period of 9/1/2013 – 9/30/2014.

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, 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: September 10, 2013
Committee(s) Assigned: Education, Environment & Sustainability

Journal CC011
September 24, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0179

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the projects; 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 then owned by the County for sale, including the Marion Building, Superior Auto Title Building and Hamilton Garage; 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 Weston Inc., to purchase the land and all buildings and improvements commonly known as the Marion Building, Superior Auto Title Building, and Hamilton Garage (collectively “Properties”) located at 1276 West Third Street, Cleveland, 44113; 1261 Superior Avenue, Cleveland, 44114; and 1801 St. Clair Avenue, Cleveland, 44114, respectively; and,

WHEREAS, the proposal is to sell the Properties for \$3,420,000.00; and,

WHEREAS, the County is to also lease the Marion Building for at least 3 years for \$83,990.05 per month in rent (the rent includes utilities and the cost to operate and maintain the building); and,

WHEREAS, the County is to also lease the Superior Auto Title Building for at least one year for \$24,022.67 per month in rent (the rent includes the cost to operate and maintain the building) and approximately \$8,583.33 per month in utilities; and,

WHEREAS, the County is also to lease the Hamilton Garage for up to six months for \$19,079.16 per month in rent (the rent includes the cost to operate and maintain the building) and approximately \$2,666.00 per month in utilities; and,

WHEREAS, Weston, Inc. 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 Properties to Weston Inc. and authorizes the County Executive to enter into a Purchase and Sale Agreement and Leases with Weston Inc. (or one of its affiliated entities) 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, the lease agreements 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: August 13, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: September 10, 2013

Journal _____
_____, 20__