



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 23, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH 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 9, 2014 Committee of the Whole Meeting (See Page 12)
 - b) September 9, 2014 Regular Meeting (See Page 16)
 - c) September 16, 2014 Committee of the Whole Meeting (See Page 29)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
 - a) Presentation of various Proclamations:
 - 1) recognizing the Cuyahoga County Board of Elections for excellence in election administration. (See Page 32)
 - 2) commemorating October 2014 as Cyber Security Awareness Month in Cuyahoga County. (See Page 33)

8. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive (attachment) (See Page 34)

9. RECEIPT OF DOCUMENT SUBMITTED TO COUNCIL

- a) Cuyahoga County Veterans Service Commission Revised 2015 Tax Budget (See Page 49)

10. LEGISLATION INTRODUCED BY COUNCIL

a) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0224: A Resolution confirming the County Executive's appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/4/2018, and declaring the necessity that this Resolution become immediately effective. (See Page 60)

Sponsors: Councilmembers Connally and Conwell

- 2) R2014-0225: A Resolution confirming the County Executive's appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/5/2019, and declaring the necessity that this Resolution become immediately effective. (See Page 78)

Sponsors: Councilmembers Connally and Conwell

- 3) R2014-0226: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective: (See Page 90)

- i) Reappointment for the term ending 6/30/2015:

- a) Michael T. Latkovich
- b) Sari Feldman
- c) Jay Carson

- ii) Appointment for the term ending 6/30/2016:
 - a) Aaron Grossman
- iii) Reappointment for the term ending 6/30/2016:
 - a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:
 - a) Gayle Thompkins Agahi
 - b) Lawrence Benders
 - c) Joseph A. Calabrese
 - d) Harriet Shaw Applegate
 - e) Bill Kitson
 - f) Kim M. Shelnik
- v) Appointment of mandatory partner for an undetermined term:
 - a) David Merriman

Sponsors: Councilmembers Connally and Conwell

- 4) R2014-0227: A Resolution confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective. (See Page 112)

Sponsors: Councilmembers Connally and Conwell

- 5) R2014-0228: A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective. (See Page 118)

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

- 6) R2014-0229: A Resolution amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective. (See Page 124)

Sponsor: Councilmember Miller

b) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

- 1) R2014-0217: A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency (“NOACA”) Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective. (See Page 161)

Sponsors: Councilmembers Connally, Conwell and Germana

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

c) CONSIDERATION OF ORDINANCES OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2014-0028: An Ordinance establishing the Cuyahoga County Archives Advisory Commission, and declaring the necessity that this Ordinance become immediately effective. (See Page 241)

Sponsor: Council President Connally

- 2) O2014-0029: An Ordinance amending the Administrative Rules for the Cuyahoga County Personnel Review Commission, and declaring the necessity that this Ordinance become immediately effective. (See Page 246)

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

d) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- 1) O2014-0021: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County’s investment policy and financial reporting requirements for Cuyahoga County. (See Page 283)

Sponsor: Councilmember Miller

Committee Assignment and Chair: Finance & Budgeting –
Miller

e) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

- 1) O2014-0022: An Ordinance enacting the County Executive Transition Act, and declaring the necessity that this Ordinance become immediately effective. (See Page 287)

Sponsors: Councilmembers Brady and Miller

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

f) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION

- 1) O2014-0016: An Ordinance amending Section 106.06 of the Cuyahoga County Code to establish copying costs for public records. (See Page 291)

Sponsors: Councilmembers Miller, Conwell and Germana

11. LEGISLATION INTRODUCED BY EXECUTIVE

a) CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

- 1) R2014-0230: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective. (See Page 294)

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

b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0231: A Resolution making an award on RQ30137 to Hilton Supply Management, LLC in the amount not-to-exceed \$150,000.00 to arrange for the purchase, delivery and installation of certain operating supplies and equipment (“OS&E”) for use in the operation of the Hotel; authorizing Hilton Supply Management, LLC to act as the County’s agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel; 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 project; and declaring the necessity that this Resolution become immediately effective. (See Page 313)

Sponsor: County Executive FitzGerald/Department of Public Works

- 2) R2014-0232: A Resolution making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for the Jane Edna Hunter and Emergency Men’s Shelter Roof Renovation Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 321)

Sponsor: County Executive FitzGerald/Department of Public Works

- 3) R2014-0233: A Resolution authorizing a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 5; 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 325)

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

- 4) R2014-0234: A Resolution authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; 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 329)

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and Councilmember Miller

- 5) R2014-0235: A Resolution authorizing an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 334)

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

- 6) R2014-0236: A Resolution authorizing a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 352)

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

c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2014-0212: A Resolution authorizing an agreement with City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 357)

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System

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

d) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

- 1) R2014-0215: A Resolution authorizing an amendment to Contract No. CE1300411-01 with ResCare Workforce Services for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,449,279.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 359)

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

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

- 2) R2014-0220: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments,

offices, and agencies; and declaring the necessity that this Resolution become immediately effective. (See Page 361)

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

Committee Assignment and Chair: Committee of the Whole – Connally

- 3) R2014-0221: A Resolution approving amendments to Amended and Restated Lease Agreement and Amended and Restated Sublease and Operating Agreement with Cuyahoga County Convention Facilities Development Corporation in connection with the Cleveland Convention Center and the Global Center for Health Innovation; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 377)

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

- 4) R2014-0222: A Resolution authorizing a revenue generating Utility Agreement with City of Highland Heights for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 3; 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 380)

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

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

- 5) R2014-0223: 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 382)

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

Committee Assignment and Chair: Finance & Budgeting – Miller

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2014-0211: A Resolution making an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016; 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 385)

Sponsor: County Executive FitzGerald/Department of Information Technology

f) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR THIRD READING AND REFERRAL TO COMMITTEE

- 1) R2014-0073: A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 11/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor, Cleveland; 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 387)

Sponsor: County Executive FitzGerald/County Sheriff and Councilmember Hairston

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

12. MISCELLANEOUS COMMITTEE REPORTS

13. MISCELLANEOUS BUSINESS

14. PUBLIC COMMENT UNRELATED TO AGENDA

15. EXECUTIVE SESSION

- a) Pending or imminent litigation.

16. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING: TUESDAY, OCTOBER 14, 2014
3:00 PM / COUNCIL CHAMBERS
(Pending)

REGULAR MEETING: TUESDAY, OCTOBER 14, 2014
5:00 PM / COUNCIL CHAMBERS

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, SEPTEMBER 9, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
2:30 PM

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 2:35 p.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Conwell, Greenspan, Miller, Brady, Gallagher and Connally were in attendance and a quorum was determined. Councilmembers Jones, Hairston, Simon, Germana and Schron joined the meeting at various times after roll call was taken.

3. PUBLIC COMMENT RELATED TO AGENDA

The following citizens addressed Council regarding issues of concern to them relating to Ordinance No. O2014-0014, an Ordinance establishing the Cuyahoga County Property Demolition Fund:

- a) Mr. Ronald O’Leary, Director of Building and Housing for the City of Cleveland**
- b) The Honorable Jeffrey Johnson, City of Cleveland Councilmember**
- c) The Honorable Zachary Reed, City of Cleveland Councilmember**
- d) The Honorable Brian Cummins, City of Cleveland Councilmember**

4. ITEMS REFERRED TO COMMITTEE

- a) R2014-0206: A Resolution amending Resolution No. R2014-0052 dated 2/25/2014, which expressed support for the Cleveland 2016 Host Committee, Inc.’s efforts to secure a National Presidential Convention in Cleveland in 2016,

to allow the use of certain County facilities on a rent-free basis as set forth in a County Service Agreement with Cleveland 2016 Host Committee, Inc. and SMG; and declaring the necessity that this Resolution become immediately effective.

Clerk Schmotzer read Resolution No. R2014-0206 into the record.

Mr. Jon Pinney, General Counsel for Cleveland 2016 Host Committee, Inc.; Mr. Joseph Boatwright, Assistant Law Director; Ms. Bonnie Teeuwen, Director of the Department of Public Works; and Mr. Majeed Makhlouf, Director of Law, addressed Council regarding Resolution No. R2014-0206. Discussion ensued.

Councilmembers asked questions of Mr. Pinney, Mr. Boatwright, Ms. Teeuwen and Mr. Makhlouf pertaining to the item, which they answered accordingly.

Ms. Connally introduced a proposed substitute to Resolution No. R2014-0206. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to accept the proposed substitute.

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0206 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as substituted.

- b) R2014-0208: A Resolution making an award on RQ30449 to Cleveland Clinic Foundation in the amount of \$125,000.00 for the sale of County-owned property commonly known as the former MetroHealth Clement Center, located at 2500 East 79th Street, Cleveland; authorizing the County Executive to execute the Purchase and Sale Agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Clerk Schmotzer read Resolution No. R2014-0208 into the record.

Ms. Teeuwen; Mr. Maklouf; and Mr. Ryan Jeffers, First Vice President of CBRE, addressed Council regarding Resolution No. R2014-0208. Discussion ensued.

Councilmembers asked questions of Ms. Teeuwen, Mr. Makhlouf and Mr. Jeffers pertaining to the item, which they answered accordingly.

On a motion by Mr. Gallagher with a second by Ms. Conwell, Resolution No. R2014-0208 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- c) R2014-0210: A Resolution making an award on RQ31337 to Parsons Brinckerhoff, Inc. in the amount not-to-exceed \$2,808,412.00 for architectural/engineering design services for the Pedestrian and Bicycle Bridge from the Malls to the Lakefront Project for the period 9/9/2014 - 12/31/2016; 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.

Clerk Schmotzer read Resolution No. R2014-0210 into the record.

Ms. Teeuwen; Mr. Makhlouf; Mr. Jeremy Paris, Executive Director of the Group Plan Commission; Ms. Anne Zoller, Executive Director of LAND Studio; and Mr. Christopher Ronayne, Chair of the Planning & Urban Design Committee for the Group Plan Commission, addressed Council regarding Resolution No. R2014-0210. Discussion ensued.

Councilmembers asked questions of Ms. Teeuwen, Mr. Makhlouf, Mr. Paris, Ms. Zoller and Mr. Ronayne pertaining to the item, which they answered accordingly.

On a motion by Mr. Brady with a second by Mr. Gallagher, Resolution No. R2014-0210 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- d) O2014-0014: An Ordinance establishing the Cuyahoga County Property Demolition Fund, and declaring the necessity that this Ordinance become immediately effective.

Clerk Schmotzer read Ordinance No. O2014-0014 into the record.

Mr. Jones introduced a proposed substitute to Ordinance No. O2014-0014. Discussion ensued.

Mr. Michael King, Special Counsel; Mr. Kahlil Seren, Research & Policy Analyst; and Mr. Nathan Kelly, Deputy Chief of Staff for Economic Development, addressed Council regarding Ordinance No. O2014-0014.

Councilmembers asked questions of Mr. King, Mr. Seren and Mr. Kelly pertaining to the item, which they answered accordingly.

A motion was then made by Mr. Jones, seconded by Ms. Conwell and approved by unanimous vote to accept the proposed substitute.

No further legislative action was taken on Ordinance No. O2014-0014.

5. DISCUSSION/EXECUTIVE SESSION

- a) Collective Bargaining Agreement between Cuyahoga County and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Region 2-B, Local 70, representing approximately 9 employees in the classification of Court Security Officer at the Sheriff's Department for the period 1/1/2013 - 12/31/2015.

A motion was made by Mr. Gallagher, seconded by Mr. Hairston and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing collective bargaining matters and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 4:40 p.m. The following Councilmembers were present: Schron, Conwell, Jones, Hairston, Simon, Greenspan, Miller, Brady, Germana, Gallagher and Connally. The following additional attendees were present: Law Director Majeed Makhlof; Assistant Law Director Todd Ellsworth; Sheriff Frank Bova and Legislative Budget Advisor Trevor McAleer. At 4:50 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given unrelated to the agenda.

8. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 4:51 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 9, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 5:00 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation be dedicated to personal reflections.

5. PUBLIC COMMENT RELATED TO AGENDA

Reverend Pamela Pinkney Butts addressed Council regarding issues of concern to her relating to various agenda items.

6. APPROVAL OF MINUTES

- a) August 26, 2014 Committee of the Whole Meeting

- b) August 26, 2014 Regular Meeting

A motion was made by Mr. Gallagher, seconded by Mr. Schron and approved by unanimous vote to approve the minutes of the August 26, 2014 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally made no announcements.

8. MESSAGES FROM THE COUNTY EXECUTIVE

There were no messages from County Executive FitzGerald.

9. LEGISLATION INTRODUCED BY COUNCIL

- a) CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0217: A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency ("NOACA") Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Conwell and Germana

Council President Connally referred Resolution No. R2014-0217 to the Council Operations & Intergovernmental Relations Committee.

- b) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2014-0204.

- 1) R2014-0204: A Resolution authorizing payments to Cuyahoga Community College and Cleveland State University, each in the amount of \$30,233.40, for scholarships for veterans residing in Cuyahoga County; authorizing the County Executive to negotiate and execute any necessary contract or other

documents for same; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Hairston, Miller, Conwell, Schron, Brady, **Gallagher, Simon and Germana**

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2014-0204 was considered and adopted by unanimous vote.

c) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- 1) O2014-0016: An Ordinance amending Section 106.06 of the Cuyahoga County Code to establish copying costs for public records.

Sponsors: Councilmembers Miller, Conwell and Germana

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

Clerk Schmotzer read Ordinance No. O2014-0016 into the record.

This item will move to the September 23, 2014 Council meeting agenda for consideration for third reading adoption.

d) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION

- 1) O2014-0024: An Ordinance setting the fee structure for Cuyahoga County Animal Shelter Dog Adoptions, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Simon and Connally

On a motion by Ms. Simon with a second by Ms. Conwell, Ordinance No. R2014-0024 was considered and adopted by unanimous vote.

10. LEGISLATION INTRODUCED BY EXECUTIVE

a) CONSIDERATION OF RESOLUTIONS 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 Nos. R2014-0218 and R2014-0219.

- 1) R2014-0218: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for an additional fiscal appropriation from the General Fund and other funding sources, in order to meet the budgetary needs of a County department; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0218 was considered and adopted by unanimous vote.

- 2) R2014-0219: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Region 2-B, Local 70, representing approximately 9 employees in the classification of Court Security Officer at the Sheriff's Department for the period 1/1/2013 - 12/31/2015; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2014-0219 was considered and adopted by unanimous vote.

b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL
TO COMMITTEE

- 1) R2014-0220: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 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

Council President Connally referred Resolution No. R2014-0220 to the Committee of the Whole.

- 2) R2014-0221: A Resolution approving amendments to Amended and Restated Lease Agreement and Amended and Restated Sublease and Operating Agreement with Cuyahoga County Convention Facilities Development Corporation in connection with the Cleveland Convention Center and the Global Center for Health Innovation; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2014-0221 to the Committee of the Whole.

- 3) R2014-0222: A Resolution authorizing a revenue generating Utility Agreement with City of Highland Heights for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 3; 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.

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

Council President Connally referred Resolution No. R2014-0222 to the Public Works, Procurement & Contracting Committee.

- 4) R2014-0223: 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. R2014-0223 to the Finance & Budgeting Committee.

c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2014-0211: A Resolution making an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016; 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 Information Technology

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Resolution No. R2014-0211 into the record.

This item will move to the September 23, 2014 Council meeting agenda for consideration for third reading adoption.

d) 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. R2014-0206, R2014-0207, R2014-0208, R2014-0209, R2014-0210, R2014-0213, R2014-0214 and R2014-0216.

- 1) R2014-0206: A Resolution amending Resolution No. R2014-0052 dated 2/25/2014, which expressed support for the Cleveland 2016 Host Committee, Inc.'s efforts to secure a National Presidential Convention in Cleveland in 2016, to allow the use of certain County facilities on a rent-free basis as

set forth in a County Service Agreement with Cleveland 2016 Host Committee, Inc. and SMG; and declaring the necessity that this Resolution become immediately effective. [Pending Committee Recommendation]

Sponsor: County Executive FitzGerald

Committee Assignment and Chair: Committee of the Whole – Connally

[Clerk's note: Resolution No. R2014-0206 received Committee recommendation for consideration for second reading adoption under suspension of rules, as substituted.]

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2014-0206 was considered and adopted by unanimous vote.

- 2) R2014-0207: A Resolution amending Resolution No. R2014-0040 dated 4/22/2014, which authorized a Purchase and Sale Agreement with Playhouse Square Foundation for the sale of the Loew's Building, to clarify that the County is transferring all County-owned properties associated with the Loew's Building; authorizing the County Executive to execute all 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. Schron with a second by Mr. Germana, Resolution No. R2014-0207 was considered and adopted by unanimous vote.

- 3) R2014-0208: A Resolution making an award on RQ30449 to Cleveland Clinic Foundation in the amount of \$125,000.00 for the sale of County-owned property commonly known as the former MetroHealth Clement Center, located at 2500 East 79th Street, Cleveland; authorizing the County Executive to execute the Purchase and Sale Agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. [Pending Committee Recommendation]

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

[Clerk's note: Resolution No. R2014-0208 received Committee recommendation for consideration for second reading adoption under suspension of rules.]

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2014-0208 was considered and adopted by unanimous vote.

- 4) R2014-0209: 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 extend the time period to 9/30/2015, to change the scope of services, effective 7/31/2014 and 10/1/2014, and for additional funds in the amount not-to-exceed \$257,100.72; 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 Ms. Conwell, Resolution No. R2014-0209 was considered and adopted by unanimous vote.

- 5) R2014-0210: A Resolution making an award on RQ31337 to Parsons Brinckerhoff, Inc. in the amount not-to-exceed \$2,808,412.00 for architectural/engineering design services for the Pedestrian and Bicycle Bridge from the Malls to the Lakefront Project for the period 9/9/2014 - 12/31/2016; 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. [Pending Committee Recommendation]

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

Committee Assignment and Chair: Committee of the Whole – Connally

[Clerk’s note: Resolution No. R2014-0210 received Committee recommendation for consideration for second reading adoption under suspension of rules.]

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2014-0210 was considered and adopted by unanimous vote.

- 6) R2014-0213: A Resolution authorizing amendments to contracts with various providers for operation of OhioMeansJobs|Cleveland-Cuyahoga County Service Centers for the period 7/1/2013 - 6/30/2014 to extend the time period to 6/30/2015 and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) No. CE1300365-01 with Mature Services, Incorporated in the amount not-to-exceed \$321,450.00.
 - ii) No. CE1300366-01 with United Labor Agency, Inc. in the amount not-to-exceed \$2,415,500.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3

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

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2014-0213 was considered and adopted by unanimous vote.

- 7) R2014-0214: A Resolution authorizing an amendment to Contract No. CE1300368-01 with United Labor Agency, Inc. for employer services for the period 7/1/2013 - 6/30/2014 to extend the time period to 6/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; authorizing the County Executive to execute the amendment and all other

documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3

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

On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2014-0214 was considered and adopted by unanimous vote.

- 8) R2014-0216: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$859,541.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2015; 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.

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 – Simon

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2014-0216 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2014-0199: A Resolution amending Resolution No. R2013-0201 dated 9/24/2013, which authorized an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, for the sale of tax lien certificates by removing the amount not-to-exceed \$25,000,000.00; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2014-0199 was considered and adopted by unanimous vote.

2) R2014-0200: A Resolution establishing a list of certified providers for occupational skills training services for the Individual Training Account System for the period 7/1/2014 - 6/30/2016; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) Academy of Court Reporting, Inc.
- ii) Ace Tutors
- iii) Allstate Hairstyling and Barber College
- iv) American Red Cross, Greater Cleveland Chapter
- v) Ashari's Healthcare, LLC
- vi) Ashland University
- vii) Associated Builders & Contractors, Inc., Northern Ohio Chapter
- viii) ATS Institute of Technology
- ix) Auburn Career Center
- x) Baldwin Wallace University
- xi) Blossom 24 Hour We Care Center, Inc.
- xii) Brentley Insititute Inc., The
- xiii) Brown Aveda Institute
- xiv) Brown Mackie College – Akron
- xv) Bryant & Stratton College
- xvi) Case Western Reserve University
- xvii) Catholic Charities Community Services Corporation
- xviii) Chancellor University
- xix) Cleveland Industrial Training Center, Inc.
- xx) Cleveland Institute of Dental - Medical Assistants, Inc.
- xxi) Cleveland State University
- xxii) Compassions Training and Awareness Center Inc.
- xxiii) Cuyahoga Community College District
- xxiv) Cuyahoga Valley Career Center
- xxv) Great Lakes Truck Driving School, Inc.
- xxvi) Hamrick School
- xxvii) Hondros College

- xxviii) Inner State Beauty School
- xxix) Kent State University
- xxx) Lake County Community College District
- xxxi) Lakewood College
- xxxii) Lorain County Community College District
- xxxiii) Lorain County Joint Vocational School
- xxxiv) Med-Cert, Inc.
- xxxv) Miami-Jacobs Career College
- xxxvi) National College
- xxxvii) New Bridge Cleveland Center for Arts & Technology
- xxxviii) New Horizons Computer Learning Centers
- xxxix) Notre Dame College, The
- xl) OhioGuidestone
- xli) Ohio Technical College, Inc.
- xl ii) Phoenix Healthcare Institute, LLC
- xl iii) Polaris Career Center
- xl iv) Remington College
- xl v) Root-InfoTech dba American Logistics Group, Inc.
- xl vi) South University of Ohio LLC
- xl vii) University of Akron, The
- xl viii) Ursuline College
- xl ix) Vatterott Educational Centers, Inc. dba Vatterott College
- l) Vocational Guidance Services
- li) Willoughby-Eastlake School of Practical Nursing

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3

On a motion by Ms. Simon with a second by Mr. Germana, Resolution No. R2014-0200 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, September 15, 2014 at 9:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, September 15, 2014 at 1:00 p.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 17, 2014 at 11:00 a.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, September 17, 2014 at 1:00 p.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, September 24, 2014 at 10:00 a.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, September 30, 2014 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

Mr. Jones discussed the upcoming public hearing to gather testimonies of business owners and community members on access to procurement opportunities for minority and female-owned business. The public hearing is scheduled for Monday, September 15th, from 5:00 p.m. to 7:00 p.m. in Council Chambers.

Ms. Simon discussed the upcoming Heroin Summit scheduled for Wednesday, September 17th, at 6:30 p.m. at the Euclid Public Library.

Mr. Hairston discussed his first annual Community Connections Fair scheduled for Saturday, September 27th, from 10:00 a.m. to 2:00 p.m. at the Cleveland Heights Community Center.

Ms. Conwell discussed an employee Lunch-n-Learn on Parkinson's disease featuring guest speaker Khalilah Camacho Ali scheduled for Thursday, September 11th, from 11:30 a.m. to 12:30 p.m. in Room 5-006 at the County Administrative Headquarters.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Reverend Pamela Pinkney Butts addressed Council regarding issues of concern to her relating to various non-agenda items.

14. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 5:42 p.m., without objection.



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, SEPTEMBER 16, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

1. CALL TO ORDER

At the request of Council President Connally, Mr. Miller, Chair of the Finance & Budgeting Committee, called the meeting to order at 10:06 a.m.

2. ROLL CALL

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

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

3. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given related to the agenda.

4. ITEMS REFERRED TO COMMITTEE

- a) R2014-0220: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 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.

Clerk Schmotzer read Resolution No. R2014-0220 into the record.

Mr. Mark Parks, Fiscal Officer; Mr. Norberto Colon, Deputy Chief of Staff of Justice; Mr. David Merriman, Interim Administrator of Cuyahoga Job and Family Services; and Mr. Majeed Makhlof, Director of Law, addressed the Committee regarding Resolution No. R2014-0220. Discussion ensued.

Councilmembers asked questions of Mr. Parks, Mr. Colon, Mr. Merriman and Mr. Makhlof pertaining to the item, which they answered accordingly.

A motion was then made by Mr. Schron and seconded by Ms. Connally to amend Resolution No. R2014-0220 by deleting item "G" in Section 1. The motion failed by a roll-call vote of 4 yeas and 5 nays with Councilmembers Greenspan, Gallagher, Schron and Connally voting in the affirmative and Councilmembers Jones, Hairston, Miller, Brady and Germana casting dissenting votes.

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2014-0220 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2014-0221: A Resolution approving amendments to Amended and Restated Lease Agreement and Amended and Restated Sublease and Operating Agreement with Cuyahoga County Convention Facilities Development Corporation in connection with the Cleveland Convention Center and the Global Center for Health Innovation; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

A brief recess was taken by Council, after which Mr. Miller turned the gavel over to Council President Connally to chair the remainder of the meeting.

Clerk Schmotzer read Resolution No. R2014-0221 into the record.

Mr. Jeffrey Applebaum, representing Thompson Hine, LLC and Project Management Consultants, LLC, and Mr. Parks addressed the Committee regarding Resolution No. R2014-0221. Discussion ensued.

Councilmembers asked questions of Mr. Appelbaum and Mr. Parks pertaining to the item, which they answered accordingly.

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2014-0221 was considered and approved by majority vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, with Mr.

Brady recusing himself from the vote as he is a member of the Cuyahoga County Convention Facilities Development Corporation Board of Directors.

5. MISCELLANEOUS BUSINESS

Council President Connally congratulated Mr. Miller on celebrating his birthday and Mr. Schron on the birth of his new granddaughter.

6. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 11:50 a.m., without objection.

Cuyahoga County Council

The Council of Cuyahoga County, Ohio,
takes profound pride and deep personal pleasure in recognizing

The Cuyahoga County Board of Elections

for excellence in election administration

WHEREAS, *The Cuyahoga County Board of Elections* received two national awards from The Election Center/National Association of Election Officials for its use of technology and for fostering community partnerships to better serve voters; and

WHEREAS, *The Cuyahoga County Board of Elections* has a lot to be proud of. Six of these prestigious awards are granted each year as a part of a national competition and winning awards in two categories is a great honor; and

WHEREAS, *The Cuyahoga County Board of Elections* won the Eagles Award for the outstanding use of technology with its entry of "The Benefits of Log Analysis," which was awarded for the development of a system of auditing the scanners that voters utilize to scan their ballots on Election Day. The new audit log system allows election staff to easily identify and solve performance issues that are flagged during the auditing process on a machine-by-machine basis; and

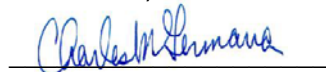
WHEREAS, *The Cuyahoga County Board of Elections* also won the Stars and Stripes Award for outstanding partnerships with its entry of "Community Partnership Voter Education," which was awarded for the utilization of community partners to disseminate voter education information. The Board of Elections is assisted by over 300 community partners that use their communications resources to reach voters; and

WHEREAS, *The Cuyahoga County Board of Elections* has become a leader in new innovations and these awards highlight its best election procedures and practices on the national stage.

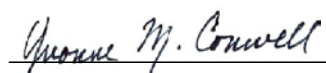
NOW, THEREFORE, BE IT RESOLVED that the Council of Cuyahoga County, Ohio, do hereby extend its most sincere congratulations to *The Cuyahoga County Board of Elections* for its excellence in election administration.



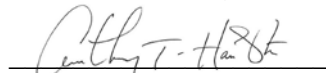
Dave Greenspan; District 1



Chuck Germana; District 4



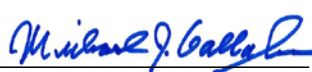
Yvonne M. Conwell; District 7



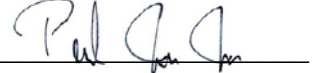
Anthony T. Hairston; District 10



Dale Miller; District 2



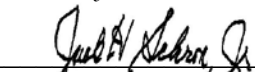
Michael J. Gallagher; District 5



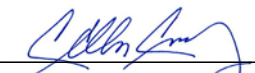
Pernel Jones, Jr.; District 8



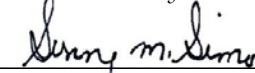
Dan Brady; District 3



Jack Schron; District 6



C. Ellen Connally; District 9



Sunny Simon; District 11

The County Executive & Cuyahoga County Council

*The County Executive & the Council of Cuyahoga County, Ohio,
wishes to proclaim October 2014 as:*

Cyber Security Awareness Month in Cuyahoga County

WHEREAS, *Citizens, schools, libraries, businesses and other organizations use the Internet for a variety of tasks, including keeping in contact with family and friends, managing personal finances, performing research, enhancing education and conducting business & critical sectors are increasingly reliant on information systems to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and*

WHEREAS, *Internet users and our information infrastructure face an increasing threat of malicious cyber-attack, loss of privacy from spyware and adware and significant financial and personal privacy losses due to identity theft and fraud the Multi-State Information Sharing and Analysis Center was established in January 2003 to provide a collaborative mechanism to help states and local governments enhance cyber security; and Cuyahoga County Department of Information Technology provides a comprehensive approach to help enhance the security of this government maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role, and awareness of computer security essentials will improve the security of Cuyahoga County information infrastructure & economy; and*

WHEREAS, *The “Stop. Think. Connect” campaign is a national effort coordinated by a coalition of private companies, nonprofit agencies and government organizations to help all digital citizens stay safer and more secure online; and*

WHEREAS, *The Federal Bureau of Investigation, the U.S. Department of Homeland Security (www.us-cert.gov), the Multi-State Information Sharing and Analysis Center (www.msiscac.org), the National Cyber Security Alliance (www.staysafeonline.org) and the National Association of State Chief Information Officers, (www.nascio.org) have declared October as National Cyber Security Awareness Month; and all citizens are encouraged to visit these sites, to learn about cyber security and put that knowledge into practice in their homes, schools, workplaces, and businesses.*

NOW, THEREFORE, BE IT RESOLVED *that the County Executive & the Council of Cuyahoga County, Ohio, do hereby proclaim, in conjunction with the State of Ohio **October 2014 Cyber Security Awareness Month in Cuyahoga County.***

*Edward FitzGerald
Cuyahoga County Executive*

*C. Ellen Connally, Council President
Cuyahoga County Council*



EDWARD FITZGERALD
Cuyahoga County Executive

September 23, 2014

C. Ellen Connally
President
Cuyahoga County Council
323 W. Lakeside Avenue, 4th Floor
Cleveland, Ohio 44113

Dear Council President Connally,

The attached document lists the items that County Executive Edward FitzGerald executed during the period March 1, 2014 – August 31, 2014. Included are all contracts, awards, purchases or sales executed and all grants or loans made or received for more than \$50,000, in addition to all change orders or amendments in which the total additions exceeded \$50,000.

Please contact me at (216) 698-2064 if you would like additional information on any of these items.

Respectfully submitted,

Lindy Burt
Special Assistant

Items Executed
(value exceeds \$50,000)
March 2014 - August 2014

	Requestor	Item
1	Common Pleas Court/Corrections Planning Board	Submitting a grant agreement in the amount of \$402,716.00 from Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for FY2014 Non-Medicaid funding for alcohol and other drug prevention and treatment services and mental health services for the period 1/1/2014 - 12/31/2014. Funding Source: Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County reimburses the Corrections Planning Board for services provided.
2	Common Pleas Court/Corrections Planning Board	Submitting an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$75,000.00 for the Smart Supervision Program in connection with the Office of Justice Programs, Bureau of Justice Assistance grant funds for the period 7/1/2014 - 6/30/2015. Funding Source: 100% by Ohio Department of Rehabilitation and Correction Community Based Corrections grant funds
3	Common Pleas Court/Corrections Planning Board	Submitting an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$86,000.00 for the Mental Health Program for the period 7/1/2014 - 6/30/2015. Funding Source: General Fund
4	County Prosecutor	Recommending to employ various law firms in the total amount of \$121,544 for legal services in connection with U.S. District Court, Northern District of Ohio, Case No. 1:13 CV 02572-JG, Richard A.F. Mendelsohn v. Richard Bell, et al., in accordance with Ohio Revised Code Section 305.14(A): 1) Benesch, Friedlander, Coplan & Aronoff LLP in the amount of \$30,479. 2) Valore & Gordillo LLP in the amount of \$41,145. 3) Reminger Co. LPA in the amount of \$49,920. Funding Source: General Funds.
5	Court of Common Pleas/ Corrections Planning Board	Recommending an award on RQ30801 and enter into a contract with Cleveland Municipal Court in the amount not-to-exceed \$218,360.00 for the Domestic Intervention, Education and Training Program for the period 7/1/2014 - 6/30/2015. Funding Source: Ohio Department of Rehabilitation and Correction's Community Correction Act Grant FY2015
6	Court of Common Pleas/Corrections Planning Board	Submitting a grant agreement with Ohio Department of Rehabilitation and Correction in the amount of \$2,026,099.00 for community-based corrections programs non-residential misdemeanants in connection with the FY2015 Jail Misdemeanor Diversion Program for the period 7/1/2014 - 6/30/2015. Funding Source: Ohio Department of Rehabilitation and Corrections grant funds
7	Court of Common Pleas/Juvenile Court Division	Submitting an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount of \$109,500.00 for administration and fiscal agent services for the Dually Diagnosed Offender Intensive Outpatient and Aftercare Program for the period 7/1/2014 - 6/30/2015. Funding Source: 100% Ohio Department of Rehabilitation and Correction Community Based Corrections subsidy grant funds
8	Court of Common Pleas/Juvenile Court Division	Recommending an award on RQ30861 enter an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$174,345.00 for intensive out-patient substance abuse treatment services for offenders in the Early Intervention Program in connection with FY2015 Ohio Department of Rehabilitation and Correction Grant funds for the period 7/1/2014 - 6/30/2015. Funding Source: 100% Ohio Department of Rehabilitation and Correction Community Based Corrections subsidy grant funds
9	Court of Common Pleas/Juvenile Court Division	Submitting a grant agreement with State of Ohio, Department of Youth Services for community-based services for youth for the period 7/1/2013 - 6/30/2015 in the amount of \$4,349,740.53. Funding Source: RECLAIM Ohio grant funds
10	Court of Common Pleas/Juvenile Court Division	Submitting amendments to Master Contract No. CE1300269-01-08 with various providers for residential treatment services for the Youth and Family Community Partnership Program for the period 2/1/2013 -1/31/2015: 1) for a decrease: a) Contract No. CE1300269-01 with Applewood Centers, Inc. in the amount of (\$0.00). b) Contract No. CE1300269-02 with Beech Brook in the amount of (\$200,000.00). c) Contract No. CE1300269- 03 with Bellefaire Jewish Children's Bureau in the amount of (\$8,577.42). d) Contract No. CE1300269-04 Carrington Youth Academy LLC in the amount of (\$0.00). e) Contract No. CE1300269-06 The Cleveland Christian Home Incorporated in the amount of (\$0.00). f) Contract No. CE1300269-07 New Directions, Inc. in the amount of (\$100,000.00). g) Contract No. CE1300269-08 The Village Network in the amount of (\$100,000.00). h) Recommending to terminate Contract No. CE1300269-05 with Catholic Charities Corporation, effective 3/1/2014. Funding Source: 100% Health & Human Services Levy Funds

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

11	Department of Development	Requesting approval of an Economic Development Site Expansion Loan to Heinen's, Inc. in the amount not-to-exceed \$500,000.00 to assist with the acquisition, asbestos abatement and demolition of a building located at 19701 S. Miles Road, Warrensville Heights; 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. Funding Source: Cuyahoga County Western Reserve Funds
12	Department of Development	Requesting approval to enter into an agreement with the City of Lakewood for HOME funded activities in the amount not-to-exceed \$295,724.00. Anticipated start - completion dates are 01/08/2014 - 12/31/2015. Funding Source: Federal HOME funds
13	Department of Development	Recommending awards on RQ29026 to various providers for fair housing services in the total amount of \$127,000.00 for the Cuyahoga Urban County for the period 4/1/2014 - 3/31/2015: a) Cleveland Tenants Organization in the amount of \$27,000.00. b) Heights Community Congress in the amount of \$16,000.00.
14	Department of Development	Requesting approval of a North Coast Opportunities Technology Fund Loan with Terves, Inc. in the amount not to exceed \$110,000.00 to complete development and prototyping efforts for a disintegrating "engineered-response" composite application/market feasibility assessment for the oil and gas industry; requesting authority for the Director to execute all documents required in connection with said loan. Funding Source: 100% by the Cuyahoga County Western Reserve Fund
15	Department of Development	Recommending a payments to various organizations for 1/1/2014 - 12/31/2014: a) Greater Cleveland Film Commission in the amount of \$210,000.00 for operating expenses. b) Greater Cleveland Sports Commission in the amount of \$200,000.00 for operational support for various sporting events.c) Downtown Cleveland Alliance in the amount of \$120,000.00 for support of clean and safe, marketing and economic development initiatives. Funding Source: 100% General Funds
16	Department of Development	Requesting approval of a Community Housing Development Organization loan in the amount not to exceed \$450,000.00 to assist in the creation of 66 permanent supportive affordable housing units for the Emerald Alliance VIII project in Cleveland, OH. Funding Source: Federal HOME Investment Partnership Program Funds
17	Department of Development	Requesting approval of a HOME loan in the amount not to exceed \$350,000.00 to assist in the rehabilitation of 179 affordable senior housing units for the Westerly III project in Lakewood, OH. Funding Source: Federal HOME Investment Partnership Program Funds
18	Department of Development	submitting a grant agreement with the City of Cleveland in the amount not-to-exceed \$500,000.00 for the Cleveland Small Business Association Small Business Loan Initiative Program for the period 7/1/2014 - 7/30/2016. Funding Source: Western Reserve Economic Development Fund
19	Department of Development	Department of Development, submitting a grant agreement with the City of Shaker Heights in the amount not-to-exceed \$250,000.00 for the Shaker Heights Small Business Association Small Business Loan Initiative Program for the period 7/1/2014 - 7/30/2016. Funding Source: Western Reserve Economic Development Fund
20	Department of Development	Requesting approval to enter into an agreement with the City of Euclid the amount not-to-exceed \$392,750.51 for eligible HOME program activities and administration for the period 1/8/2014 - 12/31/2015. Funding Source: 100% with federal HOME funds
21	Department of Development	Requesting approval of a United States Environmental Protection Agency (USEPA) Brownfield Revolving Loan Fund (RLF) Subgrant agreement with City of Lakewood in the amount not to exceed \$100,000.00 for environmental cleanup of property located at 1381 West Clifton Boulevard, Lakewood; Authorizing the Director of the Department of Development to sign all necessary documents in relation to the Brownfield Revolving Loan Fund Subgrant Agreement. Funding Source: 100% Federal Funds - USEPA RLF Grant supplemental award to Cuyahoga County. The City of Lakewood will provide a 20% match

Items Executed
(value exceeds \$50,000)
March 2014 - August 2014

22	Department of Development	Submitting contracts with various providers for Phase II Brownfield Environmental Site Assessment Services: a) HzW Environmental Consultants, LLC in the amount not-to-exceed \$39,960.00 for the proposed Caldwell Research Labs Expansion site located at 24112 Rockwell Drive, Euclid for the period 4/14/2014 - 09/30/2014. b) Submitting a Grant of Right of Entry and Release From Liability agreement in connection with said project site. c) Partners Environmental Consulting, Inc. in the amount not-to-exceed \$29,185.00 for the proposed brownfield site located at 480 South Green Road, South Euclid for the period 4/14/2014 - 09/30/2014. d) Submitting a Grant of Right of Entry and Release From Liability agreement in connection with said project site. Funding Source: 100% Brownfield Revolving Loan Funds.
23	Department of Development	Requesting approval of a North Coast Opportunities Technology Fund Loan with Data Agents, LLC dba Big River On-line in the amount not-to-exceed \$96,000.00 for development/integration of a dynamic software application for donor engagement and customization as part of a core web-based fundraising commerce platform; requesting authority for the Director to execute all documents required in connection with said loan. Funding Source: 100% Cuyahoga County Western Reserve Fund
24	Department of Development	Requesting approval of a North Coast Opportunities Technology Fund Loan with RegBinder, Inc. dba Complion in the amount not to exceed \$100,000.00 for development of an application to enhance collaboration across clinical research sites and integration of additional software security tools to streamline user interface and increase scalability for academic medical centers; requesting authority for the Director to execute all documents required in connection with said loan. Funding Source: 100% Cuyahoga County Western Reserve Fund
25	Department of Development	Submitting contracts with various providers in the total amount of \$60,000.00 for exterior improvements in connection with Storefront Renovation Rebate Program projects for the period 6/16/2014 - 6/15/2015: a) VMPR, LLC in the amount of \$20,000.00 located at 4262 Monticello Boulevard, South Euclid. b) GKHE Properties, LLC in the amount of \$20,000.00 located at 19930 Detroit Road, Rocky River. c) GKHE Properties LLC in the amount of \$20,000.00 located at 19800 Detroit Road, Rocky River. Funding Source: Federal Funds
26	Department of Health and Human Services	b) recommending an award on RQ30255 and enter into a contract with Children's Hospital Medical Center in the amount of \$128,700.00 for operational support of a Drug and Poison Information Center for the period 3/1/2014 - 12/31/2014. Funding Source: 100% HHS Levy
27	Department of Health and Human Services	Submitting an agreement with Cuyahoga County Board of Health in the amount not-to-exceed \$125,000.00 for administration of the Cuyahoga County Child Fatality Review for the period 1/1/2014 - 12/31/2014. Funding Source: Health and Human Services Levy Funds
28	Department of Health and Human Services/Community Initiatives Division/Family and Children First Council	Submitting an agreement with Cuyahoga County Board of Health in the amount not-to-exceed \$315,000.00 for administration of the Teen Wellness Initiative for the period 2/1/2014 - 1/31/2015. Funding Source: 98% (\$308,700.00) Temporary Assistance to Needy Families Funds; 2% (\$6,300.00) by the Health and Human Services Levy Funds.
29	Department of Health and Human Services/Community Initiatives Division/Office of Homeless Services	Submitting an amendment to Contract No. CE1200657-01 with Stella Maris, Inc. for shelter, alcohol and drug treatment services for homeless men for the period 11/1/2012 - 6/30/2014 to extend the time period to 6/30/2015 and for additional funds in the amount of \$195,000.00. Funding Source: Health & Human Services Levy Funds
30	Department of Health and Human Services/Community Initiatives Division/Office of Homeless Services	Recommending awards on RQ31196 with various providers (16-12) for temporary shelter and services to homeless persons in connection with the FY2014 Emergency Shelter Grant Program for the period 9/1/2014 - 8/31/2015: a) Care Alliance Health Center in the amount not-to-exceed \$15,000.00; b) Cleveland Mediation Center in the amount not-to-exceed \$18,774.00; c) Family Promise of Greater Cleveland in the amount not-to-exceed \$57,125.00 ; d) Volunteers of America of Greater Ohio in the amount not-to-exceed \$15,000.00; e) West Side Catholic Center in the amount not-to-exceed \$44,162.00; f) YMCA of Greater Cleveland in the amount not-to-exceed \$15,000.00; Funding Source: 100% Emergency Shelter Grant Program dollars (U.S. Department of Housing & Urban Development)

Items Executed
(value exceeds \$50,000)
March 2014 - August 2014

31	Department of Health and Human Services/Community Initiatives Division/Office of Homeless Services	Submitting a grant agreement with U.S. Department of Housing and Urban Development in the amount of \$171,308.00 for the FY2012 Buckeye Permanent Supportive Housing Project in connection with the McKinney-Vento Homeless Assistance Act for the period 1/1/2013-12/31/2014. Funding Source: 100% by the U.S. Department of Housing & Urban Development grant funds
32	Department of Health and Human Services/Community Initiatives Division/Office of Homeless Services	Submitting grant agreements with U.S. Department of Housing and Urban Development for various supportive services projects for homeless women and families in connection with the FY2013 HEARTH Act Homeless Assistance grant/Cuyahoga County Continuum of Care Program for the period 5/1/2014 - 4/30/2015: a) in the amount of \$150,000.00 for the West Side Catholic Housing Empowerment Project. b) in the amount of \$10,348,968.00 for the Emerald Development and Economic Network Shelter Plus Care Tenant Based Rental Assistance grant project. Funding Source: U.S. Department of Housing & Urban Development.
33	Department of Health and Human Services/Community Initiatives Division/Office of Reentry	Submitting an amendment to Contract No. CE1300001-01 with Oriana House, Inc. for operation of the North Star Neighborhood Reentry Resource Center for the period 1/1/2013 - 12/31/2015 for additional funds in the amount of \$160,000.00. Funding Source: General Funds
34	Department of Health and Human Services/Community Initiatives/Office of Homeless Services	Submitting a grant agreement with United States Department of Housing and Urban Development in the amount of \$174,731.00 for the Zelma George Link Program in connection with the FY2013 HEARTH Act Homeless Assistance Grant/Cuyahoga County Continuum of Care Program for the period 2/1/2014 - 1/31/2015. Funding Source: U.S. Department of Housing & Urban Development, FY 2013 Federal funds
35	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ28853 and enter into a contract with Cleveland Housing Network, Inc. (8-3) in the amount not-to-exceed \$198,965.00 for utility assistance and financial counseling services for Temporary Assistance to Needy Families eligible residents for the period 4/1/2014 - 3/31/2015. Funding Source: 100% Federal TANF Funding
36	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ29910 and enter into a contract with Early Childhood Options of University Circle in the amount not-to-exceed \$151,913.63 for child care drop-in services for the period 7/1/2014 - 6/30/2015. Funding Source: Federal TANF funding
37	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ30781 and enter into an agreement with Ohio Attorney General/Bureau of Criminal Identification and Investigations in the amount not-to-exceed \$375,000.00 for access to the National WebCheck Program for criminal background checks on Ohio Workforce Work Experience participants for the period 6/1/2014 - 5/31/2017. Funding Source: 100% Public Assistance Funds
38	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ29908 and enter into a contract with Enterprise Community Partners, Inc. in the amount not-to-exceed \$325,000.00 for the Earned Income Tax Credit and Other Tax Credits and Tax Preparation Assistance to Low and Moderate Income Families Program for the period 7/1/2014 - 6/30/2015. Funding Source: 100% Federal TANF funding
39	Department of Health and Human Services/Cuyahoga Job and Family Services	Submitting an amendment to Agreement No. AG1200004-01 with The MetroHealth System for Healthy Start and Child Care Assistance Hotline services for the period 1/1/2012 - 6/30/2014 to extend the time period to 12/31/2014, to change the scope of services, effective 7/1/2014 and for additional funds in the amount of \$128,963.00. Funding Source: 100% Federal TANF funding
40	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ31047 and enter into a state contract with Northwoods Consulting Partners, Inc. in the amount not-to-exceed \$330,900.00 for maintenance and support on Electronic Document Management and Imaging application for the period 7/1/2014 - 6/30/2015. Funding Source: Public Assistance Funds
41	Department of Health and Human Services/Cuyahoga Job and Family Services	Submitting an amendment to Contract No. CE1300387-01 with US Together, Inc. for language interpretation and translation services for the period 9/1/2013 - 8/31/2014 to extend the time period to 8/31/2015, to change the scope of services, effective 9/1/2014 and for additional funds in the amount of \$200,000.00. Funding Source: Public Assistance Funds
42	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award; Department of Information Technology a) on RQ31298 to MNJ Technologies Direct in the amount of \$131,930.00 for the purchase of 2 Barracuda 910 Web Filtering Appliances with 3 year updates, technical support and instant replacement services. Funding Source: General Funds

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

43	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ31026 and enter into a state contract with Northwoods Consulting Partners, Inc. in the amount not-to-exceed \$73,071.00 for maintenance and support on Premier Appointment Manager for the period 7/1/2014 - 6/30/2015. Funding Source: Public Assistance Funds
44	Department of Health and Human Services/Cuyahoga Job and Family Services	Recommending an award on RQ31205 and enter into a contract with Starting Point in the amount not to-exceed \$79,306.00 for Child Care Resource and Agency services for the period 8/1/2014 - 7/31/2015. Funding Source: Federal Child Care Administration funds
45	Department of Health and Human Services/Cuyahoga Job and Family Services	Submitting an amendment to Agreement No. AG1200004-01 with The MetroHealth System for Healthy Start and Child Care Assistance Hotline services for the period 1/1/2012 - 12/31/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$128,963.00. Funding Source: 100% by Federal Temporary Assistance to Needy Families Funding
46	Department of Health and Human Services/Division of Children and Family Services	Recommending awards on RQ29004 and enter into contracts with various providers in the total amount of \$165,000.00 for evidence-based parenting services for the period 3/1/2014 - 2/28/2015: a) Applewood Centers, Inc. in the amount of \$35,843.16. b) Beech Brook in the amount of \$55,317.36 c) Catholic Charities Corporation in the amount of \$15,097.46. d) FrontLine Service in the amount of \$15,097.46. e) Bellefaire Jewish Children's Bureau in the amount of \$20,745.70. f) The Cleveland Christian Home Incorporated in the amount of \$22,898.86. Funding Source: 100% Temporary Assistance to Needy Families (TANF)
47	Department of Health and Human Services/Division of Children and Family Services	Recommending an award on RQ29256 and enter into a contract with Ohio Guidestone in the amount not-to-exceed \$320,000.00 for supported visit services for the period 4/1/2014 - 3/31/2016. Funding Source: 33% Federal and 67% Health and Human Services Levy
48	Department of Health and Human Services/Division of Children and Family Services	Recommending an award on RQ28786 and enter into a contract with East End Neighborhood House Association in the amount not-to-exceed \$320,464.00 for neighborhood collaborative services for the Family to Family Neighborhood System of Care program for the period 5/1/2014 - 4/30/2015. Funding Source: 43.7% Federal; 56.3% Health and Human Services Levy
49	Department of Health and Human Services/Division of Children and Family Services	Submitting an amendment to master Agreement No. AG1300181-01 with The MetroHealth System to change the scope of services, effective 6/1/2014, and for additional funds in the amount of \$85,000.00. Funding Source: 33% Federal IV-E Administration and Training; 67% Health and Human Services Levy funds
50	Department of Health and Human Services/Division of Children and Family Services	Submitting amendments to contracts with various providers for emergency assistance services for the period 9/1/2012 - 8/31/2014 to extend the time period to 12/31/2014: for additional funds: a) Contract No. CE1200402-01 with A-Z Furniture Co., Inc. in the amount of \$71,500.00. b) Contract No. CE1200403-01 with Dave's Supermarket, Inc. in the amount of \$24,000.00. c) Contract No. CE1200405-01 with West 25th furnishings and Appliances, Inc. in the amount of \$168,000.00. d) Contract No. CE1200560-02 with Burlington Coat Factory Warehouse Corporation in the amount of \$171,000.00. for decrease: e) Contract No. CE1200404-01 with Silverman Brothers, Inc. in the amount of (\$50,000.00). Funding Source: 79% Federal IV-B; 21% Health and Human Services Levy
51	Department of Health and Human Services/Division of Children and Family Services	Recommending an award on RQ26901 and enter into a contract with MCS Consulting Service, LLC in the amount not-to-exceed \$59,706.46 for clerical assessment services for the period 3/1/2014 - 7/30/2014. Funding Source: 33% federally and 67% Health and Human Services Levy funds.
52	Department of Health and Human Services/Division of Cuyahoga Job and Family Services	Submitting an amendment to Contract No. CE1100369-01 with Catholic Charities Corporation intensive case management services for Ohio Works First and Disability Financial Assistance cash recipients with barriers to employment for the period 7/1/2011 - 6/30/2014 to extend the time period to 6/30/2015 and for additional funds in the amount of \$342,650.00. Funding Source: 100% Federal TANF funds
53	Department of Health and Human Services/Division of Senior & Adult Services	Recommending an award on RQ28526 and enter into a contract with PeerPlace Networks, LLC in the amount not-to-exceed \$472,559.00 for a cloud-based comprehensive case management system for the period 8/4/2014 - 7/31/2015. Funding Source: Health & Human Services Levy Funds
54	Department of Health and Human Services/Division of Senior and Adult Services	Submitting amendments to agreements with various municipalities and contracts with various vendors for Congregate Meals services for the Community Social Services Program for the period 1/1/2013 - 12/31/2014:

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

55	Department of Health and Human Services/Division of Senior and Adult Services	a) Agreement No. AG1300002-01 with City of Maple Heights for additional funds in the amount of \$4,210.00. b) Agreement No. AG1300004-01 with City of Parma Heights for additional funds in the amount of \$40,000.00. c) Contract No. CE1300008-01 with Goodrich Gannett Neighborhood Center for additional funds in the amount of \$1,310.00. d) Contract No. CE1300011-01 with The Harvard Community Services Center for additional funds in the amount of \$12,064.00. e) Contract No. CE1300013-01 with The Salvation Army for additional funds in the amount of \$6,014.00. f) Contract No. CE1300014-01 with University Settlement, Incorporated for additional funds in the amount of \$2,022.00. Funding Source: 100% by the Health & Human Services Levy Funds
56	Department of Health and Human Services/Division of Senior & Adult Services	Submitting a grant agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$71,000.00 for the Ryan White Part A program for the period 3/1/2014 - 2/28/2015. Funding Source: Cuyahoga County Board of Health - Ryan White Part A grant funds
57	Department of Health and Human Services/Family and Children First Council	Submitting an amendment to Agreement No. AG1200212-01 with The Ohio State University for Youth Advisory Committee services for the period 5/1/2012 - 4/30/2014 to extend the time period to 4/30/2015 and for additional funds in the amount of \$125,000.00. Funding Source: Health and Human Services Levy funds
58	Department of Health and Human Services/Office of Early Childhood	Submitting an amendment to Contract No CE1300436-01 with Starting Point 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 to change the scope of services, effective 2/1/2014 and for additional funds in the amount of \$138,541.00. Funding Source: 100% Health and Human Services levy funds
59	Department of Health and Human Services/Office of Homeless Services	Submitting an amendment to Contract No. CE1300124-01,02 with Cleveland Mediation Center for eviction diversion and housing stabilization services for the Emergency Solutions Grant Program for the period 10/1/2012 - 9/30/2014 for additional funds in the amount of \$478,830.00. Funding Sources: 5% (\$24,587.00) State Department of Development Services Agency; 95% (\$454,243.00) Health and Human Services Levy Funds
60	Department of Health and Human Services/Office of Homeless Services	Submitting an amendment to Contract No. CE1300127-01 with Mental Health Services for Homeless Persons, Inc. for coordinated assessment and intake services for the Emergency Solutions Grant Program for the period 10/1/2012 - 9/30/2014 for additional funds in the amount of \$136,307.00. Funding Source: 100% from the Ohio Development Services Agency, State Housing Trust Fund and State Emergency Solutions Grant Funds
61	Department of Health and Human Services/Office of Homeless Services	Submitting an agreement with City of Cleveland in the amount not to exceed \$407,093.00 for implementation of the Emergency Solutions Grant Program for the period 1/1/2014 - 12/31/2014. Funding Source: FY 2013 Emergency Solutions Grant funds awarded by the U.S. Department of Housing & Urban Development (HUD)
62	Department of Health and Human Services/Office of Homeless Services	Recommending an award on RQ30759 and enter into a contract with Emerald Development & Economic Network, Inc. in the amount not-to-exceed \$171,308.00 for administration of the Supportive Housing Rental Assistance Program in connection with the FY2012 U.S McKinney-Vento Homeless Assistance Grant for the period 4/1/2014 - 3/31/2017. Funding Source: 100% by the FY 2012 U.S. Department of Housing & Urban Development, McKinney-Vento Homeless Assistance Grant
63	Department of Health and Human Services/Office of Homeless Services	Submitting an amendment to Contract No. CE1300127-01 with Mental Health Services for Homeless Persons, Inc. dba Frontline Service for coordinated assessment and intake services for the Emergency Solutions Grant Program for the period 10/1/2012 - 9/30/2014 for additional funds in the amount not-to-exceed \$407,093.00. Funding Source: 100% from the City of Cleveland's Emergency Solutions Grant entitlement dollars.
64	Department of Health and Human Services/Office of Reentry	Submitting an amendment to Agreement No. AG1100007-01 with Cuyahoga County Common Pleas Court for re-entry court intensive probation supervision services for the period 3/11/2011 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount of \$67,000.00. Funding Source: 100% General Fund
65	Department of Human Resources	Submitting an amendment to Contract No. CE1100132-01 with Union Eye Care Center, Inc. for group vision benefits for Cuyahoga County employees and their eligible dependents for the period 1/1/2011 - 12/31/2014 to extend the time period to 12/31/2015 and for additional funds in the amount not-to-exceed \$189,976.78. Funding Source: Hospitalization Self-Insurance Fund.

Items Executed
(value exceeds \$50,000)
March 2014 - August 2014

66	Department of Information Technology	Recommending an award on RQ30443 and enter into a contract with International Business Machines Corporation in the amount not-to-exceed \$472,849.00 for maintenance and support on IBM Z/OS software products for the period 1/1/2014 - 12/31/2014. Funding Source: 100% General Funds
67	Department of Information Technology	Recommending an award on RQ27440 30699 to MCPc, Inc. (3-1) in the amount of \$77,392.00 for installation of wireless access points hardware in connection with RFP27440 – Wide Area Network and Telecom Services for the New County Administration Building. Funding Source: 100% Capital Fund Budget
68	Department of Information Technology	Submitting an amendment to Contract No. CE0900084-01 with Time Warner NY Cable, LLC dba Time Warner Cable through its Northeast Ohio Division for maintenance on the Fiber Optic Wide Area Network and Internet connectivity for the period 9/15/2008 - 1/31/2014 to extend the time period to 9/30/2014 and for additional funds in the amount not-to-exceed \$64,000.00. Funding Source: 100% General Fund
69	Department of Information Technology	Recommending an award on RQ30179 and enter into a contract with EIQ Networks, Inc. in the amount of \$150,000.00 for Security Intelligence and Event monitoring for the period 3/1/2014 - 2/28/2017.
70	Department of Information Technology	Submitting an amendment to Contract No. CE1200424-01 with Avantia, Inc. for IT consultant services for use by various County departments for the period 7/2/2012 - 7/1/2014 to extend the time period to 7/1/2015 and for additional funds in the amount of \$90,000.00. Funding Source: General Funds
71	Department of Information Technology	Recommending an award on RQ29717 and enter into a contract with CGI Technologies and Solutions Inc. in the amount not-to-exceed \$90,746.00 for maintenance on Hyland Onbase software for the Document Imaging System for Cuyahoga Job and Family Services for the period 1/1/2014 - 12/31/2014. Funding Source: 100% General Funds
72	Department of Information Technology	a) Amending item CPB2014-253, which approved an RFP exemption on RQ30479, resulting in a lower than state term award recommendation to DC Group in the amount of \$54,278.66 for the purchase of 160 UPS replacement batteries, correcting the RQ number to 30494; and b) Recommending an award, on RQ30494, which will result in a lower than state term award recommendation to DC Group in the amount of \$54,278.66 for the purchase of 160 UPS replacement batteries. Funding Source: 100% General Fund
73	Department of Information Technology	Recommending an award on RQ30931 and enter into a contract with Gartner, Inc. in the amount not-to-exceed \$65,814.63 for subscription-based research and related services for the period 6/1/2014 - 5/31/2016. Funding Source: 100% General Fund
74	Department of Information Technology	Recommending awards on various requisitions and enter into agreements with OARnet/The Ohio State University for maintenance and support services on VMware software for use by various departments: a) on RQ29965 with Fiscal Office in the amount not-to-exceed \$16,006.96 for the period 4/30/2014 - 4/29/2016. b) on RQ29971 with Department of Public Safety and Justice Services/Cuyahoga County Regional Data Sharing System in the amount not-to-exceed \$21,167.90 for the period 1/11/2014 - 1/10/2016. c) on RQ29954 with Department of Information Technology, in the amount not-to-exceed \$27,549.60 for the period 4/26/2014 - 4/25/2016. d) on RQ29962, with Department of Public Safety and Justice Services/Cuyahoga County Regional Data Sharing System in the amount not-to-exceed \$4,742.40 for the period 6/23/2014 - 6/22/2016. Funding Sources: 100% General Funds.
75	Department of Information Technology	Recommending an award on RQ30017 to Major Oak Consulting, LLC (44-6) in the amount of \$100,000.00 for consultant services for a feasibility study for Enterprise Geographic Information System shared services for the period 8/25/2014 - 2/28/2015. Funding Source: Local Government Innovation Grant Funds through the Ohio Department of Administration
76	Department of Public Safety and Justice Services	Submitting an amendment to Contract No. CE1300291-01 with Emergency CallWorks, Inc. for vendor hosted Next Generation 9-1-1 services for the period 8/1/2013 - 1/31/2025 for additional funds in the amount not-to-exceed \$287,556.79. Funding Source: 9-1-1 Wireless Assistance Funds
77	Department of Public Safety and Justice Services	Submitting an amendment to Contract No. CE1200551-01 with Main Sail, LLC for consultant services for the development and upgrade of the Regional Enterprise Data Sharing System for the period 7/1/2012 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount of \$165,200.00. Funding Source: Witness/Victim Family Justice Center/Project/JA753079-\$94,200.00; REDSS/JA090068-\$71,000.00

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

78	Department of Public Safety and Justice Services	Submitting an agreement with the City of Cleveland Law Department in the amount not-to-exceed \$108,202.84 for the Domestic Violence Project for the FY2013 STOP Violence Against Women Act Grant program for the period 1/1/2014 - 12/31/2014. Funding Source: 100% of funding is from the Department of Justice, Office of Violence Against Women through the Ohio State Office of Criminal Justice Services.
79	Department of Public Safety and Justice Services	Recommending an award on RQ29167 and enter into a contract with Vasu Communications, Inc. (3-2) in the amount not-to-exceed \$102,126.06 for assessment and maintenance of the National Public Safety Planning Advisory Committee Radio System and Highland Hills Tower site for the period 7/1/2014 - 6/30/2017. Funding 100% General Fund.
80	Department of Public Safety and Justice Services	Recommending an award on RQ28771 and enter into a contract with Cleveland Rape Crisis Center (15-2) in the amount not-to-exceed \$75,000.00 for sexual assault counseling services for the period 3/17/2014 - 12/31/2014. Funding Source: 100% General Funds
81	Department of Public Safety and Justice Services	Recommending an award on RQ29931 and enter into a contract with Eltag North America, LLC in the amount not-to-exceed \$79,812.50 for maintenance of Automated License Plate Readers for the period 1/1/2014 - 12/31/2014. Funding Source: Department of Homeland Security through Ohio Emergency Management Agency
82	Department of Public Safety and Justice Services	Recommending awards and enter into contracts with various providers for the FY2013 Title II Juvenile Justice and Delinquency Prevention grant program for the period 2/1/2014 - 7/30/2015: a) Bellefaire JCB in the amount not-to-exceed \$28,974.00. b) Mental Health Services for Homeless Persons Inc. dba Front-Line Services in the amount not-to-exceed \$27,174.00. c) Lawn Life in the amount not-to-exceed \$28,852.00. Funding Source: FY13 JJDP is from the Ohio Department of Youth Services through the Federal Office of Juvenile Justice and Delinquency Prevention
83	Department of Public Safety and Justice Services/Public Safety Grants	Recommending awards to various providers in the total amount of \$324,608.52 for the FY2013 STOP Violence Against Women Act Grant Program for the period 1/1/2014 - 12/31/2014: a) City of Bedford, Municipal Court in the amount not-to-exceed \$21,640.57 for the Domestic Violence Victim's Program. b) City of Cleveland, Public Safety Department in the amount not-to-exceed \$108,202.84 for the Cleveland Domestic Violence Project. c) Cleveland Rape Crisis Center in the amount not-to-exceed \$70,991.94 for direct services for survivors of sexual assault. d) Domestic Violence and Child Advocacy Center in the amount not-to-exceed \$100,000.00 for the Latina Domestic Violence Project. e) Jewish Family Service Association of Cleveland in the amount not-to-exceed \$23,773.17 for the Family Violence Victims Assistance and Legal Advocacy project. Funding Source: 100% of funding is from the Department of Justice, Office of Violence Against Women through the Ohio State Office of Criminal Justice Services. A 25% match is assumed by the awarded project agencies.
84	Department of Public Safety and Justice Services/Public Safety Grants	Submitting an agreement and contracts with various providers for the FY2012 Title II Juvenile Justice and Delinquency Prevention Block Grant Program for the period 2/1/2014 - 6/30/2014: a) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$27,750.00. b) Golden Ciphers in the amount not-to-exceed \$60,379.00. c) Mental Health Services for Homeless Person's Inc. dba FrontLine Services in the amount not-to-exceed \$24,150.00. d) Cuyahoga County Court of Common Pleas, Juvenile Division in the amount not-to-exceed \$48,150.00. Funding Source: The FY12 JJDP is from the Ohio Department of Youth Services through the Federal Office of Juvenile Justice and Delinquency Prevention.
85	Department of Public Safety and Justice Services/Public Safety Grants	Submitting contracts with various municipalities in the total amount of \$73,828.00 for the FY2013 Juvenile Accountability Block Grant Program for the period 3/1/2014 - 2/28/2015: a) City of Cleveland (Community Relations) in the amount not-to-exceed \$24,364.00; b) City of Lakewood in the amount not-to-exceed \$32,010.00; c) City of South Euclid in the amount not-to-exceed \$17,454.00. Funding Source: Ohio Department of Youth Services through the Federal Office of Juvenile Justice and Delinquency Prevention.
86	Department of Public Safety and Justice Services/Public Safety Grants	Submitting agreements with various municipalities for the FY2010 Urban Area Security Initiative Grant Program for the period 8/1/2010 - 7/31/2013: a) City of North Olmsted for the purchase of equipment, valued in the amount of \$25,616.50, b) City of Brook Park for the purchase of equipment, valued in the amount of \$210,055.30. Funding Source: 100% FY2010 Urban Area Security Initiative funded and is passed through to Cuyahoga County from the Department of Homeland Security through Ohio Emergency Management Agency

Items Executed
(value exceeds \$50,000)
March 2014 - August 2014

87	Department of Public Safety and Justice Services/Public Safety Grants	Submitting agreements with various municipalities for the purchase of equipment for the FY2010 State Homeland Security Program for the period 8/1/2010 - 3/31/2013: a) City of Fairview Park valued in the amount of \$25,616.50; b) City of Westlake valued in the amount of \$25,616.50. Funding Source: FY10 State Homeland Security Program funded and is passed through to Cuyahoga County from the Department of Homeland Security through Ohio Emergency Management Agency.
88	Department of Public Safety and Justice Services/Witness/ Victim	Submitting an amendment to Contract No. CE1200468-01 with Mental Health Services for Homeless Persons, Inc. for Defending Childhood Central Intake and Assessment services for the period 7/18/2012 -6/30/2014 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$235,000.00. Funding Source: 100% U.S. Department of Justice, Collaborative for the Defending Childhood Initiative.
89	Department of Public Safety and Justice Services/Witness/ Victim	Submitting an amendment to Contract No. CE1200593-01 with Domestic Violence & Child Advocacy Center for Direct services for the Ujima Project for the period 10/1/2012 - 3/31/2014 to extend the time period to 12/31/2014 and for additional funds in the amount of \$95,216.94. Funding Source: 100% by the U.S. Department of Justice, Grants to Encourage Arrest and Enforcement of Protection Orders
90	Department of Public Safety and Justice Services/Witness/Victim	Submitting an amendment to Contract No. CE1200318-01 with Case Western Reserve University for consultant services for the FY2011 Attorney General's Children Exposed to Violence Demonstration Program: Phase 2 Grant Program for the period 11/1/2011 - 6/30/2014 to extend the time period to 9/30/2014 and for additional funds in the amount of \$75,000.00. Funding Source: 100% by the U.S. Department of Justice, Collaborative Agreement for the Defending Childhood Initiative
91	Department of Public Works	Submitting an amendment to an agreement with Cleveland Thermal, LLC for Central Heating and Cooling Services (chilled water and steam) for various Cuyahoga County facilities for the period 6/1/1993 - 1/31/2014 to extend the time period to 2/28/2014 and for additional funds based on the existing utility rate schedule. Funding Source: 100% General Funds
92	Department of Public Works	Submitting an amendment (Subsidiary No. 2) to Contract No. CE1200255-01 with Suburban Maintenance and Construction, Inc. for the replacement of Austin Powder Drive Bridge No. 137 over a branch of Tinkers Creek in the Village of Glenwillow for additional funds in the amount not-to-exceed \$52,567.58. Funding Source: \$5.00 Vehicle License Tax Funds
93	Department of Public Works	Recommending an award in the amount not-to-exceed \$102,100.00 on RQ30235 to Johnson Controls, Inc. for replacement of six (6) chilled water coils in the Cuyahoga County Justice Center. Funding Source: 100% Internal Service Fund
94	Department of Public Works	Submitting an amendment to Contract No. CE1200163-01 with Johnson Controls, Inc. for maintenance on the Metasys and Pneumatic Heating, Ventilation and Air Conditioning Control Systems for various County buildings for the period 4/1/2012 - 3/31/2014 to extend the time period to 9/30/2014 and for additional funds in the amount of \$134,852.37. Funding Source: 100% by Public Works' Internal Service Fund
95	Department of Public Works	Recommending an award on RQ30117 and enter into a contract with R.J. Platten Contracting Co. in the amount of \$364,836.06 for the resurfacing of Huron Road from Prospect Avenue to Euclid Avenue in the City of Cleveland. Funding Source: \$7.50 Vehicle License Tax Funds
96	Department of Public Works	Submitting an amendment (Subsidiary No. 3) to Contract No. CE1100721-01 with American Bridge Company for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland for additional funds in the amount of \$261,040.78. Funding Source: 80% Federal Funds and 10% County using funds from the \$5.00 Vehicle License Tax and 10% City of Cleveland.
97	Department of Public Works	Submitting an amendment (Subsidiary No. 1) to Contract No. CE1200256-01 with Terrace Construction Company, Inc. for the Sewer and Lateral Repair Program for various County sewer districts for additional funds in the amount not-to-exceed \$77,466.45. Funding Source: Sewer District Cash Balances (User Fees)
98	Department of Public Works	Submitting an amendment (Subsidiary No. 2) to Contract No. CE1200508-01 with Terrace Construction Company, Inc. for improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland for additional funds in the amount not-to-exceed \$121,570.72. Funding Source: 50% Federal Funds, 42% Ohio Public Works Commissioner, 4% Cuyahoga County 4% City of Cleveland.

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

99	Department of Public Works	Recommending an award on RQ29182 and enter into a contract with City Architecture Inc. in the amount not-to-exceed \$200,000.00 for general architectural engineering services for the period 3/25/2014 - 3/24/2017. Funding Source: 100% General Funds
100	Department of Public Works	Submitting an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office for use by Juvenile Court for the period 9/1/2010 - 3/31/2014 to extend the time period to 8/31/2015 and for additional funds in the amount of \$72,760.00. Funding Source: General Fund
101	Department of Public Works	Recommending an award on RQ28831 and enter into a contract with ARCADIS U.S., Inc. in the amount of \$200,000.00 for general engineering services for the period 4/8/2014 - 4/7/2017. Funding Source: 100% by County Road and Bridge \$7.50 Fund
102	Department of Public Works	Submitting an amendment to Contract No. CE1300535-01 with David V. Lewin Corp. in the amount not-to-exceed \$76,913.00 for geotechnical services for the Cuyahoga County Convention Center Hotel Project for the period 11/12/2013 - 12/31/2014, to change the scope of services, effective 2/24/2014. Funding Source: 100% General Funds
103	Department of Public Works	Submitting an amendment (Subsidiary No. 1) to Contract No. CE1300154-01 with Karvo Paving, Co. for resurfacing of Columbus Road from Center Street to West 25th Street in the City of Cleveland for additional funds in the amount not-to-exceed \$105,837.75. Funding Source: 80% Cuyahoga County using funds from the \$7.50 Vehicle License Tax Fund and 20% City of Cleveland.
104	Department of Public Works	Recommending an award on RQ27960 and enter into a contract with HDR Engineering, Inc. (7-1) in the amount not-to-exceed \$411,855.00 for design services for the rehabilitation of North Main Street Bridge No. 00.12 over the Chagrin River in the Village of Chagrin Falls. Funding Source: 100% by County Road and Bridge \$5.00 Fund
105	Department of Public Works	Submitting an amendment to Contract No. CE08166-01 with Euthenics, Inc. for consultant services for improvement of Pleasant Valley Road/Bagley Road from Pearl Road to York Road in the Cities of Middleburg Heights and Parma to change the scope of services and for additional funds in the amount not-to-exceed \$219,388.51. Funding Source: Road and Bridge Funds.
106	Department of Public Works	Submitting an amendment to Contract No. CE1300261-01 with Kevin C. Robinette Architect, LLC for general architectural engineering services for the period 4/29/2013 - 4/30/2016, to change the scope of services, effective 5/12/2014 for additional funds in the amount not-to-exceed \$100,000.00. Funding Source: General Funds
107	Department of Public Works	Submitting an amendment (Subsidiary No. 1) to Contract No CE1300306-01 with Perk Company, Inc. for the reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn for additional funds in the amount not-to-exceed \$79,745.27. Funding Source: 80% Federal Funds and 20% Cuyahoga County using funds from the County Motor Vehicle \$5.00 License Tax Fund.
108	Department of Public Works	Recommending an award on RQ28833 and enter into a contract with TranSystems Corporation of Ohio in the amount of \$300,000.00 for construction management and support services for the time period 06/09/2014 – 06/08/2017. Funding Source: \$7.50 Fund (Road & Bridge Improvement-Permissive).
109	Department of Public Works	Department of Public Works, recommending an award on RQ30451 and enter into a contract with All American Moving & Storage Company (9-5) in the amount not-to-exceed \$215,000.00 for moving services for the County Administrative Headquarters in connection with the Real Estate Consolidation Project for the period 5/27/2014 - 12/31/2014. Funding Source: 100% General Funds
110	Department of Public Works	Recommending an award on RQ29887 and enter into a contract with Solar Testing Laboratories, Inc. in the amount not-to-exceed \$250,000.00 for construction material testing services for the period 6/16/2014 - 6/15/2017. Funding Source: 100% by the \$7.50 Fund (Road & Bridge Improvement-Permissive).
111	Department of Public Works	Recommending an award on RQ27930 and enter into a contract with Richard L. Bowen & Associates, Inc. in the amount not-to-exceed \$200,000.00 for general Mechanical-Electrical-Plumbing Architectural/Engineering services for the period 7/15/2014 -7/14/2017. Funding Source: 100% by General Funds
112	Department of Public Works	Recommending an award on RQ30711 and enter into a contract with Northern Ohio Roofing and Sheet Metal, Inc. (7-4) in the amount not-to-exceed \$419,000.00 for Cuyahoga County Euclid Jail Rehabilitation Roof and HVAC Unit Replacement (Phase 1). Funding Source: Capital Project Future Debt Issue

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

113	Department of Public Works	Recommending an award on RQ31269 and enter into a contract with Brandstetter/Carroll-Zofcin, Inc. in the amount not-to-exceed \$494,050.00 for Owner's representative services for the design and construction of the Emergency Operations Center for the period 6/16/2014 - 12/31/2016. Funding Source: Total project cost \$17.8 million - \$3 million Wireless 9-1-1 Funds; \$14.8 million future General Obligation Bond financing.
114	Department of Public Works	Submitting an amendment to Contract No. CE1100593-01 with TranSystems Corporation of Ohio for consultant engineering services for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland to change the scope of services, effective 2/24/2014, and for additional funds in the amount of \$330,358.00. Funding Source: 80% Federal Funds, 10% County Road and Bridge and 10% City of Cleveland
115	Department of Public Works	Submitting an amendment to Contract No. CE1200680-01 with The Terminix International Company Limited Partnership for integrated pest management services for various County buildings for the period 11/1/2012 - 10/31/2014 to extend the time period to 10/31/2015 and for additional fund in the amount of \$75,000.00. Funding Source: Internal Service Fund
116	Department of Public Works	Submitting an amendment to CE1200100-02 with URS Corporation for general engineering services for various projects for the period 1/23/2012 - 12/31/2014, to change the scope of services, effective 7/1/2014 and for additional funds in the amount not-to-exceed \$50,000.00. Funding Source: Road and Bridge Funds and internal service funds
117	Department of Public Works	Recommending an award on RQ28833 and enter into a contract with Hill International, Inc. (8-2) in the amount not-to-exceed \$300,000.00 for construction management and support services for the period 7/22/2014 - 7/21/2017. Funding Source: 100% by the \$7.50 Fund (Road & Bridge Improvement-Permissive).
118	Department of Public Works	Submitting an amendment to Contract No. CE1100254-01 for design engineering services for Highland Road Bridges Nos. 156, 157, 158 and 226 over Euclid Creek in the City of Euclid, to change the name of the provider from PB Americas, Inc. to Parsons Brinckerhoff, Inc., to change the scope of services, effective 7/28/2014, and for additional funds in the amount not-to-exceed \$271,731.00. Funding Source: Road and Bridge Funds
119	Department of Public Works	Submitting a revenue generating agreement with City of Cleveland Heights in the amount of \$380,000.00 for maintenance of storm and sanitary sewerage systems located in County Sewer District No. 17 for the period 6/16/2014 - 12/31/2014. Funding Source: Revenue Generating
120	Department of Public Works	Recommending an award on RQ29820 and enter into a contract with Carl Walker, Inc. in the amount not-to-exceed \$251,350.00 for consultant services for the Justice Center Courts Tower Sealant Replacement and Wall Panel Sealer Project for the period 8/1/2014 - 11/30/2016. Funding Source: General Funds
121	Department of Public Works	Submitting a revenue generating agreement with United States Marshals Service, Northern District of Ohio (USMS) in the amount of \$100,000.00 for fuel and vehicle maintenance for the period 01/01/2014 - 12/31/2016. Funding Source: Revenue Generating
122	Department of Public Works	a) Submitting an amendment (Subsidiary No. 1) to Contract No. CE1300100-01 with Karvo Paving, Co. for the resurfacing of Taylor Road from Euclid Avenue to East Cleveland South Corporation Line in the City of East Cleveland for a decrease in the amount of (\$93,274.60). b) Recommending to accept the project as complete and in accordance with plans and specifications; requesting authority to release the escrow account, in accordance with Ohio Revised Code Section 153.63. Funding Source: 20% Ohio Public Works Commission (Issue 1) and 80% Cuyahoga County using funds from the \$7.50 Vehicle License Tax Fund.
123	Department of Public Works	Recommending an award on RQ30174 and enter into a contract with Johnson Controls, Inc. (3-1) in the amount not-to-exceed \$65,205.14 for maintenance services for Metasys and Heating, Ventilation and Air Conditioning Systems for various County buildings for the period 10/1/2014 - 9/30/2017. Funding Source: 100% Internal Service Fund
124	Department of Public Works	Recommending an award on RQ31307 to Ganley Chrysler Dodge Jeep Ram in the amount of \$89,420.00 for the purchase of 4 Flex Fuel Dodge Caravan vehicles for the County Sheriff's Office. Funding Source: Internal Service Fund - Maintenance Garage

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

125	Department of Public Safety and Justice Services/Witness/Victim	Submitting an amendment to Contract No. CE1200483-01 with Mental Health Services for Homeless Persons, Inc. for Defending Childhood Treatment services for the period 7/18/2012 - 6/30/2014 to extend the time period to 12/31/2014 and for additional funds in the amount of \$60,000.00. Funding Source: 100% U.S. Department of Justice, Defending Childhood Cooperative Agreement
126	Department of Public Safety and Justice Services/Witness/Victim	Submitting an amendment to Contract No. CE1200698-01 with West Side Community House for Defending Childhood Prevention and Outreach services for the period 12/15/2012 - 6/30/2014 to extend the time period to 12/31/2014 and for additional funds in the amount of \$67,500.00. Funding Source: 100% U.S. Department of Justice, Defending Childhood Cooperative Agreement.
127	Department of Information Technology	Recommending an award on RQ30778 and enter into a contract with CaseWare IDEA Inc. in the amount not-to-exceed \$65,985.00 for maintenance and support on analysis and auditing solution software for the period 7/1/2014 - 6/30/2017 for use by Department of Internal Auditing. Funding Source: 100% General Funds
128	Executive Office	Recommending an award on RQ29666 to Superior Printing Inc., dba Superior Press in the amount not to exceed \$125,100.00 for printing and mail services for the period 05/19/14 through 01/31/15. Funding Source: 100% General Fund
129	Juvenile Court	Submitting an amendment to Contract No. CE0600275-01 with Kronos Incorporated for a Human Resources Management System for the period 1/1/2006 - 3/31/2014 to extend the time period to 3/31/2015 and for additional funds in the amount not-to-exceed \$37,058.86. Funding Source: 100% General Funds
130	Juvenile Court	Recommending an award on RQ28782 and enter into a contract with Accuscripts Pharmacy LLC (20-2) in the amount not-to-exceed \$138,000.00 for pharmacy services and medical supplies for the Juvenile Court Detention Center for the period 4/1/2014 - 3/31/2016. Funding Source: 100% by the General Fund
131	Juvenile Court	Recommending an award on RQ29690 and enter into a contract with The Cleveland Metropolitan Bar Association (5-1) in the amount not-to-exceed \$220,732.00 for the Guardian ad Litem Project for the period 7/1/2014 - 6/30/2016. Funding Source: 100% Funded by the General Fund
132	Law Department	Requesting authorization to amend an Engagement Letter with Squire Sanders (US) LLP in connection with the Convention Center Hotel to increase the fixed fee to \$325,000.00 and adding \$80,000 for potential post-closing legal representation, as may be needed, in connection with the Qualified Management Agreement's Rules on booking arrangements as follows: a maximum not to exceed \$15,000 for Phase I through January 1, 2015, if such representation is needed; a maximum not to increase \$15,000 for Phase II in connection with a potential "Consulting Counsel" services, if such representation is needed; and a maximum not to exceed \$50,000 for Phase III in connection with a potential ruling representation, if such representation is needed. Funding Source: 100% proceeds from hotel certificates of participation (Bond proceeds)
133	Law Department/ Department of Development	Recommending an award on a request for qualifications and enter into an engagement letter with with Buckley King LPA and Lewis & Munday LPA in the amount as follows to serve as bond and tax counsel in connection with the demolition bond project Bond Counsel: \$30,000 flat fee + actual costs (not to exceed \$5,000); Project Counsel: Hourly compensation not to exceed \$175,000 at the following rates: \$275/partner; \$190/associate; \$90/paralegal billed in 0.1 increments. Funding Source: bond counsel – 100% bond proceeds; project counsel – 100% general fund with intent to be reimbursed by bond proceeds
134	Law Department/ Department of Development	Recommending an award on a request for qualifications and enter into an engagement letter with with Buckley King LPA and Lewis & Munday LPA in the amount as follows to serve as bond and tax counsel in connection with the demolition bond project: a. Bond Counsel: \$30,000 flat fee + actual costs (not to exceed \$5,000); b. Project Counsel: Hourly compensation not to exceed \$175,000 at the following rates: \$275/partner; \$190/associate; \$90/paralegal billed in 0.1 increments. Funding Source: bond counsel – 100% bond proceeds; project counsel – 100% general fund with intent to be reimbursed by bond proceeds
135	Medical Examiner	Submitting an amendment to Contract No. CE1300401-01 with Esposito Mortuary Services, Inc. for body transportation services for the period 8/1/2013 - 7/31/2014 to extend the time period to 7/31/2015 and for additional funds in the amount not-to-exceed \$375,000.00. Funding Source: 100% General Funds

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

136	Office of Procurement & Diversity	Recommending an award on RQ29463 and enter into a contract with Lakefront Automotive Parts Co. (4-3) in the amount not-to-exceed \$405,000.00 for automotive replacement parts for the County garage for Department of Public Works for the period 5/1/2014 - 4/30/2017. Funding Source: 100% Maintenance Garage Funds (Housing Research and Advocacy Center Contract - \$84,000 - not yet signed)
137	Office of Procurement & Diversity	Department of Public Safety and Justice Services a) on RQ30034 to Motorola Solutions, Inc. in the amount of \$358,631.00 for 140 Motorola APX6000 Radios and 140 Chargers. Funding Source: FY2011 Urban Area Security Initiative Grant program funds
138	Office of Procurement & Diversity	Recommending an award on RQ29848 and enter into a contract with Joshen Paper & Packaging Co. (9-2) in the amount not-to-exceed \$450,000.00 for custodial paper supplies for various County buildings for the period 6/1/2014 - 5/31/2017. Funding Source: 100%
139	Office of Procurement & Diversity	Court of Appeals a) on RQ30613 to Hewlett-Packard Co. (1-1) in the amount of \$119,941.20 for the purchase of 72- Desktop Computers, Monitors, Speakers and Hardware support. Funding Source: 100% General Funds
140	Office of Procurement & Diversity	Department of Public Works a) on RQ30249 to American National Skyline, Inc. of CL (9-5) for window washing services in the amount not-to-exceed \$266,970.00 for Various Cuyahoga County Buildings for the period 6/1/14 to 5/31/17. Funding 100% General Funds
141	Office of Procurement & Diversity	County Sheriff a) on RQ30718 to Vance Outdoors, Inc (1-1) in the amount of \$182,233.80 for the purchase of 180 Taser Units and supplies (State Contract No. RS900313). Funding Source: 100% General Fund
142	Office of Procurement & Diversity	Department of Information Technology a) on RQ30832 to Great Northern Consulting, LLC (1-1) in the amount of \$243,997.26 for 3 Oracle T4-2 Servers with support and 2 Oracle T4-4 Servers with support. Funding Source: 100% by Capital Project Funds
143	Office of Procurement & Diversity	Department of Public Works a) on RQ29235 to Interstate Safety & Service, Inc. (7-2) in the amount not-to-exceed \$240,000.00 for Washed Limestone for the period 7/1/2014 - 6/30/2016.
144	Office of Procurement & Diversity	Department of Public Safety and Justice Services a) on RQ30789 to Motorola Solutions, Inc. in the amount of \$358,898.00 for the purchase of 139 APX 6000 Radios and Chargers (State Contract No. 573077). Funding Source: FY2011 Urban Area Security Initiative Grant funds
145	Office of Procurement & Diversity	Recommending an award: Department of Information Technology a) on RQ30643 to Hewlett-Packard Company (1-1) in the amount of \$454,018.40 for the purchase of desktops, monitors and accessories. Funding Source: General Fund/Capital Projects Funds
146	Office of Procurement & Diversity	Recommending an award: County Sheriff a) on RQ29518 and enter into a contract with Standard Law Enforcement Supply Co. (9-3) in the amount not-to-exceed \$225,000.00 for correction officer uniforms for the period 6/1/2014 - 5/31/2017. Funding Source: General Fund
147	Office of Procurement & Diversity	Recommending an award: Medical Examiner a) on RQ31467 to Tecan U.S., Inc. (1-1) in the amount of \$191,080.73 for the purchase of a Freedom EVO 150 System Robot. Funding Source: Capital Projects - Gruttadaria Fund
148	Office of Procurement & Diversity	Recommending an award: Department of Public Works a) on RQ28140 to Frost Architectural Preservation, Inc. (10-1) in the amount of \$64,215.00 for Soldiers & Sailors Monument flag pole repairs. Funding Source: 100% Federal Emergency Management Agency Funds
149	Office of Procurement & Diversity	Recommending an award: Department of Information Technology a) on RQ30242 to CDW Government LLC in the amount of \$69,000.00 for the purchase of a master Symantec Netbackup server with storage. Funding Source: 100% Capital Project / Future Debt Issuance
150	Office of Procurement & Diversity	Recommending and award, on behalf of Public Works: a) on RQ29239 to Concord Road Equipment Manufacturing, Inc. (4-2) in the amount of \$79,853.00 for 2-Tandem bodies mounted on International 7500 Cab & Chassis. Funding Source: Sanitary Engineering Funds
151	Office of Procurement & Diversity	Recommending an award: Department of Public Safety and Justice Services a) on RQ29922 to Ohio Department of Mental Health Services and Addiction Services in the amount of \$69,990.00 for the purchase of 4,660 boxes of anti-viral medication for the Cuyahoga County Board of Health. Funding Source: FY2011 Urban Area Security Initiative Grant Funds

**Items Executed
(value exceeds \$50,000)
March 2014 - August 2014**

152	Office of Procurement & Diversity	Recommending an award: Department of Information Technology a) on RQ30970 to MNJ Technologies Direct, Inc. (1-1) in the amount of \$50,960.00 for the purchase of 80 HP Probook 450 G1 Notebooks and 80 HP Office Jet Copier/Fax/Printer/Scanners for the Department of Health and Human Services/Division of Children and Family Services. (State Contract No. 533268). Funding Source: 100% Temporary Assistance to Needy Families Allocation Funds
153	Office of Procurement & Diversity	Recommending an award: County Sheriff a) on RQ30907 to Drellishak & Drellishak dba Pro-Tech Security Sales (1-1) in the amount of \$76,906.18 for the purchase of 106 Point Blank Hi-Lite Performance Bulletproof Vests, 2 Hi-Lite Carriers and 106 Outershell Carriers for Deputies (State Contract No.800202). Funding Source: General Fund
154	Office of Procurement & Diversity	Recommending an award: Department of Public Works a) on RQ30697 to Montrose Ford, Inc. (9-2) in the amount of \$50,495.00 for a Ford F-450 Cab & Chassis with a Dump Body - Full Size Two Wheel Drive Regular Cab 16,000 GVW - 6.8 L Gasoline Powered Truck with Automatic Transmission. Funding Source: 100% Sanitary Engineering Funds
155	Office of Procurement & Diversity	Recommending an award: Domestic Relations Court a) on RQ30412 to Business Information Systems Digital (BIS Digital) in the amount of \$50,346.00 for the purchase of 5 Digital Recording systems for the period 4/1/2014 - 12/31/2014. Funding Source: 100% General Funds
156	Office of Procurement & Diversity	County Sheriff a) on RQ31839 to Fyda Freightliner Youngstown, Inc. in the amount of \$54,590.00 for the purchase of a Freightliner Sprinter. Funding Source: FY11 Port Security Grant funds \$41,000.00; General Funds: \$19,692.00
157	Personnel Review Commission	Recommending an award on RQ30086 to Gallagher Benefit Services, Inc. (18-3) in the amount of \$75,000.00 for a Pay Equity Study for the period 8/1/2014 - 12/15/2014. Funding Source: General Funds
158	Sheriff's Department	Submitting an amendment to Contract No. CE1300071-01 with Intellitech Corporation for license renewal and maintenance on the IMACS Jail management system for the period 1/1/2013 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount of 106,055.00.
159	Sheriff's Department	Submitting a grant agreement with Ohio Emergency Management Agency in the amount of \$94,000.00 for the FY2011 Operation Stonegarden Marine Patrols Grant program for the period 9/1/2011 - 4/30/2014. Funding Source: 100% by the Department of Homeland Security, Federal Emergency Management Agency passed through the Ohio Emergency Management Agency
160	Sheriff's Department	Submitting a grant agreement with Ohio Emergency Management Agency in the amount of \$98,500.00 for the FY2012 Operation Stonegarden Marine Patrols Grant Program for the period 9/1/2012 - 5/30/2014. Funding Source: 100% by the Department of Homeland Security, Federal Emergency Management Agency passed through the Ohio Emergency Management Agency




Cuyahoga County
Veterans Service Commission

Ph: 216.698.2600 • Fax: 216.698.2650
Email: vscmail@cuyahogacounty.us
1849 Prospect Avenue • Suite 150 • Cleveland, OH 44115

SEP 19 2014

Cuyahoga County Council

I hereby certify that the attached document represents a true copy of the 2015 legal budget of the Cuyahoga County Veterans Service Commission as approved by its Board of Commissioners in an open meeting on April 2, 2014, amended on September 17, 2014 and submitted to the Cuyahoga County Executive, Cuyahoga County Council and Cuyahoga County Office of Budget Management. It is based on a more accurate valuation of property tax provided to us by the Fiscal Office. Your review and appropriation of the requested funds in accordance with the Ohio Revised Code section 5901.11 is appreciated.



Jon Reiss
Executive Director

09/17/14

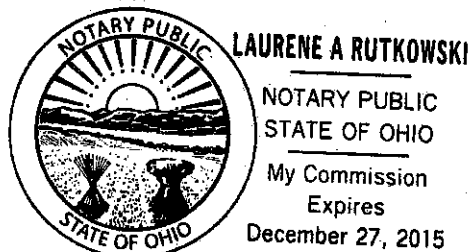
Date

The foregoing instrument was acknowledged before me on this date by Jon P. Reiss, Executive Director of the Cuyahoga County Veterans Service Commission.



Laurene Rutkowski, Notary

MY COMMISSION EXPIRES:
December 27, 2015



9-17-2014

Date



CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 CCVSC Budget

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

STAFFING

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

2014 Staffing Request.....	29 FTEs/7 PTEs
2015 Staffing Request.....	32 FTEs/5 PTEs
Net Staff changes.....	3 FTEs/-2 PTE

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

010 PERSONNEL SERVICES

Salaries Budget Base

\$1,859,336

This salary projection covers the entire current classified and non-classified CCVSC staff. This salary base budget is from 2015 salary projections that include a 2% cost of living allowance.

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Total Personnel Services for 2015

\$1,859,336

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

015 PERSONNEL BENEFITS

Personnel benefits for 2015 **\$725,141**

Personnel benefits are calculated as 39% of total CCVSC staff salaries (\$1,859,336 x .39=\$725,141). This percentage covers Workers' Compensation, unemployment compensation, Flex benefits, PERS retirement and Medicare based on 2015 salaries. This percentage assures that there will be no shortfall for any unanticipated benefit expense, for example, increased Worker's Compensation and/or hospitalization insurance costs.

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Total Personnel Benefits 2015 **\$725,141**

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

022 COMMODITIES

Office/Technical Supplies for 2015 **\$15,500**

The office/technical supply budget for 2015 is based on a 2013 actual expenditures multiplied by a 1.35% inflation rate and rounded up to nearest hundredth. These purchases are for general office/technical supplies utilized in day-to-day operations. It is anticipated that office/technical supplies usage will stay the same as the 2013 levels.

Electricity Usage for 2015 **\$17,750**

Electric utility is the only utility paid by CCVSC under its existing lease agreement. The average electric bill in 2013 has been approximately \$1,428 per month. The CCVSC anticipates 1.35% inflation and the electric utility usage will stay about the same since the office has energy conservation light fixtures in the new leased space. We have experienced a better than 50% reduction in cost due to the sustainable construction of the building.

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Total Commodities for 2015 **\$33,250**

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

026 CONTRACTS & PROFESSIONAL SERVICES

Annual Lease Agreement **\$203,004**

In 2015, the CCVSC will renew its 5 year-lease agreement with LTD Partners for the office space at 1849 Prospect Avenue, Cleveland, Ohio. The renewed 5 year lease agreement is scheduled to expire September 30, 2019. The cost is \$14.50 per square foot for the remaining 5 year cost.

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

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

Marker Fees **\$6,000**

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

Miscellaneous Technical Services **\$10,000**

Various technical services needs arise throughout the year. The 2015 projection is conservatively based on 2013 activities, as it is premature to use any 2014 figures.

.....
Total Contracts and Professional Services for 2015 **\$224,004**

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

035 CONTROLLED SERVICES

Data Processing Charges

\$25,283

The County Data Center charges back for various computer maintenance and document support functions provided by its technical staff. In calculation of the CCVSC 2015-projected budget, the 2013 actual expenditures were utilized, which represents the most recent complete year's fees.

Space Maintenance

\$180,596

The CCVSC has two Protective Service Officers on the premises during working hours. This represents a charge back from Central Services for security service provided. In calculation of the CCVSC 2015-projected budget, the 2013 actual expenditures were utilized.

.....
Total Controlled Services for 2015

\$205,879

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

050 CLIENT SERVICES

Client Services Budget Basis **\$3,437,425**

The CCVSC client services base budget for 2015 is based on 2013 actual expenditures. This basis was deemed more accurate than utilizing 2014 first quarter expenditures. We do not need to consider inflationary factors on Client Service since increased financial allowance were made in 2014.

Financial Assistance Increase from 2014 Estimates **\$101,567**

Currently, the CCVSC is involved in an intensive outreach initiative seeking to increase veteran awareness of CCVSC services via a multifaceted marketing approach. This initiative has proven highly successful as validated in growth of critical CCVSC performance indicators. The CCVSC will need to increase 2014 client services base budget.

.....
Total Client Services for 2015 **\$3,538,992**

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

060 OTHER OPERATING

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

For a conservative approach to the 2015 budget process in Other Operating Expenses, the CCVSC is using 2012 actual expenditures rather than 2013 expenditures as a basis for this object number. The 2013 actual expenditure came in under due to some expenses carryover into 2014. CCVSC Advertising for 2012 was \$263,377 and it is in the budget basis above. Other items in the base budget are County Fast Copier, County Postage, County Telephone, County Garage and County Printing. It also includes Travel, Office supplies, Software, Publications, Professional Dues and Other Operating expenditures.

Other Operating Increased by 1.35% for 2015 **\$4,456**

The majority of other operating expenditures are administrative charge backs from Central Services. The operating expenditures provided by Central Services are County storeroom supplies, County postage, County telephone, County garage (leased van), and County printing. The CCVSC anticipates a 1.35% inflation rate increase for these services as well as the other independent administrative expenditures.

Staff Development **\$20,000**

O.R.C. 5901.03, Paragraph F charges a veterans service commission board with the responsibility of providing funding for staff development. For 2015, it is estimated 8 employees will participate customer service and new service officer training as part of the agency's long-term initiative. The staff development projection includes training and travel expenses. The cost for staff development per employee is \$1,250.

.....
Total Other Operating for 2015 **\$354,516**

CUYAHOGA COUNTY VETERANS SERVICE COMMISSION

2015 BUDGET SUMMARY

070 CAPITAL OUTLAYS

Miscellaneous Capital Outlays **10,000**

Miscellaneous capital outlay is based on replacement of electronic equipment and refurbish needs at the Veterans Service Commission.

Total Capital Outlay for 2015 **\$10,000**

CCVSC TOTAL 2015 BUDGET = \$6,951,118

ASSESSED VALUATION CALCULATION **\$27,924,471,670 x .00025 = \$6,981,118**

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0224

Sponsored by: Councilmembers Connally and Conwell	A Resolution confirming the County Executive's appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/4/2018, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, Ohio Revised Code Chapter 339 provides for the organization and operation of a county hospital; and

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

WHEREAS, pursuant to Ohio Revised Code Section 339.02(F)(1), the County Executive has sought and received approval from both the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service; 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, County Executive Ed FitzGerald has nominated Reverend Larry L. Macon, Sr. to The MetroHealth System Board of Trustees to fill a vacancy in an expired term commencing immediately and ending 3/4/2018.

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby confirms the appointment of Reverend Larry L. Macon, Sr. to The MetroHealth System Board of Trustees to fill a vacancy in an expired term commencing immediately and ending 3/4/2018.

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

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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
_____ Clerk of Council	_____ Date

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

Journal _____
_____, 20__



EDWARD FITZGERALD
Cuyahoga County Executive

July 16, 2014

C. Ellen Connally, President
Cuyahoga County Council

Re: *MetroHealth System Board of Trustees*

Dear President Connally:

Pursuant to Ohio Revised Code Chapter 339, I submit the following nomination for continued service on the MetroHealth System Board of Trustees:


- **Pastor Larry L. Macon, Sr.**

As the spiritual leader of Mt. Zion Church of Oakwood Village, Reverend Macon is well known to most Cuyahoga County citizens. In addition to his pastoral work, Reverend Macon has served as Visiting Professor at CCC and Cleveland State and has worked as a Social Worker with the Augustine Society Group Home. Reverend Macon organized a large-scale "Safe Surrender" program and has been recognized for his civic works by Governors, Senators, Mayors and other community leaders familiar with his efforts. I am pleased to nominate him to serve on this important body.

For your review, I have attached pertinent documents for your review, including biographical information and correspondence from the Honorable Richard McMonagle and the Honorable Anthony Russo in support of his nomination. With so many health care issues impacting our daily lives, it is vital that the MetroHealth System's Board of Trustees have leaders that regularly touch the lives of our ordinary citizens. Reverend Macon is ideally suited to providing this strong voice, and I am proud to submit his nomination for service on this Board.

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

Sincerely,


Edward Fitzgerald
Cuyahoga County Executive

cc: Judge Richard McMonagle
Judge Anthony Russo



PROBATE COURT OF CUYAHOGA COUNTY

DIVISION OF THE COURT OF COMMON PLEAS
1 LAKESIDE AVE. W.
CLEVELAND, OHIO 44113

ANTHONY J. RUSSO
Presiding Judge

September 2, 2014

Mr. James P. Boyle
Cuyahoga County
Administrative Headquarters
2079 East 9th Street
Cleveland, OH 44115

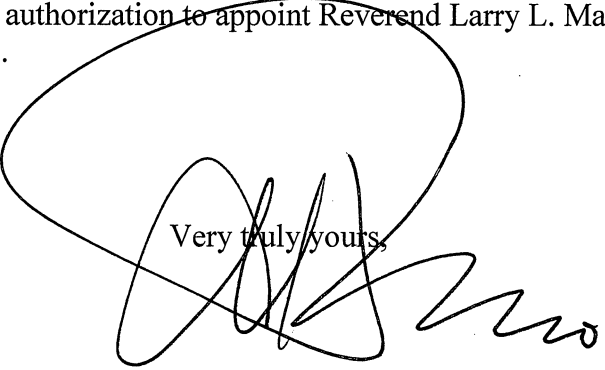
Re: MetroHealth System Board of Trustees

Dear Mr. Boyle:

Enclosed please find the signed authorization to appoint Reverend Larry L. Macon to the MetroHealth System Board of Trustees.

Thank you.

Very truly yours,


Judge Anthony J. Russo

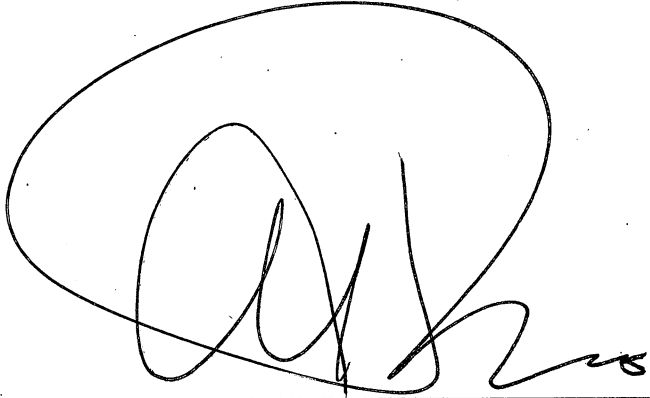
AJR/ss

Enclosure

I have the reviewed the appointing letter concerning REVEREND LARRY L. MACON'S appointment to the METROHEALTH SYSTEM BOARD OF TRUSTEES, dated July 16, 2014, from Cuyahoga County Executive Edward FitzGerald. I have reviewed Reverend Macon's credentials and qualifications and I believe he is fit for service on this Board. I consent to his appointment and I understand that approval of the County Council is also required before this appointment is finalized.

8/28/14

DATE

A large, stylized handwritten signature in black ink, enclosed within a large, hand-drawn oval. The signature appears to be 'AJ Russo'.

JUDGE ANTHONY J. RUSSO

I have the reviewed the appointing letter concerning **REVEREND LARRY L. MACON, SR.'S** appointment to the METROHEALTH SYSTEM BOARD OF TRUSTEES, dated July 16, 2014, from Cuyahoga County Executive Edward FitzGerald. I have reviewed Reverend Macon's credentials and qualifications and I believe he is fit for service on this Board. I consent to his appointment and I understand that approval of the County Council is also required before this appointment is finalized.

9/8/14
DATE


JUDGE RICHARD McMONAGLE

Dr. Larry L. Macon, Sr. is the anointed Senior Pastor of the Mt. Zion Church of Oakwood Village, a Suburb of Cleveland, Ohio, where he has served since 1980. For the past 31 years he has been a preacher, teacher and civic leader of the community. Dr. Macon's ministry focus has been on the family and has specialized in the study of African American males in the areas of spiritual, personal and transformational growth. With two morning services, a membership of 5,000 and with 25 ministries in operation, and being led by God, Mt. Zion has become one of the leading churches in the Greater Cleveland community.

His recent accomplishment include hosting the Fugitive Safe Surrender Program held at the church with over 7,431 felons turning themselves in and 1200 warrants being lifted in 4 days (2010). He was then consecrated Presiding Bishop of the Ecumenical Alliance of Ohio (2010). For the past five years he has held the largest faith-based gathering in the region - Praisefest.

Dr. Macon is an accomplished author, educator, teacher and preacher. He has published seven major and important writings. Dr. Macon distinguished himself by building a New Worship Center and Fine Arts Center complex on 16 acres in Oakwood Village. He is a graduate from Ashland Theological Seminary with a Doctorate specializing in African American Religious Studies

In addition to his preaching ministry, Dr. Macon is also an academician. He is a product of the Cleveland State University (Bachelor in Communication and Ashland Theological Seminary (Masters and a Doctor in Ministry). He is a Assistant Professor in Religion at the Cleveland State University teaching African American Religion in America and The Religious Ethics of Martin King and Malcolm X along with other courses. He has also taught at the Ashland Theological Seminary and Cuyahoga Community College in Cleveland, Ohio.

As an accomplished author he has written several articles including four (7) books: Will the Real King Stand Up (2013), Black Church at Its Best (2009), Porch Stories (2010), Disciple the African American Male (2003), How to Get Black Men into Church 2nd Printing (2003), Messages for Modern Times (1998) and Then they Shall Fast! (2003).

Dr. Macon serves as the Chairman of the United Pastors in Mission, and served as Chairman of Southern Christian Leadership Conference, Cleveland Chapter, Chairman of the New Covenant Christian Academy, former Chairman of the Educational Foundation Inc. and serves on several boards. He is a Commissioner for the State of Ohio's Constitutional Modernization Commission, he was awarded 2013 SuccessNet Power Networker of the Year. He serves a member of the Senator's Re-Entry Advisory Team and works with key civic and political leaders.

Dr. Macon has received numerous awards and recognition and is a man full of compassion. He is married to the former Marilyn Magwood and has two sons: Pastor Larry L. Macon, Jr. and Pastor Daniel L Macon, both co-pastor of the Mt. Zion Church.

LARRY L. MACON

PROFILE

Assistant, Visiting Lecturer at various universities, colleges, seminars and conferences in Religious Studies and administrator/CEO a large religious institution within the Greater Cleveland area.

EXPERIENCE

ASSISTANT PROFESSOR, CLEVELAND STATE UNIVERSITY 1995-
PRESENT

Cleveland State University, Cleveland, Ohio - Teaching classes in Religion such as the *Religious Ethics of Malcolm X & Martin King, Black Religion in America, Current Moral Issues*. Responsibilities include teaching, researching, administrative, committees and community involvement. Served as Assistant Professor, as well as, Lecturer.

VISITING PROFESSOR, ASHLAND UNIVERSITY 1997-1998

Lecturer & Teaching *Pastoral Ministry* to graduate students of the Ashland Theological Seminary, Ashland, Ohio. Created partnerships in the religious and civic community.

VISITING PROFESSOR, CUYAHOGA COMMUNITY COLLEGE 1982-1983

Teaching courses in *Interpersonal Communication and Public Speaking* while providing academic and career counseling for students.

SENIOR ADMINISTRATOR/CEO, MT. ZION, OAKWOOD VILLAGE
1980-PRESENT

Administrate programs and projects of the religious institution through staffing, lecturing, create studies in religion. Community outreach programs. Constructed over \$10 million of development and facilities.

ADMINISTRATIVE ASSISTANT, CUYAHOGA COMMUNITY COLLEGE,
CLEVELAND, OHIO 1980-1983

Administrative Assistant to Fourth College President with responsibilities of programs, projects and staff. Assessing and review of the college's annual budget. Representing the president in community affairs. Prepared quarterly and annual reports.

SOCIAL WORKER & COUNSELOR, AUGUSTINE SOCIETY GROUP
HOME, CLEVELAND, OHIO 1974-1978

Provide counseling to juvenile delinquents from the Ohio Youth Development Center. Create family counseling and administrate a Foster Care Network Program for both male and female.

EDUCATION

ASHLAND UNIVERSITY, ASHLAND, OHIO - D.MIN., 1992

ST. THOMAS COLLEGE, JACKSONVILLE FLA - DD, 2006

ASHLAND UNIVERSITY, ASHLAND, OHIO - MA, 1977

CLEVELAND STATE UNIVERSITY, OHIO - BA, 1973

LARRY L. MACON

BOOK & PUBLICATIONS

- The Black Church at Its Best, St. Paul Press 2009
- Porch Stories Told & Interpreted, St. Paul Press 2010
- Will the Real King Stand up 2013
- Discipling Male, Winston & Four G, 1st & 2nd Printing 1997 & 2003
- Beware of Cover Ups, Oruma Publishers 2005
- Then They Shall Fast, Bom Books & Xulon (2nd Printing) 2003 & 2007
- Messages for Modern Times, Kendall/Hunt Publishing 1998
- *The Life of a King*, Cleveland Life Newspaper, Cleveland, OH 2001
- *Attorney General Bow Out*, Cleveland Plain Dealer, Cleveland 2001

PRESENTATIONS & PUBLIC APPEARANCES

- Academic and Educational Tour to Israel 2009
- Association for the Study of African American Life & History - Paper: The Black Church
- African American Males in Today's World - Boston, Mass
- The Men of Cornerstone - Dallas, TX
- African Americans and Africans - T.V. Talk Show, Channel 9
- Read and Learn to the Children of MLK School, Cleveland, Ohio
- The Black Church and Males: A Panel Debate, CSU, MLK Day Ashland College
- Men of War: The Plight of the African American Male, Black Males in the 21st Century
- The Role of the Church and the Urban League of Cleveland, MLK Speaker CSU/Tri-C
- Weekly Broadcast on Five (5) Cable T.V. Channels, Open Door with Dr. Macon, Reaching Zion
- Weekly Broadcast on Ask the Pastor TCT National TV Appearance & TBN TV Broadcast
- United States President Clinton, Senator Voinovich, Mayors White & Jackson, Governors Taft
- Greater Cleveland Praisefest, Q Arena bringing together over 13,000 to unite the city.

LARRY L. MACON

PROFESSIONAL AFFILIATIONS

- Ohio Constitution Modernization Commission Board Member
- Senator ReEntry Advisor Team
- Association for Study of African American Life and History
- Life Member of Project Angelhand
- Presiding Bishop Ecumenical Alliance of International Fellowship
- Chairman of United Pastors in Mission and Past President
- Greater Cleveland Urban League, SCLC, NAACP
- United Pastors in Mission, Southeast Clergy, Baptist Pastors Council, Greater Cleveland Conference
- New Covenant Christian Academy (NCCA)
- Educational Foundation, Inc. (EFI)

HONORS AND AWARDS

- Lifetime Award - Angelhand of Greater Cleveland
- Proclamation Oakwood Village, Bedford Heights, Bedford, Cleveland,
- U.S. Congressional Honor Safe Surrender Program 2010
- U.S. Marshal Northern District of Ohio
- Greater Cleveland Civil Rights Honor 2013 & Ohio's African American Leaders 2014
- Good Shepherd Award - Boys Scout of America
- NAACP Freedom Award, Greater Cleveland Chapter
- National United Negro College Fund, Greater Cleveland Chapter
- United Pastors in Mission (UPM) Greater Cleveland Praisefest Award
- Proclamations from Governor Taft, Strickland & U.S. Senate Voinovich, Sherrod Brown, State Senator Turner, U.S. First Lady, Michelle Obama, Mayors Berger, Gottschalk, Payne, Malin, Cuyahoga County Commissioners,
- Award of Citizenship & service - Bedford City Council, Oakwood City Council, Cleveland City Council,
- Minority Breast Cancer of Greater Cleveland Award - University Hospitals of Cleveland
- Fredrick Douglas Scholarship Award & Israel Academic Tourism

LARRY L. MACON

ADDITIONAL CONTRIBUTIONS

- Call & Post Newspaper, Black Clergy Presidential Council
- Israel Ministry of Tourism, Israel Upper Room Lecture
- Plain Dealer - Dr. Macon and Cleveland Transitional Team, Save the Urban League in Cleveland
- Sun Banner - To War or not to War
- Call & Post - When the Blacks Are Out
- Sun Banner - Dr. Macon and New Worship Center & Fine Arts Center Construction
- Plain Dealer - New Year Prayer for America
- Bedford Times - Child Care & Enrichment Center, Martin Luther King Day Celebration
- Call & Post - Tsunami Hits

REFERENCES:

Dr. Marvin A. McMickle, President Colgate Rochester Crozer Divinity School | 100 South Goodman Street Rochester, NY | 585-271-1320

U.S. Senator Rob Portman | 1240 E. 9th St. Rm 3061 Cleveland Ohio 44199 | 216-522-7095

Ohio Senator Nina Turner | Capitol Square 2nd Floor, Columbus OH | 43215 | 614-486-4583

Emery Ivery President United Way Tampa Bay | 5201 W Kennedy Blvd Suite 600 Tampa FL | 813-274-0967



Hon. Yvonne Conwell
Cuyahoga County Council
2079 East 9th Street – 8th Floor
Cleveland, Ohio 44115

To the Members of the Cuyahoga County Council:

It is without reservation that we recommend Dr. Larry L. Macon Sr. to join the MetroHealth Board of Trustees. We at WKYC TV-3 are very familiar with the Reverend Macon, who is the highly respected pastor of Mt. Zion Church of Oakwood Village. We have been the chief media partner for the Fugitive Safe Surrender effort since its inception in Cleveland. In 2010, the Rev. Macon's church was the site for the fugitive surrender program and his effective leadership added greatly to its success. In 2010, more than 7,431 felons turned themselves in and 1,200 warrants were lifted in 4 days, which at the time set a new national record for surrenders. This is a vitally needed annual program that lessens the likelihood of dangerous confrontations between law enforcement officials and citizens, and without a doubt, Dr. Macon's involvement helped the 2010 Fugitive Safe Surrender exceed expectations.

Dr. Macon will be an asset to your board in many ways. He presides over one of the largest churches in the area, with a congregation of more than 5,000. The imposing worship center and fine arts complex that he has established in Oakwood Village are a testament to his vision and drive, and also highlight his skill at fundraising and project management.

And his leadership extends well beyond the walls of his church, as his involvement with Fugitive Safe Surrender attests. Dr. Macon is an engaged civic leader who is known throughout the Northeast Ohio region. He and his church are the driving force behind the annual Praisefest, one of the largest faith-based gatherings in the region. He understands team dynamics and the importance of collaboration, having served on a statewide re-entry advisory team and also as chair of the United Pastors in Mission organization.

His books and ministry efforts often have focused thematically on how to restore and strengthen families, a message that certainly aligns with MetroHealth's mission. We are pleased to recommend this outstanding community leader to you.

Regards,

Micki Byrnes
VP, Station Manager
216-344-3328

Margaret Bernstein
Director of Advocacy
216-344-3304

UNITED PASTORS IN
MISSION



A RESOLUTION OF SUPPORT FOR THE NOMINATION OF REV. DR. LARRY L. MACON SENIOR

**UNITED PASTORS IN MISSION
25 YEARS OF SERVICE**

Dear Members of the Cuyahoga County Council:

A holy man of humble origins conquered his station in life and defined himself as a man of integrity, discipline, service and honor. It is the understanding of our Fellowship & Grand Assembly, the current *United Pastors in Mission* Chair and *Past-President* has been nominated by the County Executive Edward FitzGerald with the concurrence of the most Senior Jurist on the *Court of Common Pleas*, and the *Chief of the Probate Court* of Cuyahoga County for the Metro Health Hospital Board of Trustees;

This is a momentous occasion for the representatives of the people to support and affirm that integrity and service are the twin pillars undergirding our government's work to renew and rebuild for all citizens entrusted to Cuyahoga County's government;

This man, the *Most Reverend Bishop Doctor Larry Lawrence Macon Senior*, presiding pastor of the Mt. Zion Church in Oakwood Village for 37 years, accepted the call to serve in accordance with the rules, regulations, and laws governing our county and state. After rigorous review Dr. Macon has been found to be worthy of high office, and has been fully vested with the grace, temperament, and humility to serve the people without fear or favor.

It now falls to the *Honorable Members of the Cuyahoga County Council* to affirm the right of the people to serve as is written in the Charter approved by the electors as the blueprint for our collective prosperity.

United Pastors in Mission, its officers, leaders, and members, all support the desire of this powerful man of honor to serve its congregations and families to the extent of his creator's plan for his life.

Dr. Macon for his outstanding record of service to Cleveland and Cuyahoga County bears recognition by his Alma Maters, John Adams High School, Cleveland State University, and Ashland University; The whole of his immediate family including his lovely wife Marylyn, sons Rev. Larry Jr. Esquire and Rev. Daniel and their wives, the thirteen brothers and sisters that shared their 116th Street and Union childhood home, scores of nieces and nephews, and nearly one hundred grandchildren of the dearly departed Louis and Mrs. Macon, all call Cuyahoga County home.

For his service to the advancement of humanity, the arts, culture, our collective and individual quality of life; for his support of the Health & Human Services Levy, the Cleveland-Cuyahoga County Port Levy, the Arts & Culture Levy, the Professional Sports Facility Maintenance Levy, the city of Cleveland Transformation Plan, the Cleveland Public Library Levy, and many others, all affirm his leadership and dedication to the future of our *children and grandchildren*.

UNITED PASTORS IN
MISSION



A RESOLUTION OF SUPPORT FOR THE NOMINATION OF REV. DR. LARRY L. MACON SENIOR
UNITED PASTORS IN MISSION
25 YEARS OF SERVICE

For *Reverend Dr. Macon's* unconditional love of humanity we express our unconditional and absolute support for his nomination.

We do so with mutual respect for our County's leaders and with the expectation of reverence for both the body of law and the body of Christ's church and her priests.

ENTERED THIS 18TH DAY OF SEPTEMBER IN THE TWO THOUSANDTH AND FOURTEENTH YEAR OF THE ALMIGHTY AND EXECUTED ON BEHALF OF THE UNITED PASTORS IN MISSION PRESIDENT AND OFFICERS,

REV. LARRY HARRIS, SR.
PRESIDENT

REV. RODNEY MAIDEN
INTERIM EXECUTIVE DIRECTOR

MIN. M. DELON GOULD
SPECIAL ASSISTANT TO THE CHAIR

###



Ranked among America's Top Hospitals
by U.S. News & World Report

Charles S. Modlin, M.D, MBA
Associate Professor of Surgery
Section of Renal Transplantation
Director, Minority Men's Health Center
Office: 216-445-7550
Cellular: 216-312-3253
Appts.: 216-444-5600
Fax: 216-445-2267
ModlinC@CCF.ORG

September 14, 2014

Hon. Yvonne Conwell
Cuyahoga County Council
2079 East 9th Street – 8th Floor
Cleveland, Ohio 44115
Office: 216/698-2017
Fax: 216/698-2040
E-mail: yconwell@cuyahogacounty.us

Re: Reverend Dr. Larry Macon, Candidate for Metro Health Board of Trustees

Your Honor

It gives me great pleasure to write my strongest letter of recommendation on behalf of Reverend Dr. Larry Macon to be selected to serve on the Board of Trustees of the Metro Health Medical Center.

I am a Kidney Transplant Surgeon and Urologist at Cleveland Clinic, Founder & Director of Cleveland Clinic's Minority Men's Health Center, Executive Director of Minority Health and Associate Professor of Surgery at the Cleveland Clinic Lerner College of Medicine of Case Western Reserve University. I have personally known, admired, revered and closely worked with Dr. Macon for over the past 20 years in his capacity as the Senior Pastor and CEO of one of the largest churches in the Cleveland Area, Mt. Zion of Oakwood Village.

Dr. Macon is an extremely respected, admired, well-known and influential community and business leader in Northeast Ohio. He is well-known and respected nationally for his work in community building, family advocacy and community advocacy. Pertinent to his candidacy to be selected to serve on the board of Metro Health, Dr. Macon has a special interest in and demonstrated passion for improving the health & wellness of our

communities. As such, he has taken very unique and progressive approaches in which to utilize his special communication abilities and credibility in which to successfully do this. For example, Dr. Macon has his own spiritually based television program which he has utilized as a catalyst to broadcast to millions messaging about the importance of preventive health and dissemination of important health information. He has graciously embraced the work I have been doing in my role as Executive Director of Minority Health at Cleveland Clinic to particularly reach minority and underserved communities to educate them regarding important health & wellness issues and ultimately to improve the health outcomes and address health disparities afflicting minority and underserved populations.

Dr. Macon is a visionary, progressive leader and has implemented numerous programs and initiatives to engage all populations of Northeast Ohio as evidenced by the successes he has had in reaching and assembling literally thousands upon thousands of people around important community issues of concern, including health matters. When Dr. Macon conducts a community program and makes a plea for community action the people respond by the thousands because they know that he is a man who has the best interests of the community at all times. Dr. Macon has a pleasant and soothing style of communication and possesses the ability to communicate and work with all segments of our society. He is a peacemaker and a coalition builder—both being important attributes for a Metro Health Board of Trustee.

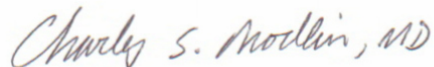
The addition of Reverend Dr. Larry Macon to the Metro Health Board of Trustees would indeed be value-added and would additionally serve as a significant sign to the community that Metro Health indeed does place as its priority the health of the community. Dr. Macon is connected to the community. As such, as a Trustee of Metro Health, Dr. Macon will be uniquely positioned to serve as a sounding board from the community back to the leadership of Metro Health as to the concerns and needs of the community—as a whole. As a valued member of the Metro Health Board of Trustees, Dr. Macon would become an immediate asset to the mission of Metro Health as he would utilize his unique talents, abilities and credibility to reach the community thereby helping Metro Health more effectively and efficiently fulfill its goals and objectives to improve the health of our communities. Dr. Macon is well-read and is aware of the current challenges that face the medical field and healthcare systems, including implementation of the Affordable Care Act and the importance of stressing that health providers work to improve upon communicating with patients from diverse backgrounds to improve the patient experience. Dr. Macon has conducted a number of focus groups and seminars at his mega church which in fact have focused on health care issues and doctor-patient communications to promote improve compliance of patients and health outcomes. One such program was a program for which he and his church partnered with Lifebanc of Ohio to educate the community regarding the importance of organ, tissue and eye donation. At this particular summit, Dr. Macon also invited and honored transplant physicians for their work in the field of organ donation and organ transplantation. Through Dr. Macon's efforts in support of organ donation and transplantation, Northeast Ohio has seen increasing numbers particularly of African Americans consenting to register as organ and tissue donors. As a kidney transplant surgeon, I know that Metro

Health is the number one leading medical institution where organ procurements occur and I know how important the work that Dr. Macon is doing to blend his spiritual teaching with the medical needs of the community.

Dr. Macon possesses an extensive local, regional, statewide and national network and he will, as a Metro Health Board of Trustee, call upon his vast network to support the mission of Metro Health Medical Center. Dr. Macon's reach includes all segments of our society from the streets of Cleveland to the President of the United States.

I wholeheartedly and passionately strongly endorse and support Rev. Dr. Larry Macon's nomination to become a Board of Trustee for the Metro Health Medical Center. He is indeed a man of the people and he will excel in and faithfully execute his position as a loyal Board of Trustee of Metro Health. Please feel free to contact me at anytime should you need additional input or have questions. I would be more than happy and willing to meet with you and your selection committee to testify on behalf of Reverend Dr. Larry Macon to be selected to serve on the Metro Health Board. He is an impressive, highly ethical and caring person.

Sincerely,

A handwritten signature in cursive script that reads "Charles S. Modlin, MD". The ink is a dark color, possibly black or dark blue, and the signature is written in a fluid, personal style.

Charles Modlin, M.D., MBA

September 16, 2014

Hon. Yvonne Conwell
Cuyahoga County Council
2079 East 9th Street – 8th Floor
Cleveland, OH 44115

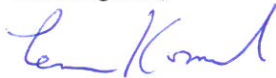
Dear Ms. Conwell:

Please accept this letter in recognition of my support for the confirmation of Dr. Larry L. Macon to the Metro Board of Trustees. I have had the good fortune to work with Dr. Macon in the community on a variety of matters and have found him to be a true leader and someone who has made a very positive impact on a big picture basis with Northeast Ohio.

Of note, for a number of years we have worked with Dr. Macon to host Praisefest at Quicken Loans Arena, uniting the faith community together in unprecedented fashion. This event has been a strong success, largely due to Dr. Macon's sense of vision and leadership. We have also had the opportunity to work with Dr. Macon and his team on various youth initiatives with positive results. I have no doubt he would be a valuable addition to the Metro board.

Again, thank you for the opportunity to express my support of Dr. Macon's confirmation to the board. If I can be of any further assistance, please do not hesitate to contact me.

Best Regards,



Len Komoroski
CEO, Cleveland Cavaliers/Quicken Loans Arena



County Council of Cuyahoga County, Ohio

Resolution No. R2014-0225

Sponsored by: Councilmembers Connally and Conwell	A Resolution confirming the County Executive's appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/5/2019, and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, Ohio Revised Code Chapter 339 provides for the organization and operation of a county hospital; and

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

WHEREAS, pursuant to Ohio Revised Code Section 339.02(F)(1), the County Executive has sought and received approval from both the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service; 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, County Executive Ed FitzGerald has nominated Maureen Dee to serve on The MetroHealth System Board of Trustees for the balance of a term that will expire 3/5/2019; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby confirms the appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the balance of a term that will expire 3/5/2019.

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

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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

Clerk of Council Date

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

Journal _____
_____, 20__



EDWARD FITZGERALD
Cuyahoga County Executive

July 8, 2014

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

Re: *MetroHealth System Board of Trustees*

Dear President Connally:

Pursuant to Ohio Revised Code Chapter 339, I submit the following nomination to serve on the MetroHealth System Board of Trustees:

- **Maureen Dee**

The MetroHealth System Board of Trustees consists of ten members who establish policies and staffing for our county hospital. The members of this body serve six-year terms and do not receive compensation for their service. Ms. Dee nomination is for a full term that will expire in March of 2020.

For your review, I have attached pertinent documents for your review, including a copy of her resume and her application for this position. In addition, I have attached some biographical information that illuminates Ms. Dee's passion for public service. Ms. Dee is a member of the Hispanic Roundtable and is well known in the civic realm in Northeast Ohio. I am proud to submit her name for this vital position.

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

Sincerely,

Edward FitzGerald
Cuyahoga County Executive

cc: Judge Richard McMonagle
Judge Anthony Russo

Professional Profile

Maureen Dee, B.A. (Ohio Wesleyan University), M.S.S.A. (Case Western Reserve University) and M.B.A. (Cleveland State University). As of 1/6/2010, she is Executive Director of Catholic Charities Services Corporation, responsible for residential and outpatient behavioral health services in Cuyahoga County. Ms. Dee is a Licensed Supervising Social Worker (LISW-S - Ohio) and a Licensed Independent Chemical Dependency Counselor and Supervisor (LICDC) and has extensive experience in the provision of mental health and chemical dependency treatment services to children, youth, and their families, in community-based settings. She has been providing clinical services in the Catholic Charities system since 1978 and began to develop the alcohol and other drug treatment and prevention services with the juvenile justice system in 1982. Ms. Dee is a member of the National Association of Social Workers and of the Academy of Certified Social Workers. She has specialization in providing therapeutic services to multicultural individuals and groups, including services in Spanish to the Hispanic/Latino population. Ms. Dee's expertise includes psychosocial assessment and diagnosis, psychosocial intervention with groups, program and organizational planning and development and training to community groups on the above topics; as well as chemical dependency treatment and working with culturally different populations. Ms. Dee is currently supervising and administering the outpatient, residential and prevention behavioral health services at Catholic Charities Services Corporation. These include services to Juvenile Court-involved youth and families, youth and families referred by the County Department of Children and Family Services, Hispanic families, services to Medicaid recipients, school-based services, adult men, adult women with children, system of care and wraparound services, foster care and adoption services, and pre-employment screening for welfare applicants. Ms. Dee is the recipient of the Woodruff Prize (1991) and the Hispanic-American Cultural Heritage Award (1992) from UMADAOP-Ohio, the Distinguished Women in Healthcare Award (2000) from the Visiting Nurses Association, the St. Elizabeth of Hungary award from Catholic Charities, amongst others. Ms. Dee has served on the Ohio Department of Alcohol and Drug Addiction Services (ODADAS) task forces on managed care, adolescent protocols, standards review. She served for seven years on the Ohio Credentialing Board and on Governor Celeste's Recovery Council. She is currently serving on the Cuyahoga County Service Coordination Team (Family and Children First Council), the Youth Services

Coordinating Council for Cuyahoga County, the System of Care Oversight Committee for Cuyahoga County, and the Hispanic Alliance, Inc.

CURRICULUM VITAE

NAME: Maureen Dee, MBA, MSSA, LISW-S, LICDC
HISPANIC ORIGIN: Uruguay, South America
NATIONALITY: U.S.A.

EDUCATIONAL BACKGROUND: MBA, Cleveland State University - August, 1985
MSSA, Case Western Reserve University,
School of Applied Social Sciences - May, 1978
BA, Ohio Wesleyan University - June, 1975
Postgraduate Courses and Workshops - Ongoing

PROFESSIONAL INTERESTS: Administration, program planning and development;
chemical dependency and mental health treatment and
prevention; minority populations; contribution to welfare of
Hispanic Community

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS: National Association of Social Workers
Beta Gamma Sigma (graduate business honor society)

LICENSES/CREDENTIALS: Academy of Certified Social Workers (ACSW)
Licensed Independent Social Worker Supervisor (LISW-S) -
Ohio
Licensed Independent Chemical Dependency Counselor
(LICDC) – Ohio

PROFESSIONAL EXPERIENCE: Catholic Charities Services Corporation
Executive Director
(1/2010 – Current)
Responsible for administration of behavioral health
services at 12 service sites in Cuyahoga County; 3
residential programs, intensive outpatient, outpatient,
prevention; 300 employees; \$ 22 million budget

Catholic Charities Services
Assistant Executive Director
(9/97 – 1/2010)
Responsible for operating youth and adult outpatient
and residential chemical dependency services, and
treatment subcontracting, including 12 sites and 120
staff. Special populations targeted: women and
children, Hispanic, homeless men, juvenile justice
youth, welfare to work and child abuse/neglect
parents and children.

PROFESSIONAL EXPERIENCE (cont'd): Catholic Social Services of Cuyahoga County
Director, Behavioral Health Services (5/96 – 9/97)

Co-director of comprehensive social service organization. Responsible for the clinical services, including outpatient mental health and chemical dependency, to various target populations. Managed the contracts/reimbursements with two Co. Boards.

Catholic Social Services and Counseling of Cuyahoga County
Associate Executive Director of Children & Youth Services
(7/93-5/96)

Administrative responsibility for Day Care (1-5 y.o.), school for pregnant teens, adoption/foster care, birthparent counseling, child & youth outpatient mental health counseling, child & youth chemical dependency services (Program Director), Hispanic youth counseling, Big Brother/Big Sister Program. Strategic planning, Council on Accreditation, and State compliance functions.

Catholic Counseling Center
Program Director, Youth Chemical Dependency Services
(7/82-6/93)

Developed, supervised and operated youth chemical dependency services including:

- 1) Leaders of Tomorrow (LOT) - day treatment for youth drug trafficking offenders (administration, supervision, fund-raising, and group education to youth/families). Began July 1, 1992
- 2) Medicaid Adolescent Rehabilitation Program (MARP). Adolescent assessments, treatment planning, and case management (administration, supervision, and funding). Began September 1988.
- 3) Youth Evaluation Services (YES). Adolescent assessments and treatment planning for Juvenile Court referred youth (administration, supervision, and funding). Began July 1982.
- 4) YSCD Aftercare, Adolescent Group for Youth "at risk" which evolved into intensive outpatient treatment. Began 3/93.

PROFESSIONAL EXPERIENCE (cont'd): Catholic Counseling Center
Social Worker II, Bilingual Program for Youth (1978-1982)

Provided outpatient mental health and substance
abuse counseling to Hispanic youth and families

Cleveland Regional Perinatal Network (1977- 1978)
Research project interviewer for one-year health survey of
infants, funded by John Hopkins Medical Institutions.

Catholic Guardian Society, New York, NY (1975-1976)
Caseworker, Hispanic children in foster care.

HISTORY OF BOARD OR COMMUNITY PARTICIPATION

- Hispanic Alliance, Inc., President (7/08 - 6/10); Board Member (current)
- Scarborough House, Board member (1/2009 - current)
- Hispanic Roundtable, member (9/2009 - current)
- Alcohol and Drug Treatment and Prevention Providers Directors Association, Secretary (current)
- Hispanic UMADAOP/Casa Alma and Casa Maria, Chair, Advisory Committee (1994 - 2008)
- Service Coordination Team of the Family and Children First Council of Cuyahoga County (1995 - current)
- Youth Intervention Center Committee of the Youth Services Coordinating Council of Cuyahoga County (2004 - 2006)
- System of Care Oversight Committee for Cuyahoga County (2004 - 2008)
- Ohio Department of Alcohol & Drug Addiction Services, Protocol Committee (9/98 - 6/2004)
- Juvenile Justice Policy and Review Committee Federation for Community Planning (1995 - 2002)
- Ohio Department of Alcohol & Drug Addiction Services, Managed Care Initiative, Committee on Quality Assurance (1995 - 1998)
- Ohio Credentialing Board for Chemical Dependency Professionals, 1989 - 1996 (Chair, 95/96)
- Diocese of Cleveland Task Force Against Alcohol Drug Abuse, Chair, Primary Convener (1990 - 1993)
- Substance Abuse Initiative, Treatment Committee Juvenile Justice Subcommittee (1991)
- Former Appointee to Governor Richard Celeste's Ohio Recovery Council (1984)

AWARDS/HONORS:

Recipient of the Woodruff Prize for individual achievement in mental health and chemical dependency work, 1991.

Featured as "Person of the Week" on 3WE News Radio 1100, sponsored by MJB Coffee throughout the first half of 1992.

Recipient of the annual Cultural Heritage Award for Hispanic Americans presented by the Urban Minority Alcohol and Other Drug Abuse Programs of Ohio, August, 1992.

Recipient of the "Distinguished Women in Healthcare" award granted by the Visiting Nurses Association, June 2000.

Recipient of Catholic Charities Health and Human Services' Saint Elizabeth of Hungary Award, 2008

Recipient of Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, Addiction Treatment Professional of the Year, 2012

CONTACT INFORMATION:

*Maureen Dee, MSSA, MBA, LISW-S, LICDC
Executive Director
Catholic Charities Services
3135 Euclid Avenue, Suite 202
Cleveland, Ohio 44115
Office: 216 391 2064, ext. 12
Fax: 216 391 8946
Cell: 216 390 7180
Email: medee@clevelandcatholiccharities.org*

Updated 6/20/2012

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

From: <donotreply@cuyahogacounty.us>
To: <Jboyle@cuyahogacounty.us>
Date: 1/20/2012 12:17 PM
Subject: Boards and Commissions Form - Office of Boards and Commissions

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

Last Name : Dee

First Name : Maureen

City : Cleveland Heights

State : Ohio

Zip : 44121

Phone Number : 216 382 4648

Email Address : medee@clevelandcatholiccharities.org

Please select the boards/commissions/councils you would like to be considered for. : MetroHealth System Board of Trustees

Why are you interested in serving on this board/commission/council? : I am the Executive Director of Catholic Charities Services and have worked in the behavioral health arena for over 35 years. I am committed to the efforts made in our community to meeting the health and behavioral health needs of the most vulnerable, and respect the excellent reputation and quality of care offered through MetroHealth. Additionally, I am Hispanic by ethnicity and have valued the attention of MetroHealth to this community in particular. I hope to be of value to the Board and the organization through supporting and encouraging their good quality care while also aware of the importance of diversity and cultural competence.

What qualities do you possess that would make you a good candidate to serve on this board/commission/council? : I have a vision of how health and behavioral health are connected and can be addressed in an integrated model. I have a background in service for persons with mental health and addictions. I know that MetroHealth has made great strides in integrating these fields. I believe in collaboration between organizations and the maximization of efficiencies and resources. In my work experience, I have participated on numerous committees to accomplish the coordination of care, at micro and macro levels, which attend to maximizing quality, while reducing duplication of effort. I have a good strategic sense for organizations, and understand the importance of supporting the employees so that they can carry out their roles and duties to the best of their abilities.

I have the reviewed the appointing letter concerning **MAUREEN DEE'S** appointment to the METROHEALTH SYSTEM BOARD OF TRUSTEES, dated July 8, 2014, from Cuyahoga County Executive Edward FitzGerald. I have reviewed Ms. Dee's credentials and qualifications and I believe she is fit for service on this Board. I consent to her appointment and I understand that approval of the County Council is also required before this appointment is finalized.

DATE

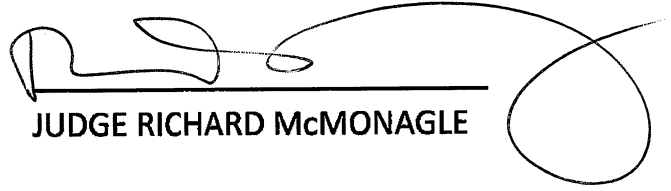
7/10/14



JUDGE ANTHONY J. RUSSO

I have reviewed the appointing letter concerning **MAUREEN DEE'S** appointment to the METROHEALTH SYSTEM BOARD OF TRUSTEES, dated July 8, 2014, from Cuyahoga County Executive Edward FitzGerald. I have reviewed Ms. Dee's credentials and qualifications and I believe she is fit for service on this Board. I consent to her appointment and I understand that approval of the County Council is also required before this appointment is finalized.

DATE 7/29/14


JUDGE RICHARD McMONAGLE

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0226

Sponsored by: Councilmembers Connally and Conwell	A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective.
--	--

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 Cleveland/Cuyahoga County Workforce Investment Board was established to fulfill the functions outlined in the Federal Workforce Investment Act of 1998 and was created pursuant to the provisions of Ohio Revised Code Chapter 6301; and

WHEREAS, the joint operation between the City of Cleveland and Cuyahoga County provides public policy guidelines and exercises oversight of local programs of workforce activities; and

WHEREAS, County Executive Ed FitzGerald has nominated the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board:

- i) Reappointment for the term ending 6/30/2015:
 - a) Michael T. Latkovich
 - b) Sari Feldman
 - c) Jay Carson

- ii) Appointment for the term ending 6/30/2016:
 - a) Aaron Grossman

- iii) Reappointment for the term ending 6/30/2016:

- a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:
 - a) Gayle Thompkins Agahi
 - b) Lawrence Benders
 - c) Joseph A. Calabrese
 - d) Harriet Shaw Applegate
 - e) Bill Kitson
 - f) Kim M. Shelnik
- v) Appointment of mandatory partner for an undetermined term:
 - a) David Merriman

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby confirms the appointment or reappointment of the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for the terms each beginning 7/1/2014:

- i) Reappointment for the term ending 6/30/2015:
 - a) Michael T. Latkovich
 - b) Sari Feldman
 - c) Jay Carson
- ii) Appointment for the term ending 6/30/2016:
 - a) Aaron Grossman
- iii) Reappointment for the term ending 6/30/2016:
 - a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:
 - a) Gayle Thompkins Agahi
 - b) Lawrence Benders
 - c) Joseph A. Calabrese

- d) Harriet Shaw Applegate
 - e) Bill Kitson
 - f) Kim M. Shelnik
- v) Appointment of mandatory partner for an undetermined term:
- a) David Merriman

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

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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:

_____ Date

_____ Date

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

Journal _____
_____, 20__



EDWARD FITZGERALD
Cuyahoga County Executive

SEP 16 2014

Cuyahoga County Council

August 29, 2014

C. Ellen Connally, President
Cuyahoga County Council
Cuyahoga County Administration Building
2079 E. 9th St.
Cleveland, OH 44115

Re: Cleveland/Cuyahoga County Workforce Investment Board

Dear President Connally:

As you know, the Cleveland/Cuyahoga County Workforce Investment Board was established to fulfill the functions outlined in the Federal Workforce Investment Act of 1998. This joint operation between the City of Cleveland and Cuyahoga County provides public policy guidance and exercises oversight of local programs of workforce activities. For this Board, I am pleased to offer the nominations of the following individuals:

Thomas E. Greene (two-year term)	Aaron Grossman (two-year term)
Mick Latkovich (one-year term)	Jay Carson (one-year term)
Sari Feldman (one-year term)	Dan Berry (two-year term)
Gayle Agahi (three-year term)	Harriet Applegate (three-year term)
Larry Benders (three-year term)	Bill Kitson (three-year term)
Joe Calabrese (three-year term)	Kim Shelnik (three-year term)
David Merriman (mandatory partner)	

Supporting documentation, including biographical information about each nominee and appropriate nomination materials are attached for your review. The differing terms are provided to allow continuity in the composition of the board and allow the important work to continue while the confirmation process moves forward.

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

Sincerely,

Edward Fitzgerald
Cuyahoga County Executive

Thomas E. Greene

Vice President, Human Resources



Thomas E. Greene is Vice President of Human Resources at Medical Mutual, the oldest and largest health insurance Company based in Ohio. He is responsible for selection retention, leadership and people development, compensation, benefits, development and human resources systems for more than 2,600 employees.

Mr. Greene joined the former Blue Cross of Northwest Ohio in Toledo in 1985 as Manager of Compensation and Benefits. When the Toledo and Cleveland Blue Cross plans merged in 1986, he assumed responsibility for Corporate Compensation and Benefits for the new Company, which today is known as Medical Mutual. In 1991, he was promoted to Director of Compensation and Benefits. He assumed additional responsibility four years later when he was promoted to Director of Corporate Human Resources. He was named to his current position in 1997.

Prior to his work with Blue Cross Blue Shield, Mr. Greene held various HR positions at Manufacturers National Bank of Detroit, a \$6 billion financial institution with more than 4,000 employees. He also served as a Compensation Specialist for the Sullivan Group, a consulting firm with offices in Detroit and Chicago.

He received a bachelor's degree from Michigan State University and a master's degree from Cleveland State University, where he focused on organizational behavior and adult education and development. He is a former president of Working in Employee Benefits. He is on the board of the Center for Community Solutions as well as the board of the Cleveland State University Alumni Association. In addition, he is a member of the Society for Human Resource Management, World at Work and the Northeast Ohio Human Resource Planning Society.

Mr. Greene and his wife, Kristine, reside in Avon. They have two daughters.

Quentin L. McCorvey, Sr.
Chairman

Dave Reines
Interim Executive Director
(216) 664-3700



WORKFORCE INVESTMENT BOARD

City of Cleveland/Cuyahoga County - Area 3

Current WIB Member - County

Michael Thomas Latkovich
Vice President, Rehabilitation Services
Vocational Guidance Services
2239 East 55th Street
Cleveland, OH 44103
216.881.6024

EDUCATION:

- Master of Applied Communication Theory and Methodology
Cleveland State University (1989)
- Bachelor of Arts in Mass Media Communication
Cleveland State University (1981)

EXPERIENCE:

Vocational Guidance Services (1990 - Present)

Vice President, Rehabilitation Services (2006 - Present)

Maintain fiduciary and legal responsibilities as an elected Officer of the agency. Manage budget, program and personnel factors associated with agency Public Relations, Organizational and Financial Development, services designed to support individuals facing economic barriers to employment and vocational rehabilitation programs including Work Evaluation, Occupational Skills Training, Work Adjustment, Job Coaching, Job Placement, Retention and MR/DD services.

Previous positions with VGS

- Vice President, Organization and Resource Development (1997-2006)
- Division Director, Organization and Resource Development (1996)
- Development Officer (1990 - 1996)

Development Director, Bellflower Center for Prevention of Child Abuse (1987-1990)

Grassroots Community Organizing and Fundraising (1984-1987)

PROFESSIONAL AFFILIATIONS:

- Cuyahoga County/City of Cleveland Workforce Investment Board (2000 - present)
 - WIB Finance Committee, current member, former Committee Chair
- Dress for Success Cleveland, Board Member

PAST PROFESSIONAL AFFILIATIONS:

- Ohio Council of Fund Raising Executives, Officer and Director
- CSU Alumni Association, Officer and Trustee
- Greater Cleveland Community Shares, Founding Trustee
- Heights Parent Center, Trustee and Chair of Development Committee
- Center for Employment Training - Cleveland, Founding Trustee
- Cuyahoga Work and Training Alliance, Founding Trustee
- Member of WIB Committee on Employment for Persons with Disabilities
- WIB Youth Council, former Committee Chair

Quentin L. McCorvey, Sr.
Chairman



WORKFORCE INVESTMENT BOARD

City of Cleveland/Cuyahoga County - Area 3

Dave Reines
Interim Executive Director
(216) 664-3700

Candidate for WIB Membership - County

Sari Feldman
Executive Director
Cuyahoga County Public Library
2111 Snow Road
Parma, OH 44134
216.749.9490

Sari Feldman, Executive Director of Cuyahoga County Public Library since June 2003, heads one of the nation's ten busiest and best library systems. Cuyahoga County Public Library has 28 branches and serves 47 communities. In 2010, a total of 20 million items were borrowed, branches were visited 7.6 million times, and www.cuyahogalibrary.org more than 6 million Home Page views.

Prior to joining Cuyahoga County Public Library, Ms. Feldman was Deputy Director of the Cleveland Public Library. She received a Bachelor of Arts degree in English from State University of New York at Binghamton and a Master's in Library Science degree from the University of Wisconsin, Madison. Since 1984, she has served as an adjunct faculty member at the School of Information Studies, Syracuse University, in Syracuse, New York, teaching graduate courses in library management, reference services, policy and grant writing. She was honored in 1995 with the Vice President's Award for Teacher of the Year.

Ms. Feldman was the President of the Public Library Association, a division of the American Library Association, for the 2009-2010 term. She is a member of the Leadership Cleveland Class of 2004. She serves on the boards of Cuyahoga Arts and Culture. She is a Fellow of the Cleveland State University Maxine Goodman Levin College of Urban Affairs Leadership Academy. In addition, Ms. Feldman was named a 2005 YWCA Woman of Achievement and this year was recognized for her achievements by *Smart Business Magazine*. She is the recipient of the David C. Sweet Leadership Academy Alumni Community Leadership Award and the Leadership Academy's 2002 Community Impact Award. In 2008, she received the Jane Donelson Player of the Year Award from the USA Toy Library Association.

Her past civic involvement includes being a Founding Board Member of OneCommunity and a Board Member of the Literacy Coalition. She also served on the Advisory Task Force of the PlayhouseSquare Education Department and the Cuyahoga Valley Organizational Design Collaborative.

Her professional affiliations include the American Library Association, Beta Phi Mu, the Ohio Library Council, and the Public Library Association. She has written widely for professional publications and is the co-author of three books.



Gayle Thompkins Agahi
Director of External Partnerships
Talent Management/HR
Cleveland Clinic
Work: 216-448-0748
agahig@ccf.org

Affiliations

Northeast Ohio Health Science and Innovation Coalition (NOHSIC) – Board of Trustees,
Vice Chairperson
Cuyahoga Valley National Park, Board of Trustees
Youth Opportunities Unlimited, Board of Trustees

Gayle Thompkins Agahi was a founding leader and the first board chairman of the Northeast Ohio Health Science and Innovation Coalition (NOHSIC). Established in 2007, NOHSIC membership includes Cleveland Clinic, EMH Regional Healthcare, Louis Stokes Veterans Administration, MetroHealth System, and Southwest General Hospital, Summa Health System and University Hospitals. NOHSIC members employ over 75,000 healthcare workers and contribute an estimated \$11.6 billion¹ to the regional economy.

Member hospital systems work together in a formal, employer-driven endeavor to address the issues of critical labor shortages in healthcare fields. NOHSIC recently hired its first Executive Director and plans to become a tenant of the Cleveland Medical Mart & Convention Center. NOHSIC continues to expand its membership across 17 counties of Northeast Ohio. Under Agahi's leadership, NOHSIC became the first industry coalition to sign on with the USAR Employer Program Initiative (EPI). NOHSIC also has formal partnerships with Cleveland/Cuyahoga Workforce Investment Board, Summit/Medina Workforce Investment Board and NeoHealthForce. NOHSIC in partnership with the Center for Health Affairs, were selected to be Ohio Skills Bank intermediaries for Ohio Economic Region 8.

Agahi served as the workforce development representative for Cleveland Clinic on the Ohio Governor's Workforce Policy Board during the Strickland administration. Throughout her 11 years in the Cleveland Clinic Health System, Agahi also held positions in Government Relations and Development.

Prior to working for the Cleveland Clinic Health System, Agahi was a business owner. She spent nine years at the Cuyahoga Metropolitan Housing Authority (CMHA) Government Affairs, Public Relations, Marketing and Communications.

Agahi grew up in New Orleans, Louisiana and is a graduate of the University of New Orleans with a Bachelors of Arts in English and in May 2011 will graduate from Executive MBA program at Baldwin-Wallace College.

¹ Source: Center for Health Affairs, *Economic Impact of Healthcare in Northeast Ohio*, February 23, 2005.

Larry Benders was appointed and confirmed as Director of Development in April, 2011 at the conclusion of a nationwide search. Reporting to the County Executive, he oversees Community and Economic Development.

Under Larry's leadership the Department of Development has been transformed into a highly effective lender to businesses. Over the past 3.5 years, department lending has led to the creation of 3,000 jobs, the retention of 5,000 jobs, the remediation of 370 acres of brownfields and the leveraging of the County's \$40 million of loans into \$340 million of private capital.

Before joining the County, for three years Larry was the Executive Director of the combined City of Cleveland and Cuyahoga County Workforce Development departments, the Workforce Investment Board and its agency, Employment Connection (Ohio Means Jobs). There he gained national recognition for the dramatic and successful transformation of the public workforce system into a "demand-facing" enterprise that is now regarded as a valuable service to employers and job seekers alike. Under his leadership and guidance his agency was able to double its outcomes while cutting its costs in half.

Prior to assuming his government positions, Larry held senior management positions at companies including Johnson & Johnson, Nabisco, Ben & Jerry's Ice Cream and the Rock and Roll Hall of Fame. As a marketing executive he has managed household brand names such as Johnson's Baby Shampoo, Reach Toothbrush, Cream of Wheat Cereal, Grey Poupon Mustard, A1 Steak Sauce, and Splenda Low Calorie Sweetener. Larry has extensive international experience and has been responsible for new product development teams in Europe, South America, Japan and Australia.

Larry has a BA from Yale University in New Haven, Connecticut and an MBA from the J.L. Kellogg Graduate School of Management at Northwestern University in Evanston, Illinois.

Quentin L. McCorvey, Sr.
Chairman

Dave Reines
Interim Executive Director
(216) 664-3700



WORKFORCE INVESTMENT BOARD

City of Cleveland/Cuyahoga County - Area 3

Candidate for WIB Membership - County

Joseph A. Calabrese
CEO & General Manager/Secretary-Treasurer
Greater Cleveland RTA
1240 West Sixth Street
Cleveland, Ohio 44113
216.566.5218

Joe Calabrese was named the CEO and General Manager/Secretary-Treasurer of the Greater Cleveland RTA in 2000, upon leaving his position as President of the Central New York RTA.

RTA serves approximately 180,000 customers on a typical weekday, with over 60% of all trips being job related. In addition to regular bus, rail and paratransit service for individuals with disabilities, RTA also operates its Work Access Van Program where RTA's Mobility Managers connect workers with jobs if regularly scheduled RTA services cannot meet their specific mobility needs. RTA's operating and capital budgets stand at approximately \$300 million annually.

Joe has spent more than 30 years in the public transit industry in the areas of Human Resource Management, Training, Labor Relations and General Management.

Under Joe's leadership, RTA won the first FTA Ridership Initiative Award, was awarded the Smart Business/Lexus "World Class Customer Service Award", was named "The Best (Large) Public Transit System in North America" by the APTA, and won the "Gold" system safety award.

In 2008, Joe was named the "Best Public Transit Manager in North America", and in 2009 he received the John Hill Award from the Public Relations Society of America.

Joe received his undergraduate degree in Economics from Syracuse University, his MBA from the University of Buffalo, and completed post-graduate fellowships at Northeastern, the University of Chicago and the Wharton School.

Past president of the NY State Public Transit Association and the Ohio Public Transit Association, Joe serves on the Board of American Public Transportation Association, the Ohio Public Transit Association, the United Way, The Old Stone Educational Center, the Downtown Cleveland Alliance, and the Senior Transportation Connection.

Joe resides in Westlake with his wife Debra

PROFESSIONAL EXPERIENCES

CUYAHOGA COUNTY

Cleveland, Ohio

Cuyahoga Job and Family Services-Acting Administrator of Income Maintenance and Child Support, 2014 to Present

Administrative Functions

- Provide leadership to over 1,136 staff, stationed in five operation centers, and serving 200,000+ residents yearly
- Manage an IT, service/program, and contracts budget in excess of \$110,000,000

Policy Development and Implementation

- Participate in statewide implantation of Medicaid expansion and the creation of the Ohio Integrated Eligibility System
- Develop new partnerships with nursing care providers, homeless systems, and non-profit organizations

Office of the Executive- DEPUTY CHIEF OF STAFF HEALTH AND HUMAN SERVICES, 2012 TO PRESENT

Executive Functions

- Led Health and Human Services biennial budget processes allocating \$227,000,000 of the HHS Levy and other funds while coordinating efforts with the OBM and County Council
- Serve as the Executive's County Council liaison for the Department of Health and Human Services with responsibilities to draft, review, and present legislation

Team Management & Special Projects

- Launch the Pay for Success/Social Impact Bond government financing project
- Support Division administrators on continuous improvement strategies addressing HR, child welfare, Medicaid application processing, the Affordable Care Act, and food security issues

Office of the Executive-SPECIAL ASSISTANT, 2011 TO 2012

Executive Functions

- Clerk of the *Cuyahoga County Board of Control* and the *Cuyahoga County Contracts and Purchasing Board*, responsible for administration of two public contracting approval boards
- Publish the *Journal of the Board of Control* as well as all agendas, minutes, and documents related to the approval of all County contracts less than \$500,000.00

CLEVELAND DEPARTMENT OF PUBLIC HEALTH

Cleveland, Ohio

Office of HIV/AIDS Services-PROJECT COORDINATOR, 2006 TO 2010

Executive Responsibilities

- Led HIV/STD prevention and testing services for the Greater Cleveland area and managed budgets, legislation, federal grants, contracts, and purchasing for over \$2.2 million in funding
- Team management and personnel functions for direct report unionized, clerical, and management staff
- Facilitate prevention and housing services planning process, drafting of the first Comprehensive HIV/STD Prevention and HIV/AIDS Housing Plans for Cuyahoga County

David Merriman

1740 West 38 Street - Cleveland, Ohio - 44113 - (216)965-1760-davidmerriman@hotmail.com

MomsFirst- DEPUTY PROJECT COORDINATOR, 2002 TO 2006

Executive Responsibilities

- Create maternal and child health programming to address racial disparities in infant mortality
- Develop and implement system-wide quality assurance protocols

CUYAHOGA COUNTY

Cleveland, Ohio

Department of Children and Family Services-SOCIAL SERVICE WORKER 3, 1999 TO 2001

Case Management

- Provide ongoing case management services to 20-30 families and investigate allegations of child abuse and neglect
- Attend Juvenile Court hearings, Family Team and Neighborhood Collaborative meetings on behalf of the County

EDUCATION

SOCIAL WORK, MASTER OF ARTS, 2002

Cleveland State University, Cleveland, Ohio

SOCIAL WORK, BACHELOR OF ARTS, 1996

Cleveland State University, Cleveland, Ohio

COMMUNITY SERVICE EXPERIENCES

THE CLEVELAND FOUNDATION

Cleveland, Ohio

Neighborhood Connections- FOUNDING GRANTMAKING COMMITTEE MEMBER, 2002-2005

- Provide grant funding to grassroots groups engaged in small grant community development

AMERICORP.

Cleveland, Ohio

NearWest Food and Family Service Center-MEALS COORDINATOR, 1996-1997

- Direct a two site soup kitchen, serving 200-300+ persons/night, three nights a week

BOARD AND PUBLIC COMMITTEE AFFILIATIONS

- NEAR WEST INTERGENERATIONAL SCHOOL-BOARD MEMBER, 2012 TO PRESENT
- GREATER CLEVELAND REENTRY STRATEGY-HEALTH CARE SUBCOMMITTEE, 2010-2011
- CUYAHOGA COUNTY HOMELESS SERVICES CONTINUUM OF CARE-REVIEW AND RANKING SUBCOMMITTEE, CO-CHAIR, 2007-2011
- THE AIDS FUNDING COLLABORATIVE, CHAIR, 2006-2011
- INVEST IN CHILDREN-GOAL 1 SUBCOMMITTEE, CO-CHAIR 2005-2006

REFERENCES AVAILABLE UPON REQUEST



Aaron Grossman
President, Alliance Staffing Solutions

Aaron Grossman is president of Alliance Staffing Solutions, a full-service recruitment firm headquartered in Independence, Ohio.

Grossman brings considerable staffing industry experience to his current position. He began his career in 1998 with Robert Half International and became the highest billing producer in a six-state region within 18 months of his hire date. After being promoted to manager, Grossman led his team to become the third-fastest growing Robert Half division in the world within just six months.

Grossman, a graduate of Miami University of Ohio with a bachelor's degree in Finance, formed Alliance Staffing Solutions in 2001 with two partners and became the company's president in 2006. Under his leadership, the company has grown rapidly to build specialized business units with deep expertise in a wide variety of markets, from manufacturing to healthcare to engineering to life sciences. Within 10 years, Alliance Staffing Solutions has grown to more than \$30 million in annual revenues and has become the premier staffing agency in Northeast Ohio, with positions filled throughout Ohio and around the country. Grossman is a frequent speaker on topics relating to recruiting and retaining top-tier workforces.

Grossman is a lifelong resident of Northeast Ohio and passionate about the region's future. He is a board member of the Cleveland chapter of Entrepreneurs' Organization, and is one of the founders of Wrestlers in Business, a business group. Grossman, a resident of Aurora, also sits on the Mid-Market Committee for the Greater Cleveland Partnership, the Cleveland area's chamber of commerce.

Alliance Staffing (www.alliancestaffingsolutions.com) offers expertise through its business units that include Alliance Financial Solutions, Alliance Office Solutions, Alliance Healthcare Solutions, Alliance Scientific Solutions, Alliance Technical Solutions, Alliance Industrial Solutions, and the Alliance Search Group. The recruitment agency is a multiple Weatherhead 100 award recipient as one of Northeast Ohio's fastest growing companies. Alliance Staffing was also recently awarded a NEO Success Award, which recognizes the most successful companies in the region.

Mr. Carson represents companies in commercial litigation matters, including breach of contract and consumer claims in state and federal court. He served as a legislative aide to the Ohio General Assembly, a law clerk to the Sixth Circuit Court of Appeals and a Common Pleas Court Magistrate and draws on those experiences in advocating for clients and helping guide businesses through Ohio's regulatory requirements.

Mr. Carson has successfully defended and prosecuted cases for companies including:

- Obtaining summary judgment in favor of a national lender in a complex class action suit;
- Helping a health insurance company recover substantial reimbursements from a provider who defrauded it;
- Successfully defending clients against a frivolous breach of contract suit, leading to a defense verdict and an award of attorneys fees; and
- Obtaining a reversal of a six figure punitive damages award for a large national insurer in federal appellate court.

He is active in the community and serves on several public boards, including the Cuyahoga County Workforce Investment Board and as the current President of the Lakewood Civil Service Commission.

Practice Areas

- Litigation

Education

- J.D., The Ohio State University College of Law, 1997
- B.A., Baldwin-Wallace College, 1992, Magna Cum Laude

Bar Admissions

- State of Ohio, 1997
- United States District Court, Northern District of Ohio, 2001
- United States Court, Southern District of Ohio, 2002
- United States Court of Appeals, Sixth Circuit, 2001

Memberships / Honors / Awards

- Ohio State Bar Association
- Cleveland Metropolitan Bar Association
- City Club of Cleveland – Young Leaders
- Lakewood Civil Service Commission, President
- Cuyahoga County Workforce Investment Board
- Council of Smaller Enterprises (COSE) – Advocacy Committee

- Ohio Law and Politics “Rising Star” 2009
- Board Member, North Coast Health Ministry

Publications

- “Stomping at Sovoie: Legislative Intent and the Expansion of UM/UIM Insurance”, Toledo Law Review Ohio Legislative Issues Symposium (January 2001)



WORKFORCE INVESTMENT BOARD

City of Cleveland / Cuyahoga County - Area 3

Quentin L. McCorvey, Sr.
Chairman

Dave Reines
Interim Executive Director
(216) 664-3700

Candidate for WIB Membership - County

Daniel E. Berry
President & CEO
MAGNET
1768 E. 25th Street
Cleveland, OH 44114
216.391.7002 (main)

Daniel E. Berry is president and chief executive officer of MAGNET, the Manufacturing Advocacy and Growth Network, located in Cleveland Ohio. He joined MAGNET on a permanent basis in May 2010 after serving as interim CEO for several months on loan from the Greater Cleveland Partnership (GCP).

When he left the GCP, Berry was executive vice president for strategy, membership and marketing. Previously, he was senior vice president, strategic integration, for the Greater Cleveland Growth Association, which he joined in 1995 as vice president for workforce development. While with the Association, he helped manage and conclude the merger negotiations with Cleveland Tomorrow and the Greater Cleveland Roundtable that created the GCP in 2004. In his capacities at GCP and the Association, Berry helped with planning for the creation of organizations such as Team NEO and MAGNET.

Prior to the Growth Association, Berry spent 13 years with The George Gund Foundation and was serving as associate director when he left the organization. In that capacity, he was involved with helping build organizations such as Neighborhood Progress Inc. and the Great Lakes Science Center. Berry also has worked with The Charles F. Kettering Foundation in Dayton, Ohio where he was an urban affairs program associate from 1979-1981.

Berry holds a doctorate in management from the Weatherhead School of Management at Case Western Reserve University and earned both a B.A. and M.A. from Kent State University. He has served on the boards of numerous civic and public sector organizations and is presently a trustee of Vocational Guidance Services and the Cleveland Center for Arts and Technology. He and his wife Mary Jo live in Orange Village, Ohio, and have one son, Douglas.

Harriet Shaw Applegate

County -
additional partners
Labor

Education:

1970 - B.A., History, University of Rochester
1972 - M.A., History, University of Cincinnati.

Employment:

University of Cincinnati
Instructor, Department of History, 1977-78
Ohio Public Interest Campaign, 1979-85
Chair, Citizen/Labor Energy Coalition
Coordinator, Cincinnati Right-to-Know Campaign
Statewide Director, Toxic Action Project
Cincinnati AFL-CIO Labor Council
Director, Greater Cincinnati Occupational Health Center, 1985-98
AFL-CIO Department of Field Mobilization
Field Representative, NE Ohio, 1998-2003
AFL-CIO Political Department
National Representative, NE Ohio 2003-06.
North Shore AFL-CIO Federation of Labor
Executive Secretary, 07-present

Administrative Experience:

Director, Greater Cincinnati Occupational Health Center, 1985-98
Administered a \$250,000 annual budget, wrote grants, administered research grants & grants to teach Haz Mat classes, oversaw a medical practice which focused on occupational disease and winning workers compensation claims, organized and conducted medical screenings for asbestos and other lung toxins.
Labor 2004 Zone Coordinator, Zone H (8)
Directed the work of 80 paid staff & 350 volunteers; ran walks and phone banks in two locations (Akron & Canton) as well as coordinated Election Day operations in both cities. Stark County, Ohio's 'bellwether county' was the only county in Ohio to switch from red to blue in 2004.
Executive Secretary, North Shore AFL-CIO Federation of Labor

Selected Community Service:

Co-Chair with Rev. Fred Shuttlesworth, Cincinnati Movement for Human Rights, 1978-79.
Member, Religion Labor Task Force, 1978-81.
President, Cincinnati Women Working, 1980-82.
Member, Cincinnati Environmental Advisory Council (City Mgr appointment), 1985-91.
Board Member, EEO Advisory Board of Cincinnati (City Mgr appointment), 1991-93.
Vice-Chair, Cincinnati Civic Renewal Initiative, 1997-98.
Board Chair, United Labor Agency, 2007-present
Board member, Hard Hatted Women, 2009-present
Executive Board member, United Way, 2007-present
Co Chair, Jobs with Justice, 2007-present
Member, Cuyahoga County Economic Development Commission, 2011

Publications & Papers:

H. Applegate, ed. Toxic Substances in the Workplace, A Cincinnati Profile. Issued by ORVCOSH, 1981.
H. Applegate, ed. The Chonicle, Cincinnati Labor Council monthly publication, 1983-91.
H. Applegate et al. The Cincinnati Right-to-Know Law: Use it & Make a Difference: Worker Manual, 1983; Technical Manual, 1983.
H. Genzer, M. Cherniak, H. Applegate, J. Osterman. Report & Recommendations on Hazardous Waste. Issued by the Environmental Advisory Council for the City of Cincinnati, 1986.
H. Applegate, C. Reh. Asbestos & Your Health: A GCOHC Educational Pamphlet. 1988.
H. Applegate, et al. "What Role Can a Labor-Management Committee Play in Reducing Ergonomic Risks to Carpenters?" Paper presented at the American Public Health Assn., 1996.

United Way welcomes new President and CEO



United Way of Greater Cleveland welcomes

Bill Kitson as new President and CEO

United Way of Greater Cleveland extends a warm welcome to Bill Kitson, United Way of Greater Toledo past President and CEO, as he takes the top staff position at United Way of Greater Cleveland. Mike Benz, former CEO and President, retired on June 1, 2012.

At a recent press conference Paul Clark, United Way Chairman of the Board, said "We welcome Bill and are excited to have him join our community and lead our United Way. He has 23 years fundraising, marketing and leadership experience in the United Way system. He has led United Way of Greater Toledo for the past seven years where he is known for his innovative and dynamic leadership. Our search committee had representation from all segments of our community, nonprofit, government and corporations, and we conducted an extensive search nationally and locally. We look forward to Bill leading our United Way with energy, commitment and expertise. His experience in Toledo and his total 23 years in the United Way system combined with his commitment to nonprofit work will be an asset for our organization and community."

Kitson began his new position on June 4.

United Way of Greater Toledo, where Kitson worked as President and CEO for the past seven years, raises \$14 million annually and serves Lucas, Wood, and Ottawa counties. Prior to leading the Toledo United Way, Kitson was President and CEO of United Way of Champaign County in Illinois.

His 23 years of fundraising, marketing, and leadership experience in the United Way system also includes service in Milwaukee, New York, Connecticut, and his native Rhode Island.

Kitson's volunteer experience includes service on the Board of Trustees for Hartwick College, Toledo/Lucas County CareNet, Ohio United Way, Toledo LISC, and on the United Way Worldwide U.S. Task Force Implementation Core Group. Kitson also served as co-chair of the United Way Worldwide 2011 Staff Leaders Conference, on former Ohio Governor Strickland's Anti-Poverty Task Force, and as co-chair of the local census committee.

Kitson, a 15-year Rotarian and current member of the Rotary Club of Toledo, was named 2003 Rotarian of the Year by the Champaign, Ill. Rotary Club. He also was named Hartwick College's Distinguished Young Alumnus of the Year in 2002.

Kitson is a graduate of Hartwick College in Oneonta, N.Y.

He plans to reside in the Greater Cleveland area with his wife and two sons.

Mr. Bill Kitson has been Chief Executive Officer and President of United Way Of Greater Cleveland since June 4, 2012. Mr. Kitson served as President and Chief Executive Officer at United Way of Greater Toledo Inc. since May 2005. He has a track record of accomplishment. At Toledo, Mr. Kitson oversaw a \$14 million fundraising campaign that serves Lucas, Wood and Ottawa counties. In Cleveland, the annual campaign for health and human services exceeds \$40 million. Prior to United Way of Greater Toledo, he served as President and Chief Executive Officer of the United Way of Champaign County in Illinois. Mr. Kitson has 23 years in fundraising, marketing and leadership in the United Way system. He also served at United Way organizations in Milwaukee, New York, Connecticut.

EXPERIENCE:
January 2007 to
Present

University Hospitals; Shaker Heights, Ohio

Vice President, Recruitment and Staffing (January 2011 to Present)

Lead Recruitment, Staffing, Human Resource Operations and Career Coach Employee Development Strategies for University Hospitals. The 16,000 employee organization includes a major academic medical center, 6 community hospitals, outpatient health centers, outpatient surgery centers, urgent care centers, cancer centers, rehabilitation-facilities, pediatric specialty and mental health facilities. Oversee a team of 34 Recruitment, Staffing and HR Operations professionals that includes 2 Managers, 1 Supervisor, 1 Compliance Specialist and a Career Coach.

- Excellence was achieved in 2011 by supporting the Vision 2010 strategy by staffing the new Ahuja Medical Center, Seidman Cancer Center and the significant backfill from growth. A total of 3,821 positions were filled to meet these expectations. This included the staffing of 1186 Registered Nurses.
- Enhanced the Career Coach Employee Development Strategy. This included the creation of multiple Career Management Workshops for incumbent workers. A positive increase in internal selection was the outcome.
- Championed Workforce Development Strategies which included the partnership with Employment Connections to train workers for Patient Care Support roles. Also, a positive collaboration was built with NewBridges to successfully employ students that received healthcare vocational training.
- Implemented a customized solution to automate the on-boarding process of new hires. Created positive efficiencies and improved the new hire experience.
- Successfully implemented an automated Workforce Control System that supports workforce planning and position control. The solution integrates with Visionware and the EPSI budget system to monitor productivity and expenses related to the approval of vacancies.

Director, Recruitment and Staffing (January 2007 to December 2010)

Lead Recruitment and Staffing strategies for all Nursing, Clinical and Non-Clinical areas within University Hospitals.

- Within the first year in the role, integrated a centralized recruitment model to create a collaborative system wide team. Strategy improved the candidate experience, created efficiencies and improved the leadership experience.
- Implemented DDI – Targeted Selection to drive an overall Talent Management Strategy that linked competencies / behavioral-job fit interviewing to recruitment and selection.
- Created a Vision 2010 Recruitment and Selection plan that is linked to lowering T-12 turnover from 38% in 2007 down to 18%, decreased Nursing Vacancy rate from 9.4% to 2% and lowered overall Vacancy Rate from 6.2% to 1.6%. Reduced Recruitment and Staffing Budget expenses yearly.
- Successfully rolled out Strategic Business Partnership model to focus on the Human Resources shared accountability to hire the “Right Person for the Right Role”. This included the roll out of Candidate Service Level Agreements and the implementation of system Recruitment and Retention teams.
- Implemented consistent employee brand guidelines that express and define the employee experience and differentiates UH in the labor market.
- Introduced a new customized applicant tracking system and career website to ease the expression of interest process for applicants, improve recruiter efficiencies and market opportunities.
- Led CMS Patient Safety Initiative to consolidate all non-employee compliance under the leadership of Recruitment and Staffing. Consolidated over 3,000 vendors into a centralized verification model. This includes Agencies, Independent Contractors, Students, Vendors and Volunteers.

EXPERIENCE: (Continued)

- Created a recruitment accountability model through Standard Operating Procedures and Quality Assurance.
- Implemented a New Grad Nursing Team that contributed to the decrease of the Nursing Vacancy Rate.
- Implemented Career Coach Strategy to focus on the guiding principle to focus on employee development in the selection process.
- Facilitator of executive workforce planning committee.

EXPERIENCE:

January 1998 to
December 2006

PROGRESSIVE; Mayfield, Ohio**Claims Recruiting Manager** (April 2004 to December 2006)

Lead 2 recruitment supervisors and a team of 15 Recruiters that were responsible for all recruiting / selection for a 5,000 FTE plus Claims Operation in the Midwest, West and National Corporate territories. A focus on Recruitment Analysis and Quality Assurance was achieved.

- Through a focus on "Hiring the Best", championed the following for the Midwest territory; decreased T-12 turnover from 14% to 11.7%. This compares to the national average of 15.9%. Significantly lowered Average Days to Fill to 34 days compared to 41 day average. Filling 782 field positions in 2005 exceeded hiring and FTE capacity goals. Team produced the highest 2006 Candidate Survey Index score of 0.088 compared to National average of -0.12. (Range 1 to -1)
- Developed strong strategic partnerships with State Managers among all locations. This is supported by receiving above average Leadership Assessment scores along with exceeds level Recruiter Hiring Manager feedback ratings. A score of 4.42 out of 5 compared to the National Average of 4 in 2006. Presenting formal recruiting plans and service level agreements contributed to these positive results.
- Received leadership responsibilities for all Western States in 2005. Within 3 months, contributed to decreasing 90 day turnover by 2% along with lowering the Manager to Interview Hire Ratio from (8 to 1) to (3 to 1) within the year. Strong candidate ratio analysis, time line management and implementation of updated Recruiting Strategy contributed to these results, which in turn, produced 762 hires for this territory in 2005.
- Project participation includes Claims Job Analysis, Progressive Employment Brand Campaign, Lead National Candidate Experience initiative, Temporary Placement Process Initiative, Expense Management and assigned as the Advertising Relationship Manager with out side vendor.

National Sales & Service Call Center Recruiting Manager

(March 2003 to March 2004)

Lead 3 Recruiting Managers that were responsible for all recruiting / selection for a 9,000-employee call center operation in Austin, Cleveland, Colorado Springs, Phoenix, Sacramento and Tampa.

- Partnered with selected vendors to roll out strategic selection systems for three major incumbent jobs. This included conducting a formalized job analysis, selecting appropriate assessment tests and creating behavioral based interview guides.
- Responsible for creating National Standard Operating Procedures for a 21 FTE Recruiter Group.
- Created a Strategic Business Plan for the Sales & Service Recruiting Organization, which contributed to filling 4,342 positions in 2003. The plan helped support achieving 103% of forecast along with creating strategies to lower background check fall out rate, decline rate and manager to selection ratios.

Sales & Service Call Center Recruiting Process Manager

(August 2001 to February 2003)

Managed Cleveland Recruiting Team of 8 Recruiters along with creating and standardizing all recruiting processes for six call center sites nationally. National Recruiting analysis responsibilities were included within this role.

Page Three

EXPERIENCE: (Continued)

Corporate Recruiting Manager (January 1998 to July 2001)

Managed the Corporate Employment Team of 10 Recruiters that supported Cleveland Operations, which includes; HR, Finance, Accounting, Sales, Service and Corporate. Assigned as the strategic business partner and consultant for all Cleveland Operations.

- Member of a National HR Team that developed an enhanced the applicant tracking system within PeopleSoft. Rolled out in July 2000.
- Managed the corporate recruitment team to successfully fill 2000 positions within Cleveland Operations in 1999.
- Rolled out yearly development plans for the corporate recruitment staff, this attributed to measurable increases in performance and recruiting results.
- Member of national recruiting team that created the employment web page on Progressive.com.
- Rolled out customized assessment testing for call center roles.

1987 to
December 1997

KeyBank; Cleveland, Ohio**Recruiting Supervisor/Recruiter, Toledo and Cleveland, OH**

(March 1996 to December, 1997)

Managed the employment function for a 1600 employee region within Northwest Ohio. Supervised and trained the Human Resources support staff comprised of a Recruiter, Benefits Specialist and Administrative Assistant. The group recruited 406 external hires during 1996.

- Managed the recruitment effort of staffing over 100 call center representatives to open a Collections site within Northwest, Ohio in 1996.
- Developed an employment unit for Northwest Ohio and rolled out PeopleSoft within the region.
- Held the role of Professional Recruiter within Key Bank's Investment Services Operations.

Human Resources Generalist, Toledo, Ohio (1992 to February, 1996)

Strategic business partner to align business and human resources goals. Support 150 employees/managers within Key Mortgage and Investments. Advised and counseled managers on employee relation issues, including; performance, corrective action and discharge. Interpreted and reviewed corporate Human Resource policies. In addition, directed all company recruitment efforts for Northwest Ohio comprised of over 1000 employees. Recruited on average 300 employees yearly.

- Supported Key Mortgage in the consolidation and restructuring of the Toledo operations site.
- Actively supported KeyCorp's strategic initiative of creating revenue and reducing expenses during staff reduction and consolidation periods. Coordinated employee communications and ensured compliance with all government regulations (i.e. WARN notices). Facilitated employee separation process in-group and individual settings.

Employment Specialist, Toledo, OH (1988 to 1992)

Responsible for recruitment, interviewing, hiring and new-hire orientation for all lines of business in Northwest Ohio.

EDUCATION:

Bachelor of Arts in Human Resource Management (Graduation: 1990)
Lourdes University; Sylvania Ohio
Cum Laude (GPA: 3.5)

COMPUTER SKILLS:

Proficient in Microsoft Word, Excel and PowerPoint. Utilization of PeopleSoft, BrassRing, Recruitmax (Vurv), Crystal Reports and HR Scorecard (Data Warehouse).

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0227

Sponsored by: Councilmembers Connally and Conwell	A Resolution confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 307.51 provides for the organization and operation of a county law library resources board; and

WHEREAS, Ohio Revised Code Section 307.511 provides for the composition, including appointment and terms, of the law library resources board members; and

WHEREAS, the Cuyahoga County Law Library Resources Board was established to oversee services to the local judiciary, elected officials in Cuyahoga County, members of the Ohio General Assembly and to provide a venue for public access; 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 Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019; and

WHEREAS, members of the Cuyahoga County Law Library Resources Board shall be appointed to serve a 5 year term; 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby confirms the reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019.

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

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



EDWARD FITZGERALD
Cuyahoga County Executive

August 29, 2014

C. Ellen Connally, President
Cuyahoga County Council
Cuyahoga County Administration Building
2079 E. 9th St.
Cleveland, OH 44115

Re: *Cuyahoga County Law Library Resources Board*

Dear President Connally:

Pursuant to Ohio Revised Code Chapter 307, I am pleased to nominate the following individual to continue her service on the Cuyahoga County Law Library Resources Board:

- **Sheryl King-Benford, Esq.**

The Law Library Resources Board is composed of five members who serve five-year terms. The members serve without compensation and are eligible for re-appointment. Two Board members are appointed by Cuyahoga County, one by the County Prosecutor, one by the Court of Common Pleas, and one by the local Municipal Courts.

This body is responsible for the maintenance of our County Law Library and the hiring of the necessary personnel to support the library's operations. Additionally, the Board manages the coordination, acquisition, and utilization of legal resources throughout Cuyahoga County, including providing legal research, reference assistance and other library services to Cuyahoga County residents. I have attached biographical information about Ms. King-Benford and I know you will agree that she deserves to continue her service on this Board.

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

Sincerely,

Edward FitzGerald
Cuyahoga County Executive

Sheryl King Benford, Deputy General Manager, Legal

1.



General Counsel for Legal Affairs

CLEVELAND -- As Chief Legal Officer for the Greater Cleveland Regional Transit Authority (RTA), Sheryl King Benford oversees:

- Contracts
- Risk management
- Litigation
- Real estate
- Employment matters
- Safety
- Claims
- Worker's compensation
- Compliance with Americans with Disability Act (link is external) (ADA)
- Compliance with the Office of Equal Opportunity (OEO)

RTA experience

- **Joined RTA as Deputy General Manager:** April 2000
- **Supervises:** 38 employees, including 9 attorneys
- **2013 Operating Budget:** \$10.0 million
- **1991-92,** worked as an associate counsel to close out the \$60 million construction and purchase of the Tower City Station.

Previous experience

- **2002**, Adjunct instructor, *Ethics in the Public Sector*, Maxine Goodman Levin College of Urban Affairs (link is external), Cleveland State University (link is external)
- **1992-2000**, Director of Law, City of Shaker Heights (link is external)
- **1981-1984** and **1988-1991**, Assistant Director of Law, City of Cleveland (link is external)
- **1984-1988**, Private practice, Bailey, Benford and Associates
- **1980-81**, Adjunct instructor, Cleveland-Marshall School of Law (link is external), Cleveland State University (link is external)
- **1979-1981**, Assistant Dean, Admissions and Student Affairs, Cleveland-Marshall College of Law (link is external), Cleveland State University (link is external)
- **1971-79**, Teacher and principal, East Cleveland City Schools (link is external)

Education:

- **1996 & 1998**, Attended the John F. Kennedy School of Government (link is external), Harvard University (link is external)
- **1979**, Juris Doctorate, Cleveland-Marshall College of Law (link is external), Cleveland State University (link is external)
- **1975**, Master of Science in Education, University of Akron (link is external)
- **1971**, Bachelor of Science in Education, Cum Laude, Wilberforce University (link is external)

Honors

- **2004-Present**, she has earned a spot in *Who's Who in Black Cleveland* (link is external).
- **2013**, Honored at Annual Trailblazer Luncheon of Norman S. Minor Bar Association (link is external).
- **2004**, Distinguished Alumna Award from the Cleveland-Marshall Law Alumni Association (link is external).

Leadership

- **2013**, President-elect, International Municipal Lawyers Association (link is external)
- **2010-Present**, Board Chair, The Diversity Center of Northeast Ohio (link is external)
- **2001-2**, President, Greater Cleveland Chapter, Conference of Minority Transportation Officials (COMTO) (link is external)
- **1998-99**, President, Cuyahoga County Legal Directors Association
- **1998**, President, Ohio Municipal Lawyers Association (link is external)
- **1992-3**, President, Cleveland-Marshall Law Alumni Association (link is external)
- **2012**, Executive Mentor, YWCA Leadership Wisdom Circle (link is external)

Volunteerism

- Board Officer, Cleveland Sight Center (link is external)
- Diocese of Cleveland (link is external), television Mass, 22 years
- Member, numerous legal and professional organizations

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0228

Sponsored by: Councilmembers Connally and Conwell on behalf of Personnel Review Commission	A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Personnel Review Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and

WHEREAS, Section 2.01 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinance Nos. O2011-0015, O2011-0028, O2011-0043, O2011-0061, O2011-0042 and O2013-0003) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and

WHEREAS, the Personnel Review Commission submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan; and

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

WHEREAS, on September 10, 2014, the Personnel Review Commission met and recommended the classification changes (attached hereto as Exhibit A), and recommended to County Council the formal adoption and implementation of the attached changes; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby adopts the following changes to the Cuyahoga County Non-Bargaining Classification Plan:

New Classification: (See Attached Classification Specification)

Exhibit A: Class Title: *Employment Testing Specialist*
 Number: 1081111
 FLSA Status: E
 Pay Grade: 12

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2014



Kathleen K. Walsh, Commissioner
Thomas L. Colaluca, Commissioner
Robert M. Wolff, Commissioner

**CUYAHOGA COUNTY
PERSONNEL REVIEW COMMISSION
MEMORANDUM**

DATE: September 11, 2014

TO: Cuyahoga County Council President C. Ellen Connally
Yvonne Conwell, Chairwoman, Human Resources, Appointments & Equity
Committee

FROM: Chairwoman Kathleen Walsh, *Kathleen Walsh*
Cuyahoga County Personnel Review Commission

RE: Recommendation of new classification

The Personnel Review Commission respectfully requests County Council's consideration and approval of the attached proposed new classification of Employment Testing Specialist. The proposed classification is a new role in the Personnel Review Commission's staff, designed to support the PRC's Manager of Employment Testing as the PRC plans to begin operations to conduct centralized civil service testing for the County's classified service.

In accordance with PRC Rule 4.06, this new position was posted on the PRC's website for twenty (20) days before it was approved by the Commission at its regular meeting of September 10, 2014. Details of the proposed new classification are addressed below:

Class Number	Classification Title	Department/Agency	FLSA Status	Pay Grade
1081111	Employment Testing Specialist	Personnel Review Commission	E	12

KW:rk

Attachment

ec: Commissioner Thomas Colaluca
Commissioner Robert Wolff
Clerk of Council Jeanne Schmotzer
Law Director Majeed Makhoulf
Human Resources Director Elise Hara

CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

Class Title:	Employment Testing Specialist	Class Number:	1081111
FLSA:	Exempt	Pay Grade:	12
Departments:	Personnel Review Commission, only		

Classification Function

The purpose of this classification is to develop valid and reliable testing solutions for employment positions throughout the County.

Essential Job Functions

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

- 50% +/- 5%
- Develops employment tests for positions requiring testing (e.g., identifies major content areas for testing; develops test plans according to job analysis results; investigates alternative selection procedures; constructs test content according to legal guidelines and professional standards; links test content to the content of the job; maintains confidentiality, security, and trade secret of all testing documents and materials).
- 20% +/- 5%
- Performs job analysis for positions requiring testing (e.g., reviews all available job analysis material; conducts individual and/or group interviews/observations; develops and administers questionnaires and surveys; identifies major work behaviors and underlying knowledge, skills, and abilities (KSAs); links KSAs to major work behaviors; synthesizes data and develops position descriptions).
- 10% +/- 5%
- Reviews and revises testing practices and procedures (e.g., ensures practices/procedures meet legal guidelines and professional standards; identifies problems; develops and implements solutions).
- 5% +/- 2%
- Serves as a liaison between the Personnel Review Commission and department directors/hiring managers (e.g., meets with directors/hiring managers to determine their testing needs; gives advice on testing options; provides status updates and test results).
- 10% +/- 5%
- Performs scoring, statistical analysis, and reporting of test results (e.g., conducts cut score and weighting studies; conducts statistical analysis at the test and item level; documents and reports validity evidence in support of the test).
- 5% +/- 2%
- Leads or assists test administrations (e.g., assesses requests for reasonable accommodations; develops and uses standard administration manuals; monitors administrations).

Minimum Training and Experience Required to Perform Essential Job Functions

A Master's degree in Industrial/Organizational Psychology; or any equivalent combination of training and experience.

Additional Requirements

No special professional license or certification is required.

Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

Physical Requirements

- Ability to operate a variety of automated office machines, including personal computer, video camera, audio recorder, telephone, calculator, overhead projector, photocopier, Scantron scoring machine, etc.

Mathematical Ability

- Ability to add, subtract, multiply, and divide; calculate decimals and percentages; and calculate means, standard deviations, correlations, reliability coefficients, item-level probabilities, and similar statistical functions, as well as their correct use and interpretation.

Language Ability & Interpersonal Communication

- Ability to comprehend and apply a variety of legal guidelines and professional standards relevant to the field of Industrial/Organizational Psychology, particularly the area of test development and validation. Requires sufficient understanding to determine best course of action, define consequences of actions, and assess the quality of alternative procedures.
- Ability to write test content that is clear, understandable, internally consistent, and relevant.
- Ability to prepare test documents, position descriptions, scoring reports and analyses, validation reports, test administration manuals, practice/procedure manuals, and other job-related documents using prescribed format and conforming to all rules of punctuation, grammar, diction, and style.
- Ability to follow necessary procedures to ensure the fairness, confidentiality, security, and trade secret of all testing procedures, documents, and materials.
- Ability to evaluate and improve practices and procedures according to guidelines, standards, and goals.
- Ability to communicate effectively with subject matter experts, department directors, and hiring managers on testing needs, procedures, and guidelines/standards; ability to communicate effectively with the general public to ensure test procedures are understood and followed.
- Ability to use and interpret legal and professional terminology and language relevant to Industrial/Organizational Psychology, particularly the area of test development and validation.

Environmental Adaptability

- Work is typically performed in an office environment, and Incumbent will occasionally need to travel to other County offices and worksites and is expected to be able to do so in a timely manner.

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

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0229

Sponsored by: Councilmember Miller	A Resolution amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article III, Section 3.10(2) of the Cuyahoga County Charter provides that County Council shall adopt its own rules; and

WHEREAS, County Council originally adopted its rules pursuant to Motion No. M2011-0007 on April 26, 2011; and,

WHEREAS, such rules have been subsequently amended by Motion Nos. M2011-0017, M2012-0004, M2012-0030, and M2013-0021; and

WHEREAS, Council has determined it is necessary to make various technical revisions to the Rules of Council in accordance with the adoption of the Cuyahoga County Code, the County's adoption of a biennial budget process, and the adoption of various other amendments to the Cuyahoga County Charter; 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 adopts the amended Rules of Council attached as Exhibit A to this Resolution.

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.

Cuyahoga County Rules of Council



Cuyahoga County Council Council Operations & Intergovernmental Relations Committee

Dave Greenspan, Chair

Dale Miller, Vice Chair

Dan Brady

C. Ellen Connally

Michael Gallagher

Approved April 26, 2011

Amended May 8, 2012

Amended January 22, 2013

Amended July 9, 2013

Amended _____, 2014

Table of Contents

Article I. Rules of the Cuyahoga County Council	8
Article II. Council Rules Adopted	8
Article III. Definitions	8
Article IV. Rules	10
Rule 1. Members of Council	10
Rule 1A: Member Conduct	10
Rule 1B: Members to Provide Contact Information	10
Rule 1C: Council Vacancy	10
Rule 1D: Proclamations and Letters of Commendation and Condolence	10
Rule 2. Officers of Council	10
Rule 2A: Organizational Meeting	10
Rule 2B: Clerk's Role at Organizational Meeting	10
Rule 2C: Process for Election of Council Leadership	10
Rule 2D: Duties of President of Council	11
Rule 2E: Duties of Vice-President of Council	11
Rule 2F: Absence or Disability of President and Vice-President	11
Rule 2G: Council Officer Vacancy	11
Rule 2H: Council Officers Entitled to Vote	12
Rule 3. Council Personnel	12
Rule 3A: Chief of Staff	12
Rule 3B: Clerk of Council	12
Rule 3C: Other Council Personnel	13
Rule 4. Quorum of Council	14

Rule 4A: Quorum Defined.....	14
Rule 4B: Clerk to Determine Quorum.....	14
Rule 4C: Absence of Quorum.....	14
Rule 5. Meetings of Council.....	14
Rule 5A: Schedule of Regular Council Meetings.....	14
Rule 5B: Regular Place and Times for Council Meetings.....	14
Rule 5C: Procedure and Notice for Change of Council Meeting Schedule.....	14
Rule 5D: Notice Required for Adjourned Meeting of Council.....	15
Rule 5F: Notice Required for Special Council Meeting.....	15
Rule 5G: Digital Record of Council Meetings Required.....	15
Rule 5H: Absence of Members.....	15
Rule 5I: Council Meeting Agenda.....	16
Rule 5J: Publication of Agenda for Council Meetings.....	16
Rule 5K: Council Member Packets.....	16
Rule 5L: Deadline for Submission of Items for Council Agenda.....	16
Rule 6. Order of Business.....	16
Rule 6A: Order of Business.....	16
Rule 6B: Council Authority to Determine Agenda.....	17
Rule 7. Actions of Council.....	17
Rule 7A: Types of Council Action.....	18
Rule 7B: Ordinances.....	18
Rule 7D: Ceremonial Resolutions.....	19
Rule 7F: Parliamentary Motions.....	19
Rule 7G: Sponsorship.....	19
Rule 8. Decorum.....	20

Rule 8A: Visual Demonstrations Prohibited.....	20
Rule 8B: Respectful Presence.....	20
Rule 8C: Audible Communication Devices Prohibited.....	20
Rule 8D: Filming, Taping, and Recording.....	20
Rule 9. Parliamentary Procedure	20
Rule 9A: Parliamentary Procedure Manual	20
Rule 9B: Presiding Officer to Direct Meetings.....	20
Rule 9C: Reading of Legislation.....	20
Rule 9D: Three Readings Required	21
Rule 9E: Parliamentary Motions.....	21
Rule 9F: Renewal of Motions.....	22
Rule 9G: Motion to Reconsider.....	22
Rule 9H: Time Limit for Members Speaking	23
Rule 9I: Non-debatable Motion Following Speech Prohibited.....	23
Rule 9J: Amendments.....	23
Rule 9K: Committee Authority to Pass Amendments	23
Rule 9L: Executive Appointments.....	23
Rule 9M: Expedited Consideration of Executive Appointments.....	23
Rule 9N: Council Appointments.....	23
Rule 10. Voting.....	24
Rule 10A: Duty to Vote and Recusal.....	24
Rule 10B: Proxy Voting Prohibited.....	24
Rule 10C: Voting Procedure.....	24
Rule 10D: Change of Vote.....	24
Rule 11. Legislation.....	24

Rule 11A: Information Required in Legislation	24
Rule 11B: Signatures Required for Adoption of Legislation.....	25
Rule 11C: Clerk to Maintain Legislation.....	25
Rule 11D: Vote Required for Adoption of Legislation.....	25
Rule 11E: Effective Date of Legislation.....	25
Rule 11F: Expiration of Pending Legislation	25
Rule 11G: Reconsideration After Executive Veto.....	26
Rule 11H: Publication and Codification of Legislation.....	26
Rule 11I: Codification of Legislation	26
Rule 11J: Authorization to Make Technical Changes	26
Rule 11K: Historical Record of Codified Ordinances Cuyahoga County Code	27
Rule 11L: Maintenance of Codified Ordinances Cuyahoga County Code	27
Rule 12. Committees.....	27
Rule 12A: Referral to Committee	27
Rule 12B: Referral to Multiple Committees.....	27
Rule 12C: Joint Committees	27
Rule 12D: Subcommittees	28
Rule 12E: Advisory Subcommittees	28
Rule 12F: Temporary Appointments to Committee.....	28
Rule 12G: Standing Committees	28
Rule 12H: Committee Assignments to be for Two Years	29
Rule 12I: President to Appoint Committees	29
Rule 12J: Council to Set Regular Committee Times	29
Rule 12K: Special Committees.....	29
Rule 12L: Committees to Appoint Secretary.....	30

Rule 12M: Quorum and Record of Attendance at Committee Meetings	30
Rule 12N: Notice Requirements for Committee Meetings	30
Rule 12O: Emergency Committee Meeting.....	30
Rule 12P: Vote Required for Committee Recommendations	30
Rule 12Q: Committee Reports.....	31
Rule 12R: Clerk or Designee to Staff Committees	31
Rule 12S: Committee of the Whole	31
Rule 12T: Discharge from Committee.....	31
Rule 12U: Participation of Members at Committee Meetings.....	31
Rule 12V: Notice Provisions for Adjourned Committee Meetin.....	31
Rule 12W: List of Committees	32
Rule 13. Work Sessions	32
Rule 13A: Work Sessions	32
Rule 13B: Work Sessions Considered Committee Meetings.....	32
Rule 13C: Informal Process Permitted at Work Sessions	32
Rule 13D: No Formal Action Permitted at Work Sessions.....	32
Rule 14. Open Records, Executive Session, Specific Notice	32
Rule 14A: Open Meetings	32
Rule 14B: Availability of Public Records	32
Rule 14C: Executive Session.....	33
Rule 14D: Advance Notice of Meetings Concerning Specific Topics	33
Rule 14E: Notice Available to News Media.....	33
Rule 14F: Requirements for Emergency Meeting	33
Rule 15. Records of Meetings of Council and Committees.....	34
Rule 15A: Minutes of Council Meetings	34

Rule 15B: Minutes to be Provided to Council Members	34
Rule 15C: Record of Council.....	34
Rule 16. Continuity, Amendment and Suspension of Rules.....	34
Rule 16A: Continuity of Rules	34
Rule 16B: Amendment of Rules	34
Rule 16C: Suspension of Rules.....	34
Rule 17. Requests to Address Council.....	35
Rule 17A: Public Comment at Committee Meetings.....	35
Rule 17B: Public Comment Available at All Committee Meetings	35
Rule 17C: Public Comment at Council Meetings.....	35

Article I. Rules of the Cuyahoga County Council

Proposed to be adopted as the Permanent Rules of Cuyahoga County Council.

Article II. Council Rules Adopted

The following "Rules of the Cuyahoga County Council" are hereby adopted for the fair, orderly, open, and ethical conduct of business by the County Council. These rules shall be posted on the County's website and shall be available as a public record.

Article III. Definitions

Section 1. "Adopted" or "adoption" means approval of legislation by Council after three (3) or more readings or after dispensing with the requirement of three (3) readings.

Section 2. "Adjourned session" means a meeting that has concluded, but prior to the conclusion of the meeting the time and date for another meeting to continue the business of the meeting has been set.

Section 3. "Agenda" means a list of all ordinances, resolutions, motions, and reports to be considered by Council at a regular or special meeting that is prepared by the Clerk of Council in written form prior to the meeting, or a similar list of matters to be considered at a Council committee meeting.

Section 4. "Charter" means the Charter of Cuyahoga County, adopted by the electors of Cuyahoga County at the general election on November 3, 2009, as amended.

Section 5. "Clerk" means the Clerk of Council.

Section 6. "County" means Cuyahoga County.

Section 7. "Enacted" or "enactment" means, with respect to legislation, adoption by Council and approval by the Executive within ten (10) days after presentation by the Clerk; or adoption by Council and the expiration of ten (10) days without approval or veto by the Executive; or approval by the vote of at least eight (8) Members of Council upon reconsideration after disapproval by the Executive as provided by the Charter.

Section 8. "Executive" means the County Executive of Cuyahoga County as provided in Article 2 of the Charter.

Section 9. "Executive Session" means a meeting of Council or a Committee of Council not open to the public held according to ORC Section 121.22, as amended.

Section 10. "Record of Council" means the permanent record, maintained by the Clerk, of the agenda, minutes, reports, legislation adopted, and motions approved by the County Council and its committees.

Section 11. "Legislation" means any ordinance or resolution, ~~including a Motion of Council or Ceremonial Resolution,~~ submitted to the Council for consideration. Legislation shall be designated as an "ordinance" if it is of a general and permanent nature and as a "resolution" if it is of a temporary nature or does not prescribe any permanent rules of conduct and/or expression of legislative intent.

Section 12. "Matters" mean all legislation, parliamentary motions, agenda items, and requests to address Council.

Section 13. "Meeting" means any prearranged discussion of public business by a majority of the Members of Council or by a majority of the Members of any Council committee.

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

~~Section 15. "Motion of Council" means a form of resolution which proposes action by the Council that is not of a general nature and is not subject to veto by the Executive.~~

Section ~~156~~. "Organizational Meeting" means the Regular Council Meeting which occurs on the first business day of each year that immediately follows the year during which elections are held for the office of Member of County Council.

Section ~~167~~. "Parliamentary Motion" means a proposal made in a meeting of Council or a Committee of Council in accordance with the Rules of Council to expedite or control deliberations and the transaction of business.

Section ~~178~~. "Presiding officer" means the President for a meeting of Council and the Chairperson for a committee.

Section ~~189~~. "Regular Council Meeting" means a prearranged meeting of the County Council scheduled pursuant to a ~~Resolution~~~~Motion of Council~~ approved to set or amend the Council calendar for each ~~biennium~~~~year~~.

Section ~~1920~~. "Special Council Meeting" means a meeting of Council that is neither a Regular Council Meeting, nor the resumption of a Regular or Special Council Meeting that had been adjourned to another time or day and time.

Article IV. Rules

Rule 1. Members of Council

Rule 1A: Member Conduct

Members shall at all times conduct themselves with courtesy and respect for their fellow officeholders, the Executive and members of the administration, county employees, and the public, and shall discharge their duties in accordance with the high public trust placed in them.

Rule 1B: Members to Provide Contact Information

Upon taking office, each Member shall provide the clerk contact information including business and residential address, office, facsimile, home and cellular telephone number(s) and email address(es). Based on the information provided, the Member shall designate primary contact information to which notices shall be sent.

Rule 1C: Council Vacancy

If a vacancy occurs in the position of any Member and it becomes the responsibility of Council to fill that vacancy according to Article 3, Section 5 or 6 of the Charter, the Council shall fill the vacancy by adoption of a ~~resolution~~**Motion of Council** within the 30-day time limit set by the Charter.

Rule 1D: Proclamations and Letters of Commendation and Condolence

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

Rule 2. Officers of Council

Rule 2A: Organizational Meeting

On the first business day of each year following a general election for Members of Council, the Council shall conduct an Organizational Meeting, at which it shall elect one of its Members as President and one other Member as Vice-President, in accordance with Article 3, Section 10 Subsection 1 of the Charter, to serve until their successors are chosen at the next organizational meeting of Council.

Rule 2B: Clerk's Role at Organizational Meeting

The Clerk shall preside over the Organizational Meeting until the President is chosen, after which the President shall preside over the remainder of the Organizational Meeting.

Rule 2C: Process for Election of Council Leadership

The President and Vice-President shall be elected at the Organizational Meeting as follows:

- (1) Any Member may nominate themselves or another Member, and a second shall not be required.
- (2) After all nominations for President have been made, the Clerk shall call the roll, and each Member shall vote for one candidate.
- (3) A Member must receive at least six (6) votes for election. If no Member receives six (6) votes and one candidate receives the fewest number of votes, the candidate receiving the fewest number of votes shall be eliminated and the voting process shall be repeated. If two or more candidates are tied for the least number of votes, then no candidates shall be eliminated, and the voting process shall be repeated. If no candidate receives six (6) votes in the second round, the process described above shall be repeated until a candidate is elected.
- (4) After the election of the President, the Vice-President shall be elected in the same manner.

Rule 2D: Duties of President of Council

The President shall preside at all meetings of Council and shall perform all duties as specified in the Charter, the ~~Cuyahoga County Code~~~~Codified Ordinances of Cuyahoga County~~, these Council Rules, or by ~~resolution of Council~~~~Motion of Council~~. The President may appoint any Member to preside at any meeting of Council, but such appointment shall not extend beyond the duration of that meeting.

Rule 2E: Duties of Vice-President of Council

The Vice-President shall preside in the absence or disability of the President at all meetings of Council, shall perform all the duties of the President during such absence or disability, and shall perform all other duties as set forth in the Charter, the ~~Cuyahoga County Code~~~~Codified Ordinances of Cuyahoga County~~, these Council rules, or by ~~resolution of Council~~~~Motion of Council~~.

Rule 2F: Absence or Disability of President and Vice-President

In the absence or disability of both the President and Vice-President, the Member with the most seniority shall serve as President Pro-Tem and perform all the duties of the President during such absence or disability. If no one Member has the most seniority, the Clerk shall conduct an election for President Pro-Tem, with all Members being eligible, using the procedure set forth in Rule 2C, except that a majority of those voting shall be sufficient for election.

Rule 2G: Council Officer Vacancy

If a vacancy occurs in the office of President, the Vice-President shall become President. Not later than the second regular meeting after the vacancy occurs, the

President shall conduct an election for Vice-President, following the procedure set forth in Rule 2C. The same election procedures shall be followed if a vacancy occurs in the office of Vice-President.

Rule 2H: Council Officers Entitled to Vote

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

Rule 3. Council Personnel

Rule 3A: Chief of Staff

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

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

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

(Amended on 7/9/2013 by Motion No. M2013-0021)

Rule 3B: Clerk of Council

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

- (1) Attend meetings of Council, determine quorums, record the proceedings and the votes of each Member, and keep the minutes of the proceedings;
- (2) Provide notices as required by the Charter, general law, and these Council Rules;
- (3) Accept, record, and compile proposed legislation for inclusion in the agenda of Council;
- (4) Deliver all adopted legislation to the Executive;
- (5) Deliver proposed legislation to the Committee Chairs;
- (6) Accept and provide to the President requests to address Council;
- (7) Publish all legislation as required by these Council Rules;
- (8) Publish the Record of Council;
- (9) Conduct the election of the President of Council;
- (10) Attend Council Committee meetings in person or by designee, determine quorums, record the proceedings and the votes of each member, keep the minutes of the proceedings, and accept and provide the Chairperson requests to address the Committee;
- (11) Any other duties that the Council or the Chief of Staff determines are necessary for the performance of Council's duties.

(Amended on 7/9/2013 by Motion No. M2013-0021)

Rule 3C: Other Council Personnel

- (1) The Council shall, by appropriate legislation, determine the initial job titles, compensation and duties of full or part-time staff as are needed to properly perform the duties of Council as set forth in the Charter; and in so doing, Council shall reference the classification and salary administration system as established by ordinance and administered by the Personnel Review~~Human Resources~~ Commission. All Council personnel, including the Chief of Staff and Clerk of Council, shall be eligible to participate in cost of living increases and merit pay programs approved for non-bargaining employees of the County.
- (2) The Chief of Staff shall be authorized to make recommendations to the appropriate contracting authority concerning the compensation and duties of other personnel, such as contractors or professional experts or other consultants on a retainer or contract basis, as are needed to properly perform the duties of Council as set forth in the Charter.

(Amended on 7/9/2013 by Motion No. M2013-0021)

Rule 4. Quorum of Council

Rule 4A: Quorum Defined

A quorum of Council shall consist of six (6) Members, which shall constitute the number of Members required to transact any business that does not require a larger number of Members, as specified in the Charter and/or these Council Rules.

Rule 4B: Clerk to Determine Quorum

The Clerk shall determine the presence of a quorum by roll call at the beginning of each Council meeting, shall announce that a quorum is present, and shall keep a record of Members present.

Rule 4C: Absence of Quorum

A Member may at any time raise a point of order and request the President to determine whether a quorum is present. The President shall then direct the Clerk to call the roll of Members. If a quorum is not present, the Council may not conduct any business until a quorum is restored, except to adjourn, fix a date and time to which to adjourn, or take any other action permitted in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

Rule 5. Meetings of Council

Rule 5A: Schedule of Regular Council Meetings

At each Organizational Meeting, the Council, by ~~resolution~~~~Motion of Council~~, shall establish a schedule of the dates, times, and locations of all Regular Council meetings for the following two years.

Rule 5B: Regular Place and Times for Council Meetings

All meetings of Council shall take place at the County Council Chambers on the ~~fourth~~~~first~~ floor of the ~~Cuyahoga County Administrative Headquarters~~~~Justice Center~~ at ~~2079 East 9th Street~~~~1200 Ontario Avenue~~, Cleveland, Ohio ~~44115~~~~44113~~, unless otherwise specified. Regular Council Meetings shall take place on the 2nd and 4th Tuesday of each month at ~~5:00~~~~6:00~~ PM, unless otherwise specified in the ~~biennial~~~~annual~~ schedule established by the Council.

Rule 5C: Procedure and Notice for Change of Council Meeting Schedule

(1) The Council may, by ~~resolution~~~~Motion of Council~~, change the date, time, or place of any Regular Council Meeting or cancel any Regular Council Meeting; however, the Council shall provide at least three (3) days' notice in rescheduling any Regular Council Meeting. In an emergency, the President may cancel and/or

reschedule a Regular Council Meeting. Notice of any rescheduled Regular Meeting of Council shall be promptly given to all Members, posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

(2) When any changes are made to the Council's ~~biennial~~^{annual} schedule, the Clerk shall promptly update the biennial schedule on the County's website. The Clerk shall also provide a copy of the current biennial schedule of Council meetings to any member of the public upon request.

Rule 5D: Notice Required for Adjourned Meeting of Council

The Council may adjourn any meeting to a time and place certain. Notice shall be given to any Members not in attendance at the meeting so adjourned, not later than the third business day prior to the meeting of the adjourned session or as soon as practicable if such adjournment is for a time less than four (4) days. Notice of the adjourned session shall at the same time also be posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

Rule 5E: Special Council Meetings

A Special Council Meeting may be called by the President upon notification to the Clerk or by any five (5) Members, upon delivery to the Clerk of a written request, specifying the date, time, location, and purpose of such meeting, along with the titles of any legislation to be discussed. At a Special Council Meeting called by five (5) Members, only matters specified in the request may be considered. All Special Council Meetings shall follow all rules regarding open meetings and public notice that apply to Regular Council Meetings.

Rule 5F: Notice Required for Special Council Meeting

Notice of the date, time, location, and agenda for any Special Council Meeting shall be given to all Members not later than twenty-four (24) hours prior to the time of such meeting and shall at the same time be posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

Rule 5G: Digital Record of Council Meetings Required

All meetings of Council shall be audiotaped and/or videotaped, and these recordings shall be preserved by the Clerk as public records.

Rule 5H: Absence of Members

Members are expected to attend all Regular Council Meetings. Not later than the second Regular Council Meeting following a meeting at which a Member is absent, the Council may vote to excuse that member's absence. Absences may be excused by parliamentary motion. The Clerk shall record the presence or absence of each Member at each Council Meeting, and shall record which absences are excused. As

provided in Article 12, Section 3 of the Charter, any Member who is absent from three consecutive Regular Council Meetings, without being excused by Council, shall forfeit his/her office in the Council.

Rule 5I: Council Meeting Agenda

The Clerk, with the approval of the President shall prepare the agenda for each Council meeting. The agenda shall include ~~proclamations~~, ordinances, resolutions, ~~Motions of Council~~, messages from the Council President, messages from the Executive, committee reports, and other business to be considered, arranged in order as provided for in Rule 6A.

Rule 5J: Publication of Agenda for Council Meetings

Not later than the close of business on the second business day prior to any Council meeting, the Clerk shall post the agenda for the meeting and supporting information from the packets of information prepared for Council on the County's website and include the same information in the Record of Council, and the Clerk shall post the agenda at the Clerk's office.

Rule 5K: Council Member Packets

Not later than the close of business on the second business day prior to any meeting of Council, the Clerk shall provide each Member with a packet providing background information on the matters expecting to come before Council at the next meeting and containing the draft minutes of the previous meeting. The packets may be provided in an electronic format.

Rule 5L: Deadline for Submission of Items for Council Agenda

All items requested to be placed on the agenda for introduction at any Regular Council Meeting shall be submitted to the Clerk in the final form that they will be submitted to Council no later than the close of business on the fifth (5th) business day prior to the Regular Council Meeting. Exceptions to this deadline may be made with the approval of the President and the Clerk.

Rule 6. Order of Business

Rule 6A: Order of Business

The business of Council shall be conducted in the following order:

- (1) Call meeting to order
- (2) Roll Call
- (3) The Pledge of Allegiance to the flag of the United States of America
- (4) Silent meditation

- (5) Public comment relating to today's agenda
 - (6) Approval of minutes
 - (7) Messages from the Council President~~Executive~~
 - (8) Messages from the Executive~~Consideration of Ceremonial Resolutions~~
 - ~~(9) Consideration of Motions of Council~~
 - ~~(910)~~ First reading of legislation by title
 - ~~(1011)~~ Consideration of legislation~~motions~~ for first reading adoption under suspension of rules
 - ~~(1112)~~ Committee reports and second reading of legislation by title
 - ~~(1213)~~ Consideration of legislation~~motions~~ for second reading adoption under suspension of rules
 - ~~(1314)~~ Consideration of legislation being read by title for the third time or more
 - ~~(1415)~~ Report by Clerk on legislation withdrawn at request of sponsor(s)
 - ~~(1516)~~ Miscellaneous committee reports
 - ~~(1617)~~ Miscellaneous business
 - ~~(1718)~~ Public comment not relating to today's agenda
 - (18) Legislation or other matters requiring Executive Session
 - (19) Adjournment of meeting
- (Amended 5/8/2012 by Motion No. M2012-0004)

Rule 6B: Council Authority to Determine Agenda

The Council may, by adoption of a parliamentary motion, change the order of business or add items to or delete items from the order of business at any meeting of Council. Rule 6A shall not apply to an Organizational Meeting of Council, at which the Council shall adopt its own order of business and agenda by parliamentary motion.

Rule 7. Actions of Council

Rule 7A: Types of Council Action

The Council may take action only through ordinances, resolutions, ~~Ceremonial Resolutions, Motions of Council,~~ and parliamentary motions.

Rule 7B: Ordinances

- (1) An ordinance shall provide for matters of a general and permanent nature.
- (2) The heading of an ordinance shall be as follows:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

Ordinance No. _____

Sponsored by _____

- (3) Each ordinance shall contain only one subject. The title shall be a succinct summary of the subject and purpose of the ordinance. Legislation amending existing law shall also be noted as such in the title.
- (4) The Clerk shall assign a number to each ordinance, which shall indicate the year of introduction, and the number of the ordinance within that year.
- (5) The ordinance shall state the sponsor and any cosponsors. Two or more Members may jointly sponsor an ordinance.
- (6) The enacting clause shall read, "Be it enacted by the County Council of Cuyahoga County, Ohio:"

Rule 7C: Resolutions

- (1) A resolution proposes legislative action that does not involve permanent changes in law.
- (2) The heading for a resolution shall be as follows:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

Resolution No. _____

Sponsored by: _____

- (3) Each resolution shall contain only one subject. The title shall be a succinct summary of the subject and purpose of the resolution.
- (4) The Clerk shall assign a number to each resolution, which shall indicate the year of introduction and the number of the resolution within that year.
- (5) The resolution shall state the sponsor and any cosponsors. Two or more Members may jointly sponsor a resolution.

(6) The resolution shall contain statements of support, followed by a resolution clause that reads, "Be it resolved by the County Council of Cuyahoga County, Ohio, that..."

~~Rule 7D: Ceremonial Resolutions~~

~~(1) Ceremonial resolutions are acknowledgements, generally of congratulation or condolence, to recognize a noteworthy event or person.~~

~~(2) Ceremonial resolutions shall be adopted in the same manner as other resolutions.~~

~~Rule 7E: Motions of Council~~

~~(1) Any non-legislative power of the County Council or actions not subject to Executive veto, other than Ceremonial Resolutions, may be exercised by adoption of a resolution in the form of a Motion of Council. These powers include, but are not limited to:~~

~~(A) Organization and administration of the Council.~~

~~(B) Confirmation or rejection of appointments proposed by the Executive.~~

~~(C) Actions necessary to exercise Council's oversight authority, pursuant to Article 3, Section 9, Subsection 10 and Article 3, Section 12 of the Charter.~~

~~(D) Actions expressing the sentiment of Council on a public issue.~~

~~(2) All approved Motions of Council shall be in written form, provide the full text of the motion, indicate the name(s) of the Member(s) who made the motion and the date of approval by Council, and shall be signed by the President and Clerk.~~

~~(3) A Motion of Council shall be adopted in the same way as other resolutions.~~

~~(4) The Clerk shall assign a number to all Motions of Council, and they shall be posted on the County's website and shall be kept in the Record of Council.~~

Rule 7DF: Parliamentary Motions

Actions of a procedural nature, including to excuse the absence of a member, may be approved by passage of the appropriate parliamentary motion.

Rule 7EG: Sponsorship

Council member(s) and/or the Executive introducing legislation for consideration by Council shall be listed as sponsors of the legislation. At any point prior to final passage of legislation in Council, any sponsor may withdraw his/her name as a sponsor by notifying the Clerk.

At any point after the initial introduction of legislation for consideration by Council and prior to the final passage of legislation in Council, any Member may add or withdraw his/her name as a cosponsor by notifying the Clerk.

(Amended 1/22/2013 by Motion No. M2012-0030)

Rule 8. Decorum

Rule 8A: Visual Demonstrations Prohibited

No posters, placards, banners or signs shall be carried into Council Chambers or into any committee meeting.

Rule 8B: Respectful Presence

Any applause, outburst, or demonstration during any Council or committee meeting shall be permitted only when respectful toward all persons present and not disruptive of the proceedings at the meeting.

Rule 8C: Audible Communication Devices Prohibited

No use of any audible wireless communication device shall be permitted during Council or committee meetings.

Rule 8D: Filming, Taping, and Recording

No one may film, tape, or record any meeting of Council or a committee meeting in a way that disrupts or significantly interferes with the conduct of the meeting. Anyone who intends to film, tape, or record any meeting of Council or a committee meeting is requested to verbally inform the Clerk prior to the meeting.~~register with the Clerk prior to the meeting on a written form that will be provided for this purpose. The Clerk shall set up a process for those who intend to film, tape, or record on a regular basis to provide a single registration, which shall be effective until the next Organizational Meeting of Council.~~

Rule 9. Parliamentary Procedure

Rule 9A: Parliamentary Procedure Manual

The parliamentary guide for procedural issues not covered in these Council Rules shall be Robert's Rules of Order, Newly Revised.

Rule 9B: Presiding Officer to Direct Meetings

All discussion in Council and committee shall go through the presiding officer, who shall control the order of speakers and shall put motions offered by Members before the Council or committee for consideration and action.

Rule 9C: Reading of Legislation

Legislation shall be read by title only. When multiple items of a very similar nature are to be read in succession, the President may direct the Clerk to read them using abbreviated titles.

Rule 9D: Three Readings Required

All legislation shall be read on three (3) separate days at regular Council meetings, unless this requirement is dispensed with by the affirmative vote of seven (7) Members of Council, as provided in Article 3, Section 10, Subsection 4 of the Charter. A motion to dispense with the requirement that legislation be read on three (3) separate days shall be in order only if each Member has a readily accessible paper or electronic copy of the ordinance or resolution to which this motion applies; and this motion may not apply to more than one ordinance or resolution, except by unanimous consent.

Rule 9E: Parliamentary Motions

(1) Parliamentary motions are classified as follows: main motion, subsidiary motions, privileged motions, incidental motions, and renewal motions.

(2) Privileged motions do not relate to the pending business, but deal with matters of immediate importance, and given precedence, in the following order, starting with the highest:

(A) Adjourn to a time certain

(B) Adjourn

(C) Recess

(D) Raise a question of privilege, making a request relating to the rights of members

(E) Call for orders of the day, to ask that the Council or committee conform to the agenda

(3) Subsidiary motions aid in handling the main motion. They rank below privileged motions and are listed below in order of precedence, starting with the highest:

(A) To lay on the table, a motion to set aside business temporarily when something else of immediate urgency has arisen. This motion is not to be used simply to prevent a direct vote on a motion.

(B) Previous question, a motion to close debate and vote immediately, which requires a 2/3 vote of the Members present and voting.

(C) To limit or extend debate

(D) To postpone to a day certain

(E) To commit or refer to committee

(F) To postpone indefinitely

(G) To amend

(4) Incidental motions deal with questions of procedure which must be decided before business can proceed. The following incidental motions may take priority over a privileged or subsidiary motion, depending on how the motion relates to the main motion.

(A) Point of order

(B) Suspension of the rules

(C) To withdraw a motion

(D) To divide a question, asking that allows a motion with several parts be considered as two or more separate questions.

(5) A main motion to bring an item for consideration before the Council or any committee of Council is not in order when any other question is before the Council and yields to all privileged, incidental, and subsidiary motions.

(6) The following renewal motions bring a question back before the Council or committee:

(A) Take from the table

(B) Rescind, a motion to cancel the action taken in a previously approved motion

(C) Reconsider, a motion to bring back for further consideration a motion that had previously been voted on.

Rule 9F: Renewal of Motions

Motions that failed to be adopted may be renewed at another meeting, but may not be reintroduced at the same meeting.

Rule 9G: Motion to Reconsider

A motion to reconsider must be made by a Member who voted on the prevailing side when the question was first voted on and must be made on the same day or at the next meeting of the Council or committee at which the question was originally voted on.

Rule 9H: Time Limit for Members Speaking

Members may not speak for more than five (5) minutes at a time at a Council meeting on any one topic; but this limit may be extended at the discretion of the President.

Rule 9I: Non-debatable Motion Following Speech Prohibited

It shall not be in order to conclude a speech in the Council or in committee by making a non-debatable motion.

Rule 9J: Amendments

All amendments shall be germane to the subject that is proposed to be amended. All proposed amendments to an ordinance or; resolution, ~~or Motion of Council~~ shall be in written form, except that the President or the chairperson of a committee may accept for consideration a verbal amendment that is clear, unambiguous, and may be presented in a single sentence or a few words. A parliamentary motion need not be in written form.

Rule 9K: Committee Authority to Pass Amendments

If an amendment is approved in committee, it shall not need to be approved by Council; nor shall passage of an amendment change the number of readings in Council required for passage of an ordinance or; resolution, ~~or Motion of Council~~.

Rule 9L: Executive Appointments

Approval of appointments of the Executive shall require a resolution. ~~Motion of Council~~. The prospective appointment shall be considered at one or more meetings of the appropriate committee, unless this requirement is dispensed with by a vote of at least eight (8) Members. The Council shall make decisions regarding appointments of the Executive based on the best obtainable information on how well the experience and qualifications of the applicant match the requirements of the position for which the applicant is being considered, and based on the need that appointees be reflective of all the people of Cuyahoga County.

~~Rule 9M: Expedited Consideration of Executive Appointments~~

~~If the Executive makes a recommendation for appointment at a time that does not closely coincide with the date of a Regular Council Meeting, the President may refer the appointment to the appropriate committee prior to its presentation at a Regular Council Meeting. The Clerk shall promptly notify all Members when such referral is made. An appointment referred in this manner may be approved at a single Regular Council Meeting following the committee hearing only by suspending Rule 7E, requiring Motions of Council to be heard at two Regular Council Meetings.~~

Rule 9MN: Council Appointments

Appointments to Boards, Commissions, and Advisory Committees that the Charter directs be made by the Council shall be done by resolution. ~~a Motion of Council~~. The

President shall make recommendations to Council on Council appointments, based on work done by the appropriate committee to find candidates whose experience and qualifications best match the requirements of the positions for which they are being considered, and on consideration of the need that appointees be reflective of all the people of Cuyahoga County.

Rule 10. Voting

Rule 10A: Duty to Vote and Recusal

Every Member present shall vote on every question in Council or in committee, unless the Member has recused him/herself, except that a Member may abstain from voting on questions relating to the minutes of a meeting at which the Member was absent. A Member shall recuse him/herself from voting whenever the Member has a personal or monetary interest in any manner under consideration or believes that voting on the matter could for any reason constitute a violation of state or county ethics law.

(Amended 5/8/2012 by Motion No. M2012-0004)

Rule 10B: Proxy Voting Prohibited

Proxy voting shall not be allowed in the Council or in committee.

Rule 10C: Voting Procedure

Voting on all matters shall generally be by voice vote, except that a roll call vote may be held on any matter at the discretion of the presiding officer or upon the request of any Member or the Clerk. Voting may also be done electronically, provided that the appropriate equipment is available and that the vote of every Member is publicly displayed or announced by the Clerk. The presiding officer shall insure that the Clerk is able to record the vote of every Member on all matters. At all roll calls, the names of Members shall be called in order by the number of their district, except that the President shall vote last. At each successive Council Meeting, the Clerk shall advance the starting point in the roll call by one Member, in order to insure variation in the order in which Members vote.

Rule 10D: Change of Vote

Prior to the announcement of the vote on any question, any Member may request to change his/her vote, and such request shall be approved by the Presiding Officer, except for good cause; however, no Member shall be permitted to change his/her vote after the result of the vote has been declared.

Rule 11. Legislation

Rule 11A: Information Required in Legislation

Legislation, consisting of ordinances and resolutions, shall recite the name of the

sponsor(s) and cosponsors(s), the date of all readings in Council, the date of any committee reports, the date of adoption, the date of approval or disapproval by the Executive, and the date of enactment upon reconsideration if disapproved by the Executive, as applicable.

Rule 11B: Signatures Required for Adoption of Legislation

Legislation adopted shall be authenticated by the signatures of the President, the Clerk, and, if approved, by the Executive.

Rule 11C: Clerk to Maintain Legislation

Following introduction, the Clerk shall maintain all original copies of proposed and adopted legislation in a safe and permanent manner, allow for public inspection of all proposed and adopted legislation, and provide copies upon request pursuant to the public records law.

Rule 11D: Vote Required for Adoption of Legislation

Adoption of legislation shall require the affirmative vote of at least six (6) Members of Council, except as otherwise provided by the Charter, the ~~Codified Ordinances of~~ Cuyahoga County Code, or applicable general law.

Rule 11E: Effective Date of Legislation

Legislation shall take effect at the time provided for in general law, unless a later time is specified in the legislation. The time normally required for legislation to become effective may be dispensed with and an ordinance or resolution may be designated to become effective immediately upon enactment; however such action requires that the legislation contain a statement of the necessity for such action and that the legislation receive the affirmative vote of at least eight (8) Members, as specified in Article 3, Section 10, Subsection 8 of the Charter. If an ordinance or resolution fails to receive the necessary eight (8) votes to become effective immediately, it shall take effect at the time provided for in general law, unless a later time is specified in the legislation. ~~the Council may amend the legislation by removing the language stating the reason for necessity that the legislation become effective immediately upon enactment and then vote on it again.~~

Rule 11F: Expiration of Pending Legislation

(1) Prior to the end of each year in which a General Election for Members of Council takes place, the Council shall consider a resolution~~Motion of Council~~, providing that legislation introduced prior to July 1 of that year and not adopted shall expire. At least two weeks prior to the consideration of that resolution~~Motion of Council~~, the Clerk shall provide each Member a list of legislation sponsored by that Member that is set to expire. The Council may adopt this resolution~~Motion of Council~~ so as to decide which items of legislation set to expire shall expire.

(2) In addition, legislation may be withdrawn at any time by letter to the Clerk from all of the initial sponsors of the legislation, requesting that it be withdrawn. The letter may be sent by electronic mail. At each meeting of Council, the Clerk shall announce any legislation that has been withdrawn by letter, and the items withdrawn shall be listed in the minutes of the meeting.

(Amended 5/8/2012 by Motion No. M2012-0004 and 1/22/2013 by Motion No. M2012-0030)

Rule 11G: Reconsideration After Executive Veto

When the Executive has disapproved an ordinance or resolution, or a part or item thereof, the Council may, not later than its second regular meeting following such disapproval, proceed to reconsider the disapproved measure. If on reconsideration, it received the affirmative vote of at least eight (8) Members of Council, it shall then take effect as if it had received the approval of the Executive, as provided in Article 3, Section 10 Subsection 7 of the Charter.

Rule 11H: Publication and Codification of Legislation

All legislation shall be published on the County's website, codified as prescribed by law and these Rules of Council, and shall be kept in a permanent file, which may be in an electronic format.

Rule 11I: Codification of Legislation

The Clerk, in consultation with the Director of Law, shall regularly compile the legislation of Cuyahoga County into a code or compilation of laws in book form by title, chapter, and section, without substantive change or alteration of purpose or intent. The codification shall be known as the "Cuyahoga County Code."~~The Codified Ordinances of Cuyahoga County."~~

Rule 11J: Authorization to Make Technical Changes

The Clerk, in consultation with the Director of Law, may make technical, non-substantive changes, only to the extent deemed necessary, to convert the original ordinances to codified form, including, but not limited to:

- (1) Creating a consistent system of capitalization.
- (2) Making chapter, section, and subdivision designations consistent.
- (3) Substituting for the term "this ordinance," if necessary, a term such as "section" or "chapter."
- (4) Substituting the proper calendar date for phrases such as "effective date of this ordinance."

(5) Elimination from the Cuyahoga County Code ~~Codified Ordinances~~ of titles to ordinances, enacting and repealing clauses, statements of facts, preambles, effective dates, declarations of severability and reasons for ordinances to become effective immediately upon enactment.

Rule 11K: Historical Record of the Cuyahoga County Code ~~Codified Ordinances~~

The Clerk, with appropriate assistance, shall prepare and maintain full historical records showing the enactment, amendment, revision, supersession, and repeal of the various sections of the Cuyahoga County Code ~~Codified Ordinances~~.

Rule 11L: Maintenance of the Cuyahoga County Code ~~Codified Ordinances~~

The Clerk shall maintain the Cuyahoga County Code ~~Codified Ordinances~~ and historical records of the Cuyahoga County Code ~~Codified Ordinances~~ on the County's website and in a permanent file, which may be in an electronic format; however, some printed copies shall be prepared at least annually.

Rule 12. Committees

Rule 12A: Referral to Committee

All legislation shall first be introduced at a Council meeting, and the President shall then assign that legislation to committee for review and recommendation, unless the Council, through suspension of the rules, decides to dispense with committee review on any matter.

Rule 12B: Referral to Multiple Committees

The President may assign a matter to multiple committees, either simultaneously or sequentially.

(1) If a matter is referred to multiple committees sequentially, it shall be heard in Council on second reading after being reviewed by all assigned committees. The recommendations of all assigned committees shall be considered and the matter shall be reported in the form recommended by the last committee.

(2) If a matter is referred to multiple committees simultaneously, the President shall designate one of the assigned committees as the lead committee. The matter shall be heard in Council on second reading after being reviewed by all assigned committees. The recommendations on all assigned committees shall be considered and the matter shall be reported in the form recommended by the lead committee.

Rule 12C: Joint Committees

The President may assign a matter to be heard jointly by two or more standing committees. The President shall determine the Chairperson and Vice-Chairperson of the joint committee from the Chairpersons and Vice-Chairpersons of the standing committees that make up the joint committee. A quorum of the joint committee shall

be a majority of all of its Members, and each Member shall have one vote on the joint committee, regardless of whether they belong to one or more of the standing committees that make up the joint committee.

Rule 12D: Subcommittees

The Chairperson of any standing committee, with the approval of the President, may appoint one or more subcommittees, comprised of Members of that standing committee, to study and make recommendations to the full committee or the Council on specific subjects within the standing committee's jurisdiction. The chairperson of each standing committee shall, with the approval of the President, appoint the Chairperson and Vice-Chairperson of each subcommittee created under that standing committee. Except for the provisions of this rule relating to the appointment of Members and officers of subcommittees, all other rules that apply to committees of Council shall also apply to subcommittees, including but not limited to rules regarding notice of meetings, keeping of minutes, advance publication of the agenda, and provision of time for public comment.

Rule 12E: Advisory Subcommittees

(1) The Chairperson of any standing committee, with the approval of the President as described more fully below, may appoint the Chairperson, Vice-Chairperson, and members of one or more advisory subcommittees, comprised of one or more Members of that standing committee and one or more members of the general public, to study and make written recommendations to the full committee on specific subjects within that standing committee's jurisdiction. Members of the public serving on advisory subcommittees shall be electors of Cuyahoga County and shall serve at the pleasure of the Chairperson. The Chairperson of each advisory subcommittee shall be a Member of Council.

(2) Prior to the appointment of any advisory subcommittee, the President of Council shall approve the purpose, duration, persons to be appointed as officers, and persons to be appointed as members of the advisory subcommittee.

(3) Except for appointment and composition as provided above, all rules that apply to Committees of Council shall also apply to advisory subcommittees, including but not limited to rules regarding notice of meetings, keeping of minutes, advance publication of the agenda, and provision of time for public comment.

Rule 12F: Temporary Appointments to Committee

If a Member is absent from any Council committee meeting, the President may appoint a replacement as Member Pro Tem, but such appointment shall not extend beyond that meeting of the committee or after the original absent Member is in attendance at that meeting.

Rule 12G: Standing Committees

The following standing committees are established for the Council:

- (1) Health, Human Services & Aging
- (2) Public Safety & Justice Affairs
- (3) Economic Development & Planning
- (4) Finance & Budgeting
- (5) Public Works, Procurement & Contracting
- (6) Human Resources, Appointments & Equity
- (7) Education, Environment & Sustainability
- (8) Council Operations & Intergovernmental Relations

(Amended 1/22/2013 by Motion No. M2012-0030)

Rule 12H: Committee Assignments to be for Two Years

Committee assignments shall be for a term of two years, but changes in assignments may be made at other times ~~through~~ by Council by resolution, a Motion of Council.

Rule 12I: President to Appoint Committees

Not later than the second Regular Council Meeting following each Organizational Meeting, the President shall appoint the Chairperson, Vice-Chairperson, and Members for each standing committee. The President shall also make appointments to fill any vacancies in positions as Chairperson, Vice-Chairperson, or member of any standing committee. The President shall to the best extent possible, make committee assignments that reflect the interests and experience of Members.

(Amended 5/8/2012 by Motion No. M2012-0004)

Rule 12J: Council to Set Regular Committee Times

Not later than the third Regular Council Meeting each year, the Council shall pass a ~~resolution~~ Motion of Council, setting the regular days, meeting times, and locations for the standing committee meetings. After the regular schedule of standing committees is set, the Chairperson of any standing committee may, with the approval of the President, change the regular day, time, or location of a standing committee. The Clerk shall update the list provided for in Rule 12 ~~VW~~ to reflect any changes.

Rule 12K: Special Committees

The Council may, by ~~resolution~~Motion of Council, create special or ad hoc committees in addition to the standing committees. The President shall appoint the Chairperson, Vice-Chairperson, and Members for such committees in the same way as for standing committees.

~~Rule 12L: Committees to Appoint Secretary~~

~~Each committee, at its first meeting and at its first meeting following each Organizational Meeting, shall elect one of its Members as Secretary, who shall perform the duties of the Clerk at any meeting in which the Clerk or his/her designee is unable to be present.~~

Rule 12LM: Quorum and Record of Attendance at Committee Meetings

A quorum for any committee shall be a majority of its Members. The Clerk shall determine the presence of a quorum by roll call at the beginning of each committee meeting, shall announce when a quorum is present, and shall keep a record of Members present. In the absence of a quorum, a committee may take testimony, but otherwise may not take any action, other than those actions allowed to be taken in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

Rule 12MN: Notice Requirements for Committee Meetings

Except as provided in Rule 12NO, all Members shall be notified of the date, time, location, and agenda for any committee meeting at least two (2) business days before the meeting, and the same information shall at the same time be listed in the Record of Council, posted on the County's website, and posted at the Clerk's Office. For any committee meeting that is scheduled for a day, time or location other than its regularly scheduled day, time, and location as provided for in Rule 12J, the same information shall be distributed to the news media that have requested this information. The agenda shall include a list by number and short title of all legislation to be considered at the meeting.

Rule 12NO: Emergency Committee Meeting

An Emergency Committee Meeting may be conducted with shorter notice than that required in Rule 12MN, provided that at least twenty-four (24) hours before the meeting, all the notice requirements of Rule 12MN are completed and same notice is distributed to the news media that have requested this information. At an Emergency Committee Meeting, only matters on the agenda for the meeting may be considered.

Rule 12OP: Vote Required for Committee Recommendations

A majority of all Members of a committee shall be required to approve a recommendation regarding an ordinance or; resolution, ~~or Motion of Council~~; but all other actions may be taken with the approval of the required majority or supermajority of those present for the motion in question, providing that a quorum is present.

Rule 12PQ: Committee Reports

For each committee meeting at which legislation is heard, the minutes shall include a separate section providing a status report listing all legislation heard by number and short title and stating the action taken by the committee on each item. Whenever legislation is amended in committee or a substitute version is accepted, whether or not the legislation is reported out of committee, a copy of the latest version shall be attached to the minutes, included in the Record of Council, and included in a posting of pending legislation on the County's website.

Rule 12QR: Clerk or Designee to Staff Committees

The Clerk shall determine the presence of a quorum, keep minutes, and record votes at each committee meeting, but may appoint another member of Council's staff to perform these duties for any committee meeting. Minutes shall be kept at each committee meeting and shall be promptly included in the Record of Council and posted on the County's website, but in no case later than seven (7) days after the conclusion of the meeting.

Rule 12RS: Committee of the Whole

The full Council may operate as a Committee of the Whole, with the President and Vice-President of Council serving as the President and Vice-President of the committee, respectively. The President may refer any matters to the Committee of the Whole in the same way that matters are referred to other committees.

Rule 12ST: Discharge from Committee

Any matter pending before any committee or committees of Council may be discharged from committee and placed on 2nd reading upon presentation to the Clerk of a discharge petition signed by not less than six (6) Members of Council. The Clerk shall immediately notify all members when a valid discharge petition is presented. The matter discharged shall be placed on 2nd reading at the next Council meeting following presentation of the discharge petition if that Council meeting occurs at least three (3) business days following presentation of the discharge petition; otherwise, the matter discharged shall be placed on 2nd reading at the second meeting of Council following presentation.

Rule 12TU: Participation of Members at Committee Meetings

Any Member may be seated at the committee table and participate in all discussions, whether or not that Member has been appointed to that committee; however, a Member who has not been appointed to a committee may not offer motions or vote at that committee.

Rule 12UV: Notice Provisions for Adjourned Committee Meeting

A committee may adjourn to a time and place certain, but shall follow the notice provisions of Rule 5D in giving notice of the time and place to which the meeting is adjourned. Notice shall be given to all Members, whether or not they have been

assigned to the committee.

Rule 12~~V~~W: List of Committees

The Clerk shall maintain and post on the County's website a list of all standing, joint, ad hoc, or special committees and all subcommittees and advisory subcommittees currently existing within the Council, the officers and members of each, and the regular day, time, and location of meeting of each, if established.

Rule 13. Work Sessions

Rule 13A: Work Sessions

At the discretion of the presiding officer, the Council or any Committee of Council may hold a Work Session to work on matters through a more informal process.

Rule 13B: Work Sessions Considered Committee Meetings

Except as provided in Rule 14C, work sessions shall be considered committee meetings in all other respects. All other rules that apply to Council committees shall also apply to Work Sessions, including but not limited to the requirements for open meetings, advance notice of the meeting, advance publication of the agenda, keeping of minutes, and provision of time for public comment.

Rule 13C: Informal Process Permitted at Work Sessions

All Work Sessions shall be conducted under the leadership of the presiding officer, but the presiding officer may suspend the usual rules regarding the control of discussion and debate to allow for informal discussion among Members or between Members and the public and informal processes for drafting potential language for inclusion in ordinances, ~~or~~ resolutions, ~~and Motions of Council~~.

Rule 13D: No Formal Action Permitted at Work Sessions

No formal action regarding any legislation ~~or a Motion of Council~~ may be taken at a Work Session. The results of Work sessions shall be put into formal action at a meeting of Council or regular committee meeting, subsequent to conclusion of the Work Session.

Rule 14. Open Records, Executive Session, Specific Notice

Rule 14A: Open Meetings

All meetings of Council or any Council committee shall be open to the public and conducted only after prior public notice as required in Article 12, Section 5 of the Charter, Section 121.22 of the Ohio Revised Code, and these Council Rules.

Rule 14B: Availability of Public Records

All records of the Council that relate to public business shall be available to the public as public records as required in Article 12, Section 6 of the Charter, general law, the Cuyahoga County Code~~Codified Ordinances of Cuyahoga County~~, and these Council Rules.

Rule 14C: Executive Session

Notwithstanding Rule 14A, the Council or any Council committee may conduct an Executive Session under the provisions of Ohio Revised Code Section 121.22, as amended. The motion to adjourn to an Executive Session shall be specific as to the matters to be discussed during the Executive Session and shall require the affirmative vote of a majority of Members present. An Executive Session may be conducted only if the intent to conduct an Executive Session is stated in the published agenda for the meeting at which the Executive Session is to be conducted. Minutes shall be kept at all Executive Sessions and shall be included within the minutes of the meeting at which the Executive session was conducted. The minutes of an Executive Session shall include the location of the meeting, the date and time that the meeting started and concluded, a list of Members present, the names and titles of other persons present, and general subject matter(s) discussed.

Rule 14D: Advance Notice of Meetings Concerning Specific Topics

Any person may visit, telephone or contact by electronic mail the office of the Clerk during that office's regular office hours to determine, based on information available at that office, the time, place, and location of regular meetings; the time, place, location, and purpose of any then known special meetings; and whether the available agenda of any such future meeting states that any specific type of public business, identified by the person, is to be discussed at such meeting. In addition, any person may request, through the Clerk's office, to obtain reasonable advance notice of all meetings at which any specific type of business is to be discussed. Any person making this request may choose to receive such notifications either by electronic mail or regular U.S. mail. The Council may set a reasonable annual fee to receive this information by regular U.S. mail, but there shall be no fee to receive this information by electronic mail.

Rule 14E: Notice Available to News Media

The Clerk shall provide to any news medium organization, upon request, information including the date, time, location, and agenda of any Special Council Meeting, Regular Council Meeting adjourned to a time and place certain, Special Committee Meeting, Emergency Committee Meeting, or a committee meeting adjourned to a time and place certain. The Clerk shall establish a procedure that complies with Section 121.22 of the Ohio Revised Code for news media to apply to receive this information on an ongoing basis.

Rule 14F: Requirements for Emergency Meeting

No Council Meeting or Committee Meeting may be held with less than twenty-four (24) hours notice unless (1) the meeting is called to deal with an emergency requiring

immediate official action, (2) the appropriate rules are suspended as provided for in these Rules of Council, and (3) the public notice and other requirements of Section 121.22 of the Ohio Revised Code regarding such meetings are complied with.

Rule 15. Records of Meetings of Council and Committees

Rule 15A: Minutes of Council Meetings

The Clerk shall keep minutes of all Council meetings, which shall include the time, date, and location of all meetings; roll call of Members present; actions taken; and the vote of each Member on all questions.

Rule 15B: Minutes to be Provided to Council Members

Not later than the close of business on the second day prior to each meeting of Council, the Clerk shall provide each Member a copy of the minutes of the previous meeting, and shall provide copies of the final version of the minutes to each Member if the minutes are amended. Copies of the minutes may be provided in electronic format. The minutes shall include a written summary of actions taken at the meeting. The minutes shall also include a digital record of each Council meeting, but the digital record is not required to be included in the copies of minutes sent to Members.

Rule 15C: Record of Council

The Clerk shall keep a Record of Council, which shall be posted on the County's website and kept in a permanent file, which may be in an electronic format. The Record shall include all minutes and shall include a list of all legislation, including the number, title, sponsor, date of first reading, committee assignment, date of second reading, date of third reading, or date of dispensing with the requirement for three readings, and date of the adoption or failure to adopt. The Record of Council shall also include the agenda for all Council meetings and the agenda and minutes for all committee meetings.

Rule 16. Continuity, Amendment and Suspension of Rules

Rule 16A: Continuity of Rules

These Rules of Council shall remain in effect until amended or repealed and shall not need to be re-enacted at each Organizational Meeting of Council.

Rule 16B: Amendment of Rules

Any provision in these Council rules may be amended by adoption of a resolution, ~~Motion of Council~~, approved by at least seven (7) Members of Council.

Rule 16C: Suspension of Rules

Unless otherwise specified in the Charter, the Cuyahoga County Code ~~Codified Ordinances of Cuyahoga County~~, or these Council Rules, any rule may be suspended by a vote of 2/3 of the Members present and voting, provided that a

quorum is present.

Rule 17. Requests to Address Council

Rule 17A: Public Comment at Committee Meetings

The Council encourages the public to direct any address or presentation to the applicable Committee of Council. Requests to address a committee shall be made in writing to the Chairperson of the committee, prior to addressing the committee on a form to be provided for this purpose. The request shall include the name of the requesting party and the topic(s) on which the requesting party wishes to speak.

Rule 17B: Public Comment Available at All Committee Meetings

The Chairperson shall honor all requests to address committee received before the start of a committee meeting and shall honor requests received during a committee meeting whenever it is practical to do so. The Chairperson may impose a reasonable time limit per presentation, and such time limit may be extended at the discretion of the Chairperson.

Rule 17C: Public Comment at Council Meetings

The Council shall provide time at the beginning of each Council meeting for public comment regarding items on the agenda for that meeting, and shall provide time at the end of each Council meeting for public comment that relates to County business but does not relate to the agenda for that meeting. Requests to address Council shall be made in writing to the Clerk prior to the meeting on a form to be provided for this purpose. Requests submitted to the Clerk not later than 12 Noon on the day of the meeting shall be given priority in the order of presentation. After being recognized by the President, the presenter shall state his/her name and address and may speak for not more than three (3) minutes, unless such time is extended at the discretion of the President.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0217

Sponsored by: Councilmembers Connally, Conwell and Germana	A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency (“NOACA”) Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, on July 11, 2014 the governing board of NOACA adopted the NOACA Board Resolution Nos. 2014-033 and 2014-034 to amend the NOACA Code of Regulations; and

WHEREAS, the amendments to Articles IV and IX of the NOACA Code of Regulations do not become effective unless and until ratified by the five member counties; and

WHEREAS, Article IV of the NOACA Code of Regulations establishes the NOACA Board of Directors, providing for the Board’s duties, composition, alternates, terms, election of officers, vacancies, removal of members, compensation of board members, and applicability of Ohio Ethics Law; and

WHEREAS, Article IX of the NOACA Code of Regulations governs the process by which the NOACA Code of Regulations may be amended; 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 and concurs with the amendments made to the NOACA Code of Regulations on July 11, 2014, as shown in NOACA Resolution Nos. 2014-033 and 2014-034.

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



2014 NOACA BOARD OF DIRECTORS

President

• Mary E. Samide, Commissioner
Geauga County Board of Commissioners

First Vice President

• Ted Kalo, Commissioner
Lorain County Board of Commissioners

Second Vice President

• Daniel P. Troy, Commissioner
Lake County Board of Commissioners

Secretary

• Adam Friedrick, Commissioner
Medina County Board of Commissioners

Assistant Secretary

• Robert E. Aufuldish, Commissioner
Lake County Board of Commissioners

Assistant Secretary

• Kathleen Scheutow, Trustee
Brunswick Hills Township

Treasurer

• Edward O. FitzGerald, County Executive
Cuyahoga County

Assistant Treasurer

• Julius Ciacca, Jr., Executive Director
N. E. Ohio Regional Sewer District

Assistant Treasurer

• John D. Hunter, Mayor
Sheffield Village

(Immediate Past President)

• Valarie J. McCall, Chief of Government &
International Affairs, City of Cleveland

Samuel J. Alai, Mayor
City of Broadview Heights

Tanisha R. Briley, City Manager
City of Cleveland Heights

Holly Brinda, Mayor
City of Elyria

Freddy Collier, Jr., Citywide Plan Project Manager
City of Cleveland

Joseph A. Calabrese
GCRTA General Manager/CEO

Kenneth P. Carney, Sr., P.E., P.S., Engineer
Lorain County

William R. Carvenik, Mayor
City of Euclid

Scott E. Coleman, Mayor
City of Highland Heights

Yvonne Conwell, Councilperson
Cuyahoga County Council

Glenn Coyne, FAICP, Executive Director
Cuyahoga County Planning Commission

Timothy J. DeGeeter, Mayor
City of Parma

Ann Marie Donagan, Mayor
Olmsted Falls

William D. Friedman, President & CEO
Cleveland - Cuyahoga County Port Authority

James R. Gills, P.E., P.S., Engineer
Lake County

Richard Heidecker, Trustee
Columbia Township

Susan K. Infeld, Mayor
City of University Heights

Frank G. Jackson, Mayor
City of Cleveland

Ray Jurkowski, General Manager
Laketran

Martin J. Keane, Councilperson
City of Cleveland

Mamie J. Mitchell, Councilperson
City of Cleveland

Judy Moran, Commissioner
Lake County Board of Commissioners

Myron S. Pakush, Deputy Director
Ohio DOT - District 12

Robert Patrick, Service Director
City of Wadsworth

Terrall H. Pruitt, Councilperson
City of Cleveland

Blake A. Rear, Commissioner
Geauga County Board of Commissioners

Chase M. Ritenauer, Mayor
City of Lorain

Michael J. Satay, P.E., P.S., Engineer
Medina County

Charles Smith, Mayor
Village of Woodmere

Ralph Spidaleri, Commissioner
Geauga County Board of Commissioners

Matthew L. Spronz, P.E., PMP, Director
of Capital Projects, City of Cleveland

Robert A. Stefank, Mayor
City of North Royalton

Michael P. Summers, Mayor
City of Lakewood

Deborah L. Sutherland, Mayor
City of Bay Village

Bonita G. Teewan, P.E., Director
Cuyahoga County Department of Public Works

Tom Williams, Commissioner
Lorain County Board of Commissioners

Ex officio Member

Kurt Pincic, District Chief
Northeast District Office
Ohio Environmental Protection Agency

Executive Committee Members

Grace Gallucci, NOACA Executive Director

July 30, 2014

Honorable Edward FitzGerald
Cuyahoga County Executive
2079 East 9th Street, 8th Floor
Cleveland, OH 44115

Honorable C. Ellen Connally
President, Cuyahoga County Council
2079 East 9th Street, 8th Floor
Cleveland, OH 44115

Dear Executive FitzGerald and President Connally:

As you know, NOACA's Board of Directors adopted three resolutions (2014-032, 2014-033 and 2014-034) on July 11th which made revisions to the NOACA Code of Regulations. Two of those resolutions require the concurrence of the five counties of Cuyahoga, Geauga, Lake, Lorain, and Medina.

Enclosed please find copies of Resolutions 2014-033 and 2014-034. Resolution 2014-033 completes many important clarifying edits to Articles IV and IX of the Code of Regulations. Resolution 2014-034 makes more substantive changes to Articles IV and IX of the Code of Regulations.

As a convenience, two redline versions of the Code of Regulations showing the changes made by each resolution are attached. A copy of the Code of Regulations as it would appear with all the adopted changes accepted is also enclosed for your reference.

Although you may already have begun the process for approval, I would like to emphasize that the ratification must be complete by October 9th. Please call me at any time with questions or concerns. Thank you for your prompt attention to this matter and for your support of NOACA.

Sincerely,

Grace Gallucci
Executive Director

GG/bd/6089s

Enclosure:

Resolution 2014-033, adopted by NOACA on July 11, 2014
Resolution 2014-034, adopted by NOACA on July 11, 2014
Redline versions of Code of Regulations
Final form of Code of Regulations

CODE OF REGULATIONS
OF THE
NORTHEAST OHIO AREA WIDE COORDINATING
AGENCY

(Agency By-Laws)

Revised and Restated as of July 11, 2014.

Historical Notes:

Revisions to this document include all those made by:

- **Board Resolution 2010-050, ratified by the five counties on April 5, 2011.**
- **Board Resolution 2011-030, adopted August 12, 2011.**
- **Board Resolution 2012-050, adopted December 14, 2012.**
- **Board Resolution 2013-003, adopted March 8, 2013.**
- **Board Resolution 2013-004 adopted March 8, 2013.**
- **Board Resolution 2013-027, adopted August 9, 2013.**
- **Board Resolutions 2014-032, 2014-033 and 2014-034, adopted July 11, 2014.**

TABLE OF CONTENTS

		<u>Page</u>
ARTICLE I	NAME AND MISSION	1
Section 1.1	Name	1
Section 1.2	Vision	1
Section 1.3	Mission.....	1
ARTICLE II	POWERS OF AGENCY	2
Section 2.1	Powers.....	2
ARTICLE III	MEMBERS	2
Section 3.1	Counties.....	2
Section 3.2	Cities, Villages, and Townships	2
Section 3.3	Regional Governmental Authorities and Districts.....	2
Section 3.4	Membership Dues	3
Section 3.5	Suspension of Membership	3
ARTICLE IV	BOARD OF DIRECTORS	3
Section 4.1	Duties of Board of Directors	3
Section 4.2	Appointments; Composition; Alternates; Term	3
Section 4.3	Officers; Election; Qualification; Term of Office; Resignation.....	7
Section 4.4	Vacancies	8
Section 4.5	Removal	8
Section 4.6	Compensation of Board Members	8
ARTICLE V	ORGANIZATION OF BOARD OF DIRECTORS	9
Section 5.1	Regular Meetings.....	9
Section 5.2	Special Meetings.....	9
Section 5.3	Notice of Meetings.....	9
Section 5.4	Presiding Officer.....	9
Section 5.5	Ratification	9
Section 5.6	Quorum	9
Section 5.7	Public Meetings	9
Section 5.8	Procedure.....	9
Section 5.9	Conflicts of Interest	10
Section 5.10	Applicability of Ohio Ethics Laws	10

ARTICLE VI	COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES	10
Section 6.1	Establishment of Committees, Subcommittees, Advisory Councils and Task Forces	10
Section 6.2	Standing Committees	11
Section 6.3	Executive Committee	12
Section 6.4	Planning and Programming Committee	12
Section 6.5	Policy Committee	15
Section 6.6	Governance Committee.....	16
Section 6.7	Finance and Audit Committee.....	16
Section 6.8	External Affairs Committee	16
Section 6.9	Other Committees, Subcommittees and Task Forces	17
Section 6.10	Citizen and Business Participation	17
ARTICLE VII	AGENCY STAFF	17
Section 7.1	Executive Director	17
Section 7.2	Powers and Duties of Executive Director	17
Section 7.3	Staff.....	18
ARTICLE VIII	INDEMNITY	18
Section 8.1	In General.....	18
Section 8.2	Indemnification Against Expenses	19
Section 8.3	Process	19
Section 8.4	Prior Payment	19
Section 8.5	Non-Exclusive	19
ARTICLE IX	AMENDMENTS	20
ARTICLE X	MISCELLANEOUS	20
Section 10.1	Checks and Notes	20
Section 10.2	Seal.....	20
Section 10.3	Notices	20
Section 10.4	Waiver of Notice.....	20
Section 10.5	Captions.....	20
APPENDIX I	COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES	21

**CODE OF REGULATIONS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

As local officials of the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina and of the City of Cleveland, and as part of our responsibilities for carrying out transportation and environmental planning in the five-county region, under local direction and in accordance with federal and state mandates, pursuant to authority granted under Ohio Revised Code Section 307.14, *et seq.*, we have established the Northeast Ohio Areawide Coordinating Agency and adopt the following Code of Regulations.

ARTICLE I

NAME AND MISSION

Section 1.1 Name. The name of this regional organization is the Northeast Ohio Areawide Coordinating Agency (NOACA or the Agency). The NOACA area for transportation and environmental planning encompasses the Cleveland/Lorain-Elyria metropolitan region including the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina, including the City of Cleveland and less the incorporated areas of the City of Vermilion in Lorain County and the City of Rittman in Medina County.

Section 1.2 Vision. NOACA will STRENGTHEN regional cohesion, PRESERVE existing infrastructure, and BUILD a sustainable multimodal transportation system to SUPPORT economic development and ENHANCE quality of life in Northeast Ohio.

Section 1.3 Mission. In pursuing responsibilities for transportation and environmental planning for the region, NOACA aims to: (1) improve the quality of life of the region's citizens by enhancing the region's long term economic development potential and by protecting its environmental quality; (2) assist member local governments and agencies in addressing local and regional issues in a cooperative manner; and (3) assure equitable flow and prudent expenditure of public funds.

NOACA supports these aims by: (1) serving as a forum for local public officials to engage in regional debate and intergovernmental cooperation; (2) encouraging local decision-making to be in harmony with the region's transportation and environmental plans; (3) maintaining federal designations and planning processes and meeting federal and state requirements for regional programs; (4) seeking equitable return of state and federal funds to the region to meet locally determined needs; (5) providing information and technical planning support to benefit member communities in order to best use public resources; and (6) advocating interests of the region with state and federal decision-makers.

ARTICLE II

POWERS OF AGENCY

Section 2.1 Powers. The Agency shall act as a comprehensive transportation and environmental planning organization. In so doing it shall plan and coordinate the following four distinct but interrelated areas as: (i) the federal and state designated metropolitan planning organization (MPO) for transportation planning; (ii) the federal designated areawide water quality management planning agency for the five-county area, including the Northeast Ohio Lake Erie Basin (NEOLEB) planning area; (iii) the federal designated planning agency to address transportation-related air quality issues in the five-county area; and (iv) planning and support coordination to the region, as directed by the NOACA Board of Directors, for limited environmental management and transportation planning assistance to member communities and other public agencies and non-governmental organizations. The Agency shall also provide information to members and other public and private organizations and the general public within guidelines established by the Board of Directors.

In addition, the Agency shall exercise powers conferred by applicable federal, state and local laws, regulations, ordinances, rules and policies as well as those powers transferred to it by its members permitted under the Constitution of the State of Ohio and the Ohio Revised Code.

ARTICLE III

MEMBERS

Section 3.1 Counties. The counties of Cuyahoga, Geauga, Lake, Lorain and Medina in the State of Ohio have created the Agency pursuant to Ohio Revised Code Section 307.14, *et seq.* in accordance with federal and state mandates and accordingly these counties, acting through their respective Boards of Commissioners or other administrative structures, are the principal members of the Agency.

Section 3.2 Cities, Villages and Townships. By virtue of home rule powers granted by Article XVIII of the Ohio Constitution, as well as statutory or charter authority granted by the Ohio General Assembly or their citizens, the cities, villages, and townships of the NOACA five-county area have important responsibilities for transportation and environmental issues within their jurisdictions. Each city, village and township within the NOACA area is a member of the Agency and entitled to services from the Agency.

Section 3.3 Regional Governmental Authorities and Districts. As provided in the Ohio Revised Code, certain portions of the NOACA area constitute special purpose government districts for transportation, mass transit, air quality and wastewater planning and management. Accordingly (except as provided) each county-based regional transit authority and regional sewer district within the NOACA area is a member of the Agency and entitled to participate in the Agency.

Section 3.4 Membership Dues. Financial responsibility for operation of the Agency rests with the five counties that have created the Agency and the City of Cleveland. Basic dues to support operations of the Agency shall be apportioned by population figures established by the decennial census conducted by the U.S. Bureau of Census and each county and the City of Cleveland shall pay their respective share. Each county and the City of Cleveland may further apportion its share of Agency dues to the governmental entities within its geographic area according to a plan submitted to the Board of Directors, but in all circumstances responsibility for the payment of dues shall remain with each of the five counties and the City of Cleveland. Basic dues may be increased or decreased by the Board of Directors each year.

Section 3.5 Suspension of Membership. Any member whose dues remain unpaid for a period in excess of 90 days after commencement of the fiscal year on each July 1 may be subject to suspension of membership. Suspension of membership may be undertaken by a majority vote of the Board of Directors and may provide for curtailment of voting authority or services and for such other penalties as the Board of Directors may direct in each case. Notice of any member's eligibility for suspension shall be given at regular intervals to the Board of Directors and in writing to the member's chief executive officer.

ARTICLE IV

BOARD OF DIRECTORS

Section 4.1 Duties of Board of Directors. The business of the Agency shall be managed by the Board of Directors. The Board of Directors shall exercise all powers of the Agency, which are not otherwise required to be exercised by Agency members.

Section 4.2 Appointment; Composition; Alternates; Term.

(a) The Board of Directors shall consist of representatives from the five counties and the City of Cleveland. The goals for representation are as follows: to ensure that the Board's discussions and decision-making are informed by the principal elected officials and regional administrators of the NOACA planning area concerned with transportation and environmental planning; to assure the area's citizens of an approximation of equal representation by population; and to assure the area's citizens of representation reflecting the demographics of the area's population. Board positions shall be granted based on requirements of Section 4.2. Each county and the City of Cleveland shall be responsible for assuring appropriate representation according to Section 4.2, recognizing the goals for representation, dues procedures and compliance within each county's, the City of Cleveland's, and the Agency's mission. Each voting member of the Board, including its Officers, shall be entitled to one vote on all matters submitted to the Board for action.

(b) Individual Board members shall be appointed annually. Each of the five counties and the City of Cleveland shall appoint the number of representatives to the Board indicated in Sections 4.2(d)-(i) below. Appointments will be made by a representative of each appointing authority, or by the body or agency within each appointing authority, set forth in Sections 4.2(d)-(i). The Cuyahoga County Executive will be responsible for making the appointments under Sections 4.2(d)(i) and 4.2(d)(iii)(A)-(G). Notice of all appointments must be delivered in writing to the President of the Board, with a copy to

the Agency’s Executive Director. Notice must be delivered by each county and the City of Cleveland for their own appointments and for all appointments made by an appointing authority located within its geographic area, and must be received by the Agency at least 10 business days prior to the Board’s first meeting each calendar year or, if an appointment is to be made by a body or agency and the meeting schedule of such body or agency necessitates, immediately following the first legal meeting of the calendar year of such designated body or agency, whichever is later.

(c) Each of the five counties and the City of Cleveland shall be permitted to appoint individuals who hold titles other than those set forth in Sections 4.2(d)-(i) below by submitting written notice of a formal action authorizing such change to the President of the Board of Directors, with a copy to NOACA’s Executive Director, for approval by the Board and for subsequent ratification pursuant to Article IX of this Code. If approved and ratified, all changes described in this Section 4.2(c) shall be effective as of the Board’s first meeting the following calendar year. To ensure timely completion of the required approval and ratification, changes submitted pursuant to this Section 4.2(c) should be presented to the Board for approval no later than its October meeting. In no event shall any appointment cause an increase in the total number of members designated in Section 4.2(d)-(i) below for each of the five counties and the City of Cleveland.

<u>(d) Cuyahoga County</u>	<u>Votes</u>
(i) County Government	
(A) County Executive (Administration Representative).....	1
(B) Director of Public Works	1
(C) County Executive Appointee	1
(D) County Council Member.....	1
(ii) Regional Authorities	
(A) Northeast Ohio Regional Sewer District	1
(B) Greater Cleveland Regional Transit Authority (President of the Board of Trustees or General Manager, as the President of the Board of Trustees may designate)	1
(C) Cleveland-Cuyahoga Port Authority	1
TOTAL	7
(iii) Cuyahoga Suburban Regions	
(A) West Shore Region	1
(B) Southwest Region	1
(C) South/Central Region.....	1
(D) Cuyahoga Region	1
(E) Chagrin/Southeast Region.....	1
(F) Heights Region	1
(G) Hillcrest Region.....	1
(H) City of Cleveland Heights.....	1
(I) City of Euclid	1
(J) City of Lakewood.....	1
(K) City of Parma	1
TOTAL	11

(iv) City of Cleveland	
(A) Mayor (Chief of Government and International Affairs)	1
(B) Director of Capital Projects.....	1
(C) Council Member	1
(D) Council Member	1
(E) Council Member	1
(F) City Planning Director.....	<u>1</u>
TOTAL	6

(e) Geauga County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner	<u>1</u>
TOTAL	3

(f) Lake County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner	1
(iv) County Engineer.....	1
(v) Laketran	<u>1</u>
TOTAL	5

(g) Lorain County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner (County Engineer)	1
(iv) City of Lorain.....	1
(v) City of Elyria.....	1
(vi) Municipal Representative	1
(vii) Township Representative.....	<u>1</u>
TOTAL	7

(h) Medina County

(i) County Commissioner	1
(ii) County Commissioner (Municipal Representative).....	1
(iii) County Commissioner (Township Representative)	1
(iv) County Engineer.....	<u>1</u>
TOTAL	4

(i) State of Ohio

(i) Department of Transportation.....	1
(appointment to be made by ODOT Director)	
TOTAL	44

(k) Pursuant to contracts approved by the Board of Directors, a representative of the Ohio Environmental Protection Agency, Northeast District Office, shall be a non-voting ex officio member of the Board of Directors of the Agency. The Departments of Development, Natural Resources and the Environmental Protection Agency of the State of Ohio, as well as such other agencies of government as the Board of Directors may approve by resolution adopted at a meeting, may be represented. Representatives of these agencies shall have rights established by the Board of Directors but shall not have a right to vote or a right of initiative.

(l) No staff member of any regional or county planning commission, no consultant, nor any Agency staff member, whether part time or full time, whose salary is reimbursed in whole or in part by or through the Agency, shall vote as a member or alternate of the Board of Directors or the Executive Committee on appropriations, grants or contracts between NOACA and the employer of such person, but attendance of such person may be included in determining a quorum.

(m) On or before the first meeting of the Board of Directors each calendar year, each person who is a member of the Board of Directors shall designate one alternate to act in the absence of such member, which alternate shall keep the member informed of all matters that come before the Board of Directors or any committee on which such alternate serves. No person may serve as the alternate for more than one Board member. Alternates shall possess full powers in all matters that come before the Board of Directors and shall have all the rights and responsibilities of a Board member, including all fiduciary and other responsibilities to the Agency. Notwithstanding the foregoing, no alternate shall serve as an officer of the Agency. Each alternate shall be considered a Board member with respect to all actions taken in his or her capacity as an alternate, including any duties as an Executive Committee member. Designation of an alternate shall be in writing and must be submitted to the President of the Board, with a copy to the Agency's Executive Director. Each designation shall be effective until it is revoked or modified by the Board member who made such designation or until the Board member making the designation is no longer a member of the Board of Directors, but in no event shall a designation of alternate be effective for more than one year from the date it is submitted. Each person who is a member of the Board of Directors may revoke or modify the designation of an alternate at any time in writing submitted to the President of the Board, with a copy to the Agency's Executive Director.

(n) Each person who is a member of the Board of Directors by virtue of a position representing a county within the five-county area may elect to vote by written proxy on any matter submitted to the President of the Board, with a copy to NOACA's Executive Director. Alternates are specifically precluded from exercising such proxy rights.

(o) Each person who is a member of the Board of Directors and any alternate designated by such member shall vacate Board membership immediately upon ceasing to hold the public office or position that originally entitled such person to become a member of the Board of Directors. The successor of such member shall be designated in the same manner as the vacating member was selected.

(p) The Board of Directors is authorized to take appropriate measures to ensure attendance and a quorum, including limitations on speaking or similar rights of non-attending members, but no such measure shall operate to diminish the vote of any member government or collection of communities.

Section 4.3 Officers; Election; Qualification; Term of Office; Resignation.

(a) At its first meeting in January each year the Board of Directors shall elect from among its regularly appointed members a President, First Vice President, Secretary and Treasurer. The Board of Directors may also elect additional Vice Presidents, one or more Assistant Secretaries and one or more Assistant Treasurers. Each officer shall hold office until the meeting of the Board of Directors held in January of the following year, or until such officer's successor is elected and qualified or until such officer's resignation, removal or death. Upon approval by the Board one person may serve both as Secretary and Treasurer.

(b) Any officer may resign at any time upon written notice to the President of the Board of Directors, with a copy to NOACA's Executive Director.

(c) The Board of Directors may remove any officer for cause at any time but such removal shall be without prejudice to the representation rights of the Agency member represented by such officer.

(d) Any vacancy occurring in any office which is caused by death, resignation, removal or otherwise shall be filled for the unexpired portion of the term by appointment by the President (except that the First Vice President shall succeed the President as set forth below) with approval of the Board of Directors at its next regular meeting or a special meeting called for that purpose pursuant to Section 5.2 of this Code.

(e) No member organization shall have more than one Board member serving concurrently as an officer. This limitation does not apply in the case of officers serving as First or Second Vice President, Assistant Secretary or Assistant Treasurer.

(f) President. The President of the Board of Directors shall be the chief policy officer of the Agency and shall exercise all powers and duties in leadership of the Agency as are generally associated with such office including, but not limited to, the power to execute such documents and instruments authorized by resolutions adopted by the Board of Directors. The President shall represent the Agency before bodies of the state and federal government and shall be an ex officio voting member of all Standing Committees. The President shall also be responsible for execution of all directives and resolutions adopted by the Board of Directors.

(g) First Vice President. The First Vice President, in the absence or disability of the President, shall perform duties and exercise powers of the President. In addition, the First Vice President shall perform such other duties prescribed by the Board of Directors or President.

(h) Secretary. The Secretary shall give or cause to be given notice of all meetings of the Board of Directors and shall perform such other duties prescribed by the Board of Directors or President, under whose supervision the Secretary acts. The Secretary shall keep or cause to be kept the corporate seal of the Agency, if any, and when authorized by the Board of Directors, affix it to an instrument which shall be attested to either by the signature of the Secretary, Treasurer or Assistant Secretary. In the absence of the Secretary, the President or designee shall appoint a member to perform the duties of the Secretary.

(i) Treasurer. The Treasurer or designee (or Secretary in the absence or disability of the Treasurer) shall have responsibility for the custody of Agency funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Agency, and shall deposit or cause to be deposited all funds and securities of the Agency in depositories designated by the Board of Directors. The Treasurer shall oversee the disbursement of funds as directed by the Board of Directors, taking proper vouchers for such disbursements, and shall give or cause to be given to the President and other members of the Board of Directors a periodic accounting of all transactions and the financial condition of the Agency. The Treasurer shall perform such other duties prescribed by the Board of Directors or President.

(j) Vice Presidents, Assistant Secretaries and Assistant Treasurers. In the absence or disability of the First Vice President, Secretary or Treasurer, the Second Vice President, Assistant Secretaries or Assistant Treasurers in the order designated by the Board of Directors, shall perform the duties of the First Vice President, Secretary or Treasurer, respectively, and shall have full powers of the office.

Section 4.4 Vacancies. Board member appointments shall remain in effect until January of the following year, until such Board member's successor is appointed and qualified, or until such Board member's resignation, removal or death. A vacancy in the Board of Directors, however occurring, shall be filled by a public official appointed by the appropriate appointing authority in the same manner as the vacating member was selected, to hold office for the whole or balance of the term to which such member was elected or until such member's successor is appointed and qualified or until earlier resignation, removal from office or death. Written notice of such appointment must be delivered by the respective county or the City of Cleveland, in writing to the President of the Board with a copy to the Agency's Executive Director, prior to the first meeting at which such new member will act.

Section 4.5 Removal. The Board of Directors may at any time remove for cause any member, except for individuals who are members of the Board solely because of their position as an elected official of a member agency, and any alternate. Removal must occur at a special meeting duly called for this purpose or at a regular meeting of the Board of Directors where notice of this purpose was included in the notice of such meeting. The affirmative vote of a majority of the Board members in attendance at such meeting is required for any such removal. Removal shall be without prejudice to the representation rights of the Agency member represented by such Board member or alternate. The successor to such member or alternate shall be designated by the appropriate appointing authority in the same manner as the vacating member was selected. Written notice of such appointment must be delivered by the respective county or the City of Cleveland, in writing to the President of the Board with a copy to the Agency's Executive Director, prior to the first meeting at which such new member will act.

Section 4.6 Compensation of Board Members. A member of the Board of Directors shall not receive compensation for services other than ordinary and incidental expenses, except that a member may be reimbursed for other reasonable expenses approved by a majority of the Board of Directors. The Agency considers attendance at meetings of the Board of Directors and its committees to be public employment on the same basis that any Board member or alternate is considered in public employment for the public position that determined qualification for membership on the Board of Directors.

ARTICLE V

ORGANIZATION OF THE BOARD OF DIRECTORS

Section 5.1 Regular Meetings. Regular meetings of the Board of Directors shall be determined and published annually at the principal offices of the Agency or such other location and time as the Board designates.

Section 5.2 Special Meetings. Special meetings of the Board of Directors may be called at any time by the President or by a majority of members upon written notice delivered to the President or Secretary of the Board of Directors. Such request shall state the purposes of the proposed meeting.

Section 5.3 Notice of Meetings. Except as otherwise provided in these Regulations or by law, written notice stating the time, place and purpose in case of a special meeting or regular meeting at which the removal of a member of the Board will be considered, shall be delivered to each Board member at least seven days before a regular meeting and four days prior to any special meeting, either personally, by regular mail, email, fax, telephone, or any other means permitted by law.

Section 5.4 Presiding Officer. Meetings of the Board of Directors shall be presided over by the President or, in the President's absence, by the First Vice President or next succeeding officer. The Secretary shall act as secretary at all meetings and in the Secretary's absence the President may appoint any person to act as secretary of such meeting. At no time shall an alternate preside over a regular or special meeting of the Board of Directors.

Section 5.5 Ratification. The Board of Directors, acting at a meeting at which a quorum is present, may ratify any action taken by or on behalf of the Agency.

Section 5.6 Quorum. A majority of Board members shall constitute a quorum to transact business. Once established for any meeting of the Board, a quorum shall presume to continue unless otherwise noted on the record that a quorum is absent. The affirmative vote of a majority of Board members present at a meeting at which a quorum is present shall constitute the approval of any matter brought before the Board of Directors for decision. Any member of the Board of Directors who has a personal or financial interest in a contract or transaction which is before the Board of Directors, or who is an owner or principal of a private and nonpublic entity with an interest in a matter before the Board of Directors, may be counted for the purpose of determining the presence of a quorum at a meeting of the Board.

Section 5.7 Public Meetings. All meetings of the Board of Directors, its Standing Committees, Subcommittees, Advisory Councils or Task Forces shall be open to the public pursuant to the Ohio Sunshine Law, Revised Code Section 121.22, *et seq.* Executive sessions and other closed meetings shall be held only as permitted by law.

Section 5.8 Procedure. All meetings of the Board of Directors shall be conducted according to *Robert's Rules of Order*.

Section 5.9 Conflicts of Interest. The Agency may at times enter into contracts or other transactions with organizations and individuals with whom members of the Board of Directors have a personal or financial relationship. Each person who is a member of the Board of Directors has a duty to exercise his or her responsibilities in the best interests of the Agency. No Board member will use his or her position with the Agency for his or her own direct or indirect financial gain. Any Board member who has a personal or financial interest in, or who is an owner or principal of a private and nonpublic entity with an interest in, any matter coming before the Board of Directors, or any committee of the Board of Directors on which he or she serves, shall: (i) disclose his or her interest to the President of the Agency or committee chair; (ii) not participate in discussion or deliberations on the matter; and (iii) abstain from voting on the matter. Such disclosure and abstention shall be noted in the minutes of the meeting. Notwithstanding the foregoing, a member of the Board of Directors who has a personal or financial interest in a matter may, at the request of the President of the Board or a committee chair, present information regarding such matter. A Board member who abstains from a matter shall nevertheless be counted in determining a quorum. Each Board member shall identify to the Agency known and potential conflicts of interest annually.

Section 5.10 Applicability of Ohio Ethics Law. The provisions of Ohio Revised Code Chapter 102, and the related provisions contained in Ohio Revised Code Sections 2921.42 and 2921.43 are applicable to all members of the Board of Directors of the Agency and to all alternates. However, members or alternates who are not otherwise required to file the financial disclosure statement mandated by Ohio Revised Code Sections 102.02, 102.021 and 102.022 shall not be required to file such statement solely as a result of his or her appointment to the Board of the Agency as a member or alternate. Appointment as a member of the Board of the Agency or as an alternate does not constitute the holding of a public office or employment within the meaning of Ohio Revised Code Chapter 102 or Chapter 2921.

ARTICLE VI

COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS and TASK FORCES

Section 6.1 Establishment of Committees, Subcommittees, Advisory Councils and Task Forces. The President of the Board of Directors, with the approval of the Board, shall establish various Standing Committees, Subcommittees, Advisory Councils and Task Forces deemed necessary or appropriate to provide advice and policy recommendations to the Board of Directors relating to specific issues or technical areas of transportation or environmental matters. Unless the Board of Directors otherwise provides, each Standing Committee, Subcommittee, Advisory Council or Task Force may make, alter and repeal rules to conduct its business. In the absence of such rules, each Standing Committee, Subcommittee, Advisory Council or Task Force shall conduct business in the same manner as the Board of Directors conducts business. Appendix I contains the table defining the purpose, membership, duration, creation, appointment and reporting responsibilities of Standing Committees, Subcommittees, Advisory Councils and Task Forces. This table shall be used to establish these bodies unless otherwise stated in the Code.

Section 6.2 Standing Committees and Subcommittees.

(a) Standing Committees. The Standing Committees of the Agency shall be the Executive Committee, the Planning and Programming Committee, the Policy Committee, the Finance and Audit Committee, the Governance Committee, and the External Affairs Committee. Each Standing Committee shall provide advice and policy recommendations to the Executive Committee and, if recommended by the Executive Committee, to the Board of Directors in specific functional areas and provide a forum for in-depth discussion and analysis of relevant issues or agenda items prior to consideration by the Board of Directors. Each Standing Committee shall keep regular minutes of its proceedings and report to the Executive Committee.

(b) Membership. Unless otherwise specifically set forth, Standing Committee and Subcommittee members shall be appointed by the President of the Board of Directors with approval of the Board. Appointments shall be made and effective as of the first Board meeting in January of each year. Each member of the Board of Directors shall serve on at least one Standing Committee. Membership of each Standing Committee shall be comprised of members of the Board of Directors or their alternates. Subcommittee membership may include individuals who are not current members of the Board of Directors. Vacancies on a Standing Committee or Subcommittee shall be filled in the same manner as the vacating member was selected. Any Standing Committee or Subcommittee may propose to expand its membership beyond the minimum by nominating additional members to the Board of Directors; additional positions shall be filled by appointment of the President with approval of the Board. The Executive Director of the Agency, or designee, shall serve as an ex officio member (without vote in that capacity) of all Standing Committees and Subcommittees.

(c) Meetings. Each Standing Committee and Subcommittee shall hold regular meetings as necessary at a time and place to be determined and shall publish a calendar of its meetings. Special meetings and the initial meeting of each year may be called by the Chair or Vice-Chair of the Standing Committee or Subcommittee or by the Executive Director of the Agency, on at least four days notice (oral or written).

(d) Officers. The President of the Board of Directors, with the approval of the Board, shall appoint a regularly appointed member of the Board of Directors as Chair of each Standing Committee and Subcommittee, which appointments will be effective as of the first Board meeting in January of each year. A Vice-Chair and such other officers as the Standing Committee or Subcommittee members deem necessary may be elected by a majority of the Standing Committee or Subcommittee membership. The term of office for each Standing Committee or Subcommittee officer shall be one year or until such member's successor is selected and qualified or until earlier resignation, removal from office or death.

(e) Attendance. The President of the Board of Directors may remove and appoint a replacement for any Standing Committee or Subcommittee member if the member has been absent from three consecutive Standing Committee or Subcommittee meetings. The member appointed must receive approval of the Board.

(f) Procedure. Meetings of any Standing Committee or Subcommittee shall be conducted according to *Robert's Rules of Order*. Such meetings shall be presided over by the Chair

or of the Standing Committee or Subcommittee, or in her or her absence, the Vice-Chair or such other member of the Standing Committee or Subcommittee as appointed by the Chair. In no event shall an alternate preside over any regular or special meeting of a Standing Committee or Subcommittee.

(g) Subcommittee Member Representatives. Members of a Subcommittee may appoint a representative to attend meetings in their absence by submitting the name of the person in writing to the chairperson of the Subcommittee, with a copy to the Agency's Executive Director, prior to any meeting such representative will attend. The representative of a member shall be entitled to vote at any Subcommittee meeting in the absence of the member, but shall have no other rights as a Board member or alternate. The ability to appoint a member representative shall not apply to members of any Standing Committee.

(h) Staff Assistance. Agency staff shall provide Standing Committees and Subcommittees with any technical assistance required to organize meetings. Such assistance will be provided at request of the Chair of a Standing Committee or Subcommittee.

(i) Removal. The Board of Directors, upon recommendation of the Governance Committee, may remove any Standing Committee or Subcommittee member for cause at any time but such removal shall be without prejudice to the representation rights of the Agency member represented by such Standing Committee or Subcommittee member.

Section 6.3 Executive Committee. The Executive Committee shall review Agency policy documents, including the Agency's budget and Overall Work Program (OWP) as prepared by the Executive Director, and make recommendations to the Board of Directors regarding approval. The Executive committee shall also provide advice to the Executive Director and shall carry out other responsibilities delegated to it by the Board of Directors. All Standing Committees shall present any recommendations intended for discussion or approval by the Board of Directors first to the Executive Committee for placement on the agenda of the appropriate meeting of the Board. The Board of Directors may delegate authority to the Executive Committee to act as the Board of Directors on individual issues. The Executive Committee shall keep regular minutes of its proceedings and report to the Board of Directors prior to each of its meetings. The Executive Committee shall consist of the President, First Vice President, Second Vice President (if any), Secretary, Treasurer, immediate past President of the Board of Directors and Mayor/Chief of Government and International Affairs of the largest city in the five-county region. Executive Committee membership shall also include at least one member of the governing officers of each county. The Mayor/Chief of Government and International Affairs of the largest city in the five-county region shall not be considered a county representative for this purpose. Vacancies in membership of the Executive Committee shall be filled in the same manner as the vacating member was selected.

Section 6.4 Planning and Programming Committee.

(a) The Planning and Programming Committee shall provide policy recommendations with regard to transportation, water quality and air quality powers of the Agency and shall evaluate recommendations from its subcommittees and bring such recommendations, as it deems appropriate, to the Board of Directors for discussion and approval. Subcommittees of the Planning and

Programming Committee shall consist of the Water Quality Subcommittee, the Air Quality Subcommittee and the Transportation Subcommittee. Membership of the Planning and Programming Committee should reflect the diversity of Board membership in each of the five counties and the City of Cleveland and take into account the important role of the various agencies represented on the NOACA Board. The chairperson and members of the Planning and Programming Committee shall be appointed by the President with the approval of the Board and shall consist of at least twenty-two members, comprised of the following:

- (1) Nine members of the Board of Directors from jurisdictions within Cuyahoga County;
 - (2) Four members of the Board of Directors from jurisdictions within the City of Cleveland;
 - (3) One members of the Board of Directors from a jurisdiction within Geauga County;
 - (4) Two members of the Board of Directors from jurisdictions within Lake County;
 - (5) Three members of the Board of Directors from jurisdictions within Lorain County;
 - (6) Two members of the Board of Directors from jurisdictions within Medina County;
- and
- (7) One member from the Ohio Department of Transportation.

(b) **Water Quality Subcommittee.** The Water Quality Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to water quality environmental planning powers of the Agency.

(1) **Membership.** The Water Quality Subcommittee shall consist of the following 11 voting members:

- A. Five members of the Board of Directors with at least one Board member from jurisdictions within each member county [5];
- B. one representative of the Environmental Health Directors of the County Health Agencies [1];
- C. one of the Sanitary Engineers, or substantial equivalent, of the five counties [1];
- D. one local soil and water conservation district representative within the NOACA area [1];
- E. a representative of the Northeast Ohio Regional Sewer District [1];
- F. City of Cleveland Health Director or Environmental Health Commissioner [1];
- G. one member of a local watershed group [1]; and
- H. the Ohio EPA Northeast District Office chief, who shall be a non-voting member.

(2) **Functions.** Functions of the Water Quality Subcommittee shall include the following:

- A. Providing advice and policy recommendations on water quality environmental issues or projects and transportation projects with related water quality issues;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant environmental problems, priorities and concerns with development of a comprehensive regional approach to environmental concerns;
- C. Assisting the Planning and Programming Committee and Agency staff in environmental work program development; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

(c) **Air Quality Subcommittee.** The Air Quality Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to air quality environmental planning powers of the Agency.

(1) **Membership.** The Air Quality Subcommittee shall consist of the following 11 voting members:

- A. Five members of the Board of Directors with at least one Board member from jurisdictions within each member county [5];
- B. One representative of the City of Cleveland [1];
- C. One member from each of the local air agencies (Cleveland Division of Air Quality, Lake County General Health District, and the Akron Regional Air Quality Management District) [3];
- D. The Ohio Department of Transportation, District 12 [1];
- E. The Greater Cleveland Regional Transit Authority [1];
- F. The Ohio EPA Northeast District Office chief, who shall be a non-voting member.

(2) **Functions.** Functions of the Air Quality Subcommittee shall include the following:

- A. Providing advice and policy recommendations on air quality environmental issues or projects and transportation projects with related air quality issues;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant environmental problems, priorities and concerns with development of a comprehensive regional approach to environmental concerns;
- C. Assisting the Planning and Programming Committee and Agency staff in environmental work program development; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

(j) **Transportation Subcommittee.** The Transportation Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to transportation matters affecting the Planning Area.

(1) **Membership.** The Transportation Subcommittee shall consist of the following 34 members:

- A. The County Engineer or Director of Public Works and Planning Director of each member county [10].
- B. From the City of Cleveland: Commissioner of Traffic Engineering, Commissioner of Engineering and Construction, a member of Cleveland City Council (selected by the Council) and the City Planning Director [4].
- C. The General Manager of the largest transit authority or agency in each member county [5].
- D. The Deputy Directors of the Ohio Department Transportation, Districts 3 and 12 [2].
- E. The Ohio Environmental Protection Agency, Regional Office [1].
- F. One member representing the Chamber of Commerce (or equivalent organization) of each member county, appointed by the President of the Board of Directors upon consultation with each county[5].

- G. Six members of the Board of Directors with at least one from each member county and one representative of the Cleveland-Cuyahoga Port Authority, [7].
- H. Additional non-voting members may be appointed by the President of the Board of Directors to insure inclusion of elected officials, public administrators, funding agencies and private sector organizations concerned with transportation planning and implementation in the Planning Area.

(2) Functions. The functions of the Transportation Subcommittee shall include the following:

- A. Assisting the Planning and Programming Committee and Agency staff in developing short and long-range plans and programs for the Planning Area, in accordance with NOACA’s role and responsibilities as an MPO as required by federal law;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant transportation issues, using a regional approach to address these issues, within the framework of the authority granted to the Agency in federal and state law and regulation;
- C. Assisting the Planning and Programming Committee and Agency staff in development of the transportation elements of the annual overall work program; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

Section 6.5 Policy Committee.

(a) The Policy Committee shall provide technical advice and recommendations in the area of comprehensive policy and long-range planning matters to the Board of Directors. Membership of the Policy Committee should reflect the diversity of Board membership in each of the five counties and the City of Cleveland and take into account the important role of the various agencies represented on the NOACA Board. The chairperson and members of the Policy Committee shall be appointed by the President with the approval of the Board and shall consist of at least twenty-two members, comprised of the following:

- (1) Nine members of the Board of Directors from jurisdictions within Cuyahoga County;
 - (2) Four members of the Board of Directors from jurisdictions within the City of Cleveland;
 - (3) One members of the Board of Directors from a jurisdiction within Geauga County;
 - (4) Two members of the Board of Directors from jurisdictions within Lake County;
 - (5) Three members of the Board of Directors from jurisdictions within Lorain County;
 - (6) Two members of the Board of Directors from jurisdictions within Medina County;
- and
- (7) One member from the Ohio Department of Transportation.

(b) Functions. The functions of the Policy Committee shall include the following:

(1) As its principal function assist the Agency and its members in development of comprehensive, long-range policies in the areas of transportation asset management, and transportation investment and strategy, including regional strategic planning, by providing review and comment at appropriate stages of the planning process and providing technical advice and recommendations on comprehensive planning issues or projects as appropriate;

(2) Serve as a forum for exchange of information regarding comprehensive planning, land use development and redevelopment, land use regulation and data and other planning issues in the members' jurisdictions;

(3) Assist the Agency in development of annual Overall Work Programs by providing advice, review and comment at appropriate stages of the development process regarding land use planning-related components and land use impacts of Agency activities.

Section 6.6 Governance Committee. The chairperson and members of the Governance Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members, including one representative of each of the five counties and a representative of the largest city in the five-county region, with additional members appointed based on the expertise necessary to accomplish the committee's purpose. The Governance Committee shall have power to nominate the officers of the Board of Directors for the next year and conduct the election provided for in Section 4.3(a). The Governance Committee shall also (a) create and implement an orientation program for new Directors; (b) monitor the procedure by which Directors annually identify and report known and potential conflicts of interest; and (c) review and recommend to the Board for approval proposed revisions this Code of Regulations as necessary.

Section 6.7 Finance and Audit Committee. The Chairperson and members of the Finance and Audit Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members possessing the expertise necessary to accomplish the committee's purpose. The Finance and Audit Committee shall: be responsible for the selection of outside auditors; review and evaluate the Agency's accounting and financial controls with the President and the Executive Director; provide general financial oversight for the Agency; and report annually to the Board of Directors on the results of the audit.

Section 6.8 External Affairs Committee. The Chairperson and members of the External Affairs Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members with additional members appointed based on the expertise necessary to accomplish the committee's purpose. The External Affairs Committee shall assist the Agency with its relationships with various government agencies and subdivisions, the media and the general public.

Section 6.9 Other Committees, Subcommittees and Task Forces.

(a) The Board of Directors may create, by resolution adopted by a majority of the Board present and voting, other Standing Committees, which shall exercise authority granted to such Standing Committee by the Board of Directors, but the work of any such Standing Committee shall not be effective until approved by the Board.

(b) The Board of Directors, or the Chair of a Standing Committee and the President of the Board of Directors jointly, may establish special subcommittees of a Standing Committee in addition to those set forth in this Code of Regulations to explore problems requiring specific technical skills.

(c) The Board of Directors, or the Chair of any Subcommittee with the approval of the President of the Board, may establish additional Advisory Councils or Task Forces deemed necessary. The purpose of such Advisory Councils and Task Forces shall be to provide advice and recommendations to the Standing Committees and Subcommittees relating to specific issues or technical areas. Task Forces shall be formed for specific projects to be completed within a designated time. Advisory Councils may be formed to provide ongoing advice and recommendations. Advisory Council and Task Force members shall consist of individuals with sufficient expertise in order to contribute to the mission and functional activities of the Advisory Council or Task Force and need not be members of the Board of Directors. At the time of its formation, each Advisory Council or Task Force shall create a written statement of purpose to be distributed to the Standing Committee or Subcommittee for review and comment.

Section 6.10 Citizen and Business Participation. The Board of Directors shall maintain an ongoing citizen participation program in accordance with all federal, state and Board directives to encourage citizen participation in the work and planning of the Agency. The Board of Directors may establish, by resolution adopted by a majority of the Board present and voting, a Citizen Advisory Council and a Business Advisory Council, with membership and purpose determined by such resolution.

ARTICLE VII

AGENCY STAFF

Section 7.1 Executive Director. The Agency shall employ a full-time Executive Director pursuant to a written contract, which shall be negotiated by the Executive Committee. Terms and conditions of the contract shall be subject to approval by a majority of the Board of Directors.

Section 7.2 Powers and Duties of Executive Director. The Executive Director, or designee, shall be responsible for managing day-to-day activities of the Agency. The Executive Director shall have authority and responsibility to hire, fire, supervise and direct Agency staff, as contained in the annually approved OWP. At the time of OWP review and approval, the Executive Director will provide the Executive Committee with information on the positions needed to complete the work contained in the OWP. The Executive Director has the authority to fill vacancies of approved positions, but will notify the Executive Committee of plans to fill a vacancy. For all new

or additional positions not included in the annually approved OWP, the Executive Director shall notify the Executive Committee, which must approve the new or additional position prior to initiating the hiring process if such new or additional position has an effect on the annual budget. The Executive Director shall have the authority and responsibility to administer the Agency in accordance with the Code of Regulations of the Agency and Administrative Policies and Procedures adopted by the Board and to carry out duties and functions delegated by the Board of Directors or any officer.

Section 7.3 Staff. Agency staff shall report to the Executive Director. Principal functions of Agency staff shall be to:

(a) Implement all directives of the Board of Directors and Executive Committee to fulfill responsibilities of the Agency;

(b) Keep the Executive Director well informed of activities, projects, programs and studies being conducted by the Agency;

(c) Provide assistance necessary to organize meetings of the Board of Directors, Executive Committee, Standing Committees, Subcommittees, Advisory Councils and Task Forces which may include preparation of meeting agendas, minutes and accompanying materials;

(d) Prepare research reports and policy papers for the Board of Directors on issues of significance to the NOACA Area;

(e) Administer Intergovernmental Review (IGR) in accordance with Board policy.

(f) Complete work programs and projects approved by the Board of Directors in a timely and professional manner.

ARTICLE VIII

INDEMNITY

Section 8.1 In General. Any person who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, suit or proceeding, whether civil, criminal, administrative or investigative, other than a suit by or in the right of the Agency, by reason of the fact that the person is or was a Board member, officer, employee or agent of the Agency, or is or was serving at the request of the Agency as a director, trustee, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall be indemnified by the Agency for expenses, including reasonable attorney fees, judgments, fines and amounts paid in settlement actually and reasonably incurred in connection with such action, suit or proceeding if done in good faith and in a manner reasonably believed to be in the best interests of the Agency and, with respect to any criminal action or proceeding, had no reasonable cause to believe conduct was unlawful. Termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent, shall not create a presumption that the person did not act in good faith and in a manner which was reasonably believed to be in the best interests of the Agency

and, with respect to any criminal action or proceeding, had reasonable cause to believe that the conduct was unlawful.

Section 8.2 Indemnification Against Expenses. Any person who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, suit or proceeding by or in the right of the Agency to procure a judgment in its favor by reason of the fact that the person is or was a Board member, officer, employee or agent of the Agency, or is or was serving at the request of the Agency as a director, trustee, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall be indemnified by the Agency against expenses, including reasonable attorney fees, actually and reasonably incurred by him in connection with the defense or settlement of such action or suit if done in good faith and in a manner reasonably believed to be in the best interests of the Agency. However, no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of duty to the Agency unless, and only to the extent that, the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as such court shall deem proper.

Section 8.3 Process. Any indemnification under Section 8.1 and 8.2 (unless otherwise ordered by a court of competent jurisdiction) shall be made by the Agency only as authorized in the specific case upon a determination that indemnification of the officer, employee or agent is proper in the circumstances because the applicable standard of conduct set forth in Sections 8.1 and 8.2 has been met. Such determination shall be made (a) by the Board of Directors by a majority vote of a quorum consisting of members who were not parties to or threatened with such action, suit or proceeding; or (b) if such a quorum is not obtainable or even if obtainable, a quorum of disinterested members so directs, by independent legal counsel in a written opinion. Notwithstanding the provisions of Sections 8.1 and 8.2 of this Article VIII, to the extent that a Board member, officer, employee or agent of the Agency has been successful on the merits or otherwise, in defense of any action, suit or proceeding referred to in such sections, or in defense of any claim, issue or matter, in any event the person shall be indemnified against expenses (including reasonable attorney fees) actually and reasonably incurred in that connection. Reasonable attorney fees shall not be paid by NOACA if the person has obtained counsel apart from counsel designated by the Board.

Section 8.4 Prior Payment. Expenses incurred in defending a civil or criminal action may be paid by the Agency before final disposition of such action. Such expenses may be authorized by the Board of Directors in a specific case only upon receipt by the Agency of a request on behalf of the Board member, officer, employee or agent to repay such amount unless it shall finally be determined that the person is entitled to be indemnified in such amount by the Agency.

Section 8.5 Non-Exclusive. The indemnification provided by this Article VIII shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled by any law of the State of Ohio, agreement or other means, both as to action taken in an official capacity and as to action in another capacity while holding such office and shall continue as to a person who has ceased to be a Board member, officer, employee or agent and such rights shall inure to the benefit of such person's heirs, executors and administrators.

ARTICLE IX

AMENDMENTS

This Code of Regulations may be altered, amended or repealed only by a majority vote of the Board of Directors. However, any matters relating to Article IV of this Code of Regulations shall be altered, amended or repealed only upon written approval of each County of the NOACA area and the City of Cleveland. Such written approvals must be submitted to NOACA within 90 days of the date of any resolution requiring approval, or at the next regular meeting of the Board of Directors, whichever is earlier. Alteration, amendment or repeal of this Code may be initiated by the Board either after a special meeting called for that purpose or at any regular meeting where notice of such purpose was included in the notice of such meeting.

ARTICLE X

MISCELLANEOUS

Section 10.1 Checks and Notes. Certain checks or demand for money and notes of the Agency shall be signed by the officer authorized by these Regulations. The signature may be a facsimile when authorized by the Board of Directors.

Section 10.2 Seal. The Board of Directors may provide a seal containing the name of the Agency and it is kept by the Secretary. Duplicate seals may be kept and used by other officers of the Agency.

Section 10.3 Notice. Whenever notice is required to be given to any person it may be given to such person either personally, by mail, or by any method permitted by law, to the address or location appearing on the books of the Agency. If notice is sent by mail it shall be deemed to have been delivered to the addressee when deposited in the United States mail for transmission to such person.

Section 10.4 Waiver of Notice. Any notice required to be given to any person may be waived in writing by the person entitled to such notice before the meeting. Attendance at any meeting by any person entitled to notice, either in person or by a duly designated alternate, shall constitute a waiver of notice of such meeting by such person except where such person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully convened.

Section 10.5 Captions. Captions and headings in the Code of Regulations are for convenience only and in no way define or limit the scope or intent of any provision or section.

APPENDIX I

COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES

TYPE	PURPOSE	CREATED BY	MEMBERSHIP	DURATION	WHO APPOINTS MEMBERS	REPORTING RESPONSIBILITIES
Standing Committee	Advise & Recommend Tech/Function Issues to Board	<ul style="list-style-type: none"> • Code • Board 	Members of NOACA Board or alternates	Permanent	President with Board Approval	Recommend to Executive Committee
		•				
Subcommittee	Tech ongoing advice to Standing Committee	<ul style="list-style-type: none"> • Chair Standing Committee & President jointly, • Board • Code 	Standing Committee members or per Code Stakeholders Tech Experts	Permanent	<ul style="list-style-type: none"> • President • Standing Committee Chair with President • Code 	Recommend to Standing Committee
		•				
Advisory Council*	Advice to Board or Standing Committee or Subcommittee	<ul style="list-style-type: none"> • Chair Subcommittee & President jointly • Board • Code 	Board members Standing Committee members Individuals not with agency with special expertise	Permanent or Temporary	<ul style="list-style-type: none"> • President • Chair of Subcommittee with President • Code 	Recommend to Subcommittee
		•				
Task Force*	Oversees special study or report	<ul style="list-style-type: none"> • Chair Subcommittee & President jointly • Board • Code 	Board Members Standing Committee Subcommittee or individuals with special expertise	Temporary	<ul style="list-style-type: none"> • President • Chair of Subcommittee with President • Code 	Recommend to Subcommittee

*Written statement of purpose needed.

CODE OF REGULATIONS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING
AGENCY

(Agency By-Laws)

Revised and Restated as of July 11, 2014,

Historical Notes:

Revisions to this document include all those made by:

- Board Resolution 2010-050, ratified by the five counties on April 5, 2011.
- Board Resolution 2011-030, adopted August 12, 2011.
- Board Resolution 2012-050, adopted December 14, 2012.
- Board Resolution 2013-003, adopted March 8, 2013.
- Board Resolution 2013-004 adopted March 8, 2013.
- Board Resolution 2013-027, adopted August 9, 2013.
- Board ~~Resolution~~Resolutions 2014-032 and 2014-033, adopted July 11, 2014.

TABLE OF CONTENTS

Page

ARTICLE I	NAME AND MISSION	1
Section 1.1	Name.....	1
Section 1.2	Vision	1
Section 1.3	Mission	1
ARTICLE II	POWERS OF AGENCY	2
Section 2.1	Powers	2
ARTICLE III	MEMBERS	2
Section 3.1	Counties.....	2
Section 3.2	Cities, Villages, and Townships	2
Section 3.3	Regional Governmental Authorities and Districts	2
Section 3.4	Membership Dues.....	3
Section 3.5	Suspension of Membership	3
ARTICLE IV	BOARD OF DIRECTORS	3
Section 4.1	Duties of Board of Directors	3
Section 4.2	Appointments ; Composition; Alternates; Term	3
Section 4.3	Officers; Election; Qualification; Term of Office; Resignation.....	6
Section 4.4	Vacancies.....	7
Section 4.5	Removal.....	7
Section 4.6	Compensation of Board Members	8
ARTICLE V	ORGANIZATION OF BOARD OF DIRECTORS	8
Section 5.1	Regular Meetings.....	8
Section 5.2	Special Meetings	8
Section 5.3	Notice of Meetings	8
Section 5.4	Presiding Officer	8
Section 5.5	Ratification	8
Section 5.6	Quorum.....	9
Section 5.7	Public Meetings	9
Section 5.8	Procedure.....	9
Section 5.9	Conflicts of Interest	9
Section 5.10	Applicability of Ohio Ethics Laws	9

ARTICLE VI	COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES	10
Section 6.1	Establishment of Committees, Subcommittees, Advisory Councils and Task Forces	10
Section 6.2	Standing Committees	10
Section 6.3	Executive Committee	11
Section 6.4	Planning and Programming Committee	12
Section 6.5	Policy Committee	15
Section 6.6	Governance Committee	16
Section 6.7	Finance and Audit Committee	16
Section 6.8	External Affairs Committee	16
Section 6.9	Other Committees, Subcommittees and Task Forces	16
Section 6.10	Citizen and Business Participation	17
ARTICLE VII	AGENCY STAFF	17
Section 7.1	Executive Director	17
Section 7.2	Powers and Duties of Executive Director	17
Section 7.3	Staff	17
ARTICLE VIII	INDEMNITY	18
Section 8.1	In General	18
Section 8.2	Indemnification Against Expenses	18
Section 8.3	Process	19
Section 8.4	Prior Payment	19
Section 8.5	Non-Exclusive	19
ARTICLE IX	AMENDMENTS	19
ARTICLE X	MISCELLANEOUS	20
Section 10.1	Checks and Notes	20
Section 10.2	Seal	20
Section 10.3	Notices	20
Section 10.4	Waiver of Notice	20
Section 10.5	Captions	20
APPENDIX I	COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES	20

**CODE OF REGULATIONS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

As local officials of the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina and of the City of Cleveland, and as part of our responsibilities for carrying out transportation and environmental planning in the five-county region, under local direction and in accordance with federal and state mandates, pursuant to authority granted under Ohio Revised Code Section 307.14, *et seq.*, we have established the Northeast Ohio Areawide Coordinating Agency and adopt the following Code of Regulations.

ARTICLE I

NAME AND MISSION

Section 1.1 Name. The name of this regional organization is the Northeast Ohio Areawide Coordinating Agency (NOACA or the Agency). The NOACA area for transportation and environmental planning encompasses the Cleveland/Lorain-Elyria metropolitan region including the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina, including the City of Cleveland and less the incorporated areas of the City of Vermilion in Lorain County and the City of Rittman in Medina County.

Section 1.2 Vision. NOACA will STRENGTHEN regional cohesion, PRESERVE existing infrastructure, and BUILD a sustainable multimodal transportation system to SUPPORT economic development and ENHANCE quality of life in Northeast Ohio.

Section 1.3 Mission. In pursuing responsibilities for transportation and environmental planning for the region, NOACA aims to: (1) improve the quality of life of the region's citizens by enhancing the region's long term economic development potential and by protecting its environmental quality; (2) assist member local governments and agencies in addressing local and regional issues in a cooperative manner; and (3) assure equitable flow and prudent expenditure of public funds.

NOACA supports these aims by: (1) serving as a forum for local public officials to engage in regional debate and intergovernmental cooperation; (2) encouraging local decision-making to be in harmony with the region's transportation and environmental plans; (3) maintaining federal designations and planning processes and meeting federal and state requirements for regional programs; (4) seeking equitable return of state and federal funds to the region to meet locally determined needs; (5) providing information and technical planning support to benefit member communities in order to best use public resources; and (6) advocating interests of the region with state and federal decision-makers.

ARTICLE II

POWERS OF AGENCY

Section 2.1 Powers. The Agency shall act as a comprehensive transportation and environmental planning organization. In so doing it shall plan and coordinate the following four distinct but interrelated areas as: (i) the federal and state designated metropolitan planning organization (MPO) for transportation planning; (ii) the federal designated areawide water quality management planning agency for the five-county area, including the Northeast Ohio Lake Erie Basin (NEOLEB) planning area; (iii) the federal designated planning agency to address transportation-related air quality issues in the five-county area; and (iv) planning and support coordination to the region, as directed by the NOACA Board of Directors, for limited environmental management and transportation planning assistance to member communities and other public agencies and non-governmental organizations. The Agency shall also provide information to members and other public and private organizations and the general public within guidelines established by the Board of Directors.

In addition, the Agency shall exercise powers conferred by applicable federal, state and local laws, regulations, ordinances, rules and policies as well as those powers transferred to it by its members permitted under the Constitution of the State of Ohio and the Ohio Revised Code.

ARTICLE III

MEMBERS

Section 3.1 Counties. The counties of Cuyahoga, Geauga, Lake, Lorain and Medina in the State of Ohio have created the Agency pursuant to Ohio Revised Code Section 307.14, *et seq.* in accordance with federal and state mandates and accordingly these counties, acting through their respective Boards of Commissioners or other administrative structures, are the principal members of the Agency.

Section 3.2 Cities, Villages and Townships. By virtue of home rule powers granted by Article XVIII of the Ohio Constitution, as well as statutory or charter authority granted by the Ohio General Assembly or their citizens, the cities, villages, and townships of the NOACA five-county area have important responsibilities for transportation and environmental issues within their jurisdictions. Each city, village and township within the NOACA area is a member of the Agency and entitled to services from the Agency.

Section 3.3 Regional Governmental Authorities and Districts. As provided in the Ohio Revised Code, certain portions of the NOACA area constitute special purpose government districts for transportation, mass transit, air quality and wastewater planning and management. Accordingly (except as provided) each county-based regional transit authority and regional sewer district within the NOACA area is a member of the Agency and entitled to participate in the Agency.

Section 3.4 Membership Dues. Financial responsibility for operation of the Agency rests with the five counties that have created the Agency and the City of Cleveland. Basic dues to support operations of the Agency shall be apportioned by population figures established by the decennial census conducted by the U.S. Bureau of Census and each county and the City of Cleveland shall pay their respective share. Each county and the City of Cleveland may further apportion its share of Agency dues to the governmental entities within its geographic area according to a plan submitted to the Board of Directors, but in all circumstances responsibility for the payment of dues shall remain with each of the five counties and the City of Cleveland. Basic dues may be increased or decreased by the Board of Directors each year.

Section 3.5 Suspension of Membership. Any member whose dues remain unpaid for a period in excess of 90 days after commencement of the fiscal year on each July 1 may be subject to suspension of membership. Suspension of membership may be undertaken by a majority vote of the Board of Directors and may provide for curtailment of voting authority or services and for such other penalties as the Board of Directors may direct in each case. Notice of any member's eligibility for suspension shall be given at regular intervals to the Board of Directors and in writing to the member's chief executive officer.

ARTICLE IV

BOARD OF DIRECTORS

Section 4.1 Duties of Board of Directors. The business of the Agency shall be managed by the Board of Directors. The Board of Directors shall exercise all powers of the Agency, which are not otherwise required to be exercised by Agency members.

Section 4.2 Composition; Alternates; Term.

~~(a) The Board of Directors shall consist of representatives from the five-county area-counties and the City of Cleveland. The goalgoals for representation isare as follows: to bring toensure that the Board's discussions and decision-making are informed by the principal elected officials and regional administrators of the NOACA planning area concerned with transportation and environmental planning, while assuring; to assure the area's citizens of an approximation of equal representation by population; and to assure the area's citizens of representation reflecting the demographics of the area's population. Board positions shall be granted based on requirements of this section and individual Board members shall be specified annually at the first meeting.~~Section 4.2. Each ~~County~~county and the City of Cleveland shall be responsible for assuring appropriate representation according to ~~this section~~Section 4.2, recognizing the ~~goalgoals~~ for representation, dues procedures and compliance within each ~~County~~county's, the City of Cleveland's, and the Agency's mission. Each ~~voting~~ member of the Board, ~~including it's Officers,~~ shall be entitled to ~~one~~ vote on all matters submitted to the Board for ~~a vote~~.action.

(b) Cuyahoga County

Votes

- | | | |
|-----|-----------------------------------|---|
| (i) | County Government | |
| | (A) County Executive | 1 |
| | (B) Director of Public Works..... | 1 |

	(C) County Executive Appointee.....	1
	(D) County Council Member	1
(ii)	Regional Authorities	
	(A) Northeast Ohio Regional Sewer District	1
	(B) Greater Cleveland Regional Transit Authority (President of the Board of Trustees or General Manager, as the President of the Board of Trustees may designate)	1
	(C) Cleveland-Cuyahoga Port Authority	<u>1</u>
	TOTAL	7
(iii)	Cuyahoga Suburban Regions	
	(A) West Shore Region	1
	(B) Southwest Region	1
	(C) South/Central Region	1
	(D) Cuyahoga Region	1
	(E) Chagrin/Southeast Region	1
	(F) Heights Region	1
	(G) Hillcrest Region.....	1
	(H) City of Cleveland Heights	1
	(I) City of Euclid	1
	(J) City of Lakewood	1
	(K) City of Parma.....	<u>1</u>
	TOTAL	11
(iv)	City of Cleveland	
	(A) Mayor (Chief of Government and International Affairs)	1
	(B) Director of Capital Projects	1
	(C) Council Member	1
	(D) Council Member	1
	(E) Council Member	1
	(F) City Planning Director.....	<u>1</u>
	TOTAL	6
	(c) Geauga County	
(i)	County Commissioner	1
(ii)	County Commissioner	1
(iii)	County Commissioner	<u>1</u>
	TOTAL	3
	(d) Lake County	
(i)	County Commissioner	1
(ii)	County Commissioner	1
(iii)	County Commissioner	1
(iv)	County Engineer	1
(v)	Laketran.....	<u>1</u>
	TOTAL	5

Lorain County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner (County Engineer)	1
(iv) City of Lorain	1
(v) City of Elyria	1
(vi) Municipal Representative	1
(vii) Township Representative	1
TOTAL	7

(f) Medina County

(i) County Commissioner	1
(ii) County Commissioner (Municipal Representative)	1
(iii) County Commissioner (Township Representative).....	1
(iv) County Engineer	1
TOTAL	4

(g) State of Ohio

(i) Department of Transportation	1
(appointment to be made by ODOT Director)	
TOTAL	44

(h) Pursuant to contracts approved by the Board of Directors, a representative of the Ohio Environmental Protection Agency, Northeast District Office, ~~is~~shall be a non-voting ex officio member of the Board of Directors of the Agency. The Departments of Development, Natural Resources and the Environmental Protection Agency of the State of Ohio, as well as such other agencies of government as the Board of Directors may approve by ~~regulation~~resolution adopted at a meeting, may be represented. Representatives of these agencies shall have rights established by the Board of Directors but shall not have a right to vote or a right of initiative.

(i) No staff member of any regional or county planning commission, no consultant, nor any Agency staff member, whether part time or full time, whose salary is reimbursed in whole or in part by or through the Agency, shall vote as a member or alternate of the Board of Directors or the Executive Committee on appropriations, grants or contracts between NOACA and the employer of such person, but attendance of such person may be included in determining a quorum.

(j) ~~Each~~ On or before the first meeting of the Board of Directors each calendar year, ~~each~~ person who is a member of the Board of Directors shall designate ~~an~~one alternate to act in the absence of such member—, ~~which alternate shall keep the member informed of all matters that come before the Board of Directors or any committee on which such alternate serves. No person may serve as the alternate for more than one Board member.~~ Alternates shall possess full powers in all matters ~~which~~that come before the Board of Directors— ~~and shall have all the rights and responsibilities of a Board member, including all fiduciary and other responsibilities to the Agency.~~ Each alternate shall be considered a Board member with respect to all actions taken in ~~his or her~~ capacity as an alternate, including any duties as an Executive Committee member. Designation of an alternate shall be in writing and must be submitted to the ~~Board of Directors~~President of the Board, with a copy to the

Agency's Executive Director. Each designation shall be effective ~~for no~~ until it is revoked or modified by the Board member who made such designation or until the Board member making the designation is no longer a member of the Board of Directors, but in no event shall a designation of alternate be effective for more than one year from the date it is submitted ~~to the Board of Directors.~~ Each person who is a member of the Board of Directors may revoke or modify the designation of an alternate at any time in writing ~~and submit it~~ submitted to the President of the Board of Directors, with a copy to the Agency's Executive Director.

(k) Each person who is a member of the Board of Directors by virtue of a position representing a county within the five-county area may elect to vote by written proxy on any matter submitted to the ~~Board.~~ President of the Board, with a copy to NOACA's Executive Director. Alternates are specifically precluded from exercising such proxy rights.

(l) Each person who is a member of the Board of Directors and any alternate designated by such member shall vacate Board membership immediately upon ceasing to hold the public office or position ~~which~~ that originally entitled such person to become a member of the Board of Directors. The successor of such member shall be designated in the same manner as the vacating member was selected.

(m) The Board of Directors is authorized to take appropriate measures to ~~insure~~ ensure attendance and a quorum, including limitations on speaking or similar rights of non-attending members, but no such measure shall operate to diminish the vote of any member government or collection of communities.

Section 4.3 Officers; Election; Qualification; Term of Office; Resignation.

(a) At ~~the~~ its first meeting in January each year the Board of Directors shall elect a President, First Vice President, Secretary and Treasurer. The Board of Directors may also elect additional Vice Presidents, one or more Assistant Secretaries and one or more Assistant Treasurers. Each officer shall hold office until the ~~next annual~~ meeting of the Board of Directors held in January of the following year, or until such officer's successor is elected and qualified or until such officer's resignation, removal or death. Upon approval by the Board one person may serve both as Secretary and Treasurer.

(b) Any officer may resign at any time upon written notice to the ~~Secretary~~ President of the Board of Directors, with a copy to NOACA's Executive Director.

(c) The Board of Directors may remove any officer for cause at any time but such removal shall be without prejudice to the representation rights of the Agency member represented by such officer.

(d) Any vacancy occurring in any office which is caused by death, resignation, removal or otherwise shall be filled for the unexpired portion of the term by appointment by the President (except that the First Vice President shall succeed the President as set forth below) with approval of the Board of Directors within 30 days of that vacancy at its next regular meeting or a special meeting called for that purpose pursuant to Section 5.2 of this Code.

(e) No member organization shall have more than one Board member serving concurrently as an officer. This limitation does not apply in the case of officers serving as First or Second Vice President, Assistant Secretary or Assistant Treasurer.

(f) President. The President of the Board of Directors shall be the chief policy officer of the Agency and shall exercise all powers and duties in leadership of the Agency as are generally associated with such office including, but not limited to, the power to execute such documents and instruments authorized by resolutions adopted by the Board of Directors. The President shall represent the Agency before bodies of the state and federal government and shall be an ex officio voting member of all Standing Committees. The President shall also be responsible for execution of all directives and resolutions adopted by the Board of Directors.

(g) First Vice President. The First Vice President, in the absence or disability of the President, shall perform duties and exercise powers of the President. In addition, the First Vice President shall perform such other duties prescribed by the Board of Directors or President.

(h) Secretary. The Secretary shall give or cause to be given notice of all meetings of the Board of Directors and shall perform such other duties prescribed by the Board of Directors or President, under whose supervision the Secretary acts. The Secretary shall keep or cause to be kept the corporate seal of the Agency, if any, and when authorized by the Board of Directors, affix it to an instrument which shall be attested to either by the signature of the Secretary, Treasurer or Assistant Secretary. In the absence of the Secretary, the President or designee shall appoint a member to perform the duties of the Secretary.

(i) Treasurer. The Treasurer or designee (or Secretary in the absence or disability of the Treasurer) shall have responsibility for the custody of Agency funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Agency, and shall deposit or cause to be deposited all funds and securities of the Agency in depositories designated by the Board of Directors. The Treasurer shall ~~disburse~~oversee the disbursement of funds as directed by the Board of Directors, taking proper vouchers for such disbursements, and shall give or cause to be given to the President and other members of the Board of Directors a periodic accounting of all transactions and the financial condition of the Agency. The Treasurer shall perform such other duties prescribed by the Board of Directors or President.

(j) Vice Presidents, Assistant Secretaries and Assistant Treasurers. In the absence or disability of the First Vice President, Secretary or Treasurer, the Second Vice President, Assistant Secretaries or Assistant Treasurers in the order designated by the Board of Directors, shall perform the duties of the First Vice President, Secretary or Treasurer, respectively, and shall have full powers of the office.

Section 4.4 Vacancies. A vacancy in the Board of Directors, however occurring, shall be filled by a public official designated in the same manner as the vacating member was selected, to hold office for the whole or balance of the term to which such member was ~~elected~~appointed or until such member's successor is ~~elected~~appointed and qualified or until earlier resignation, removal from office or death.

Section 4.5 Removal. ~~A majority of the members of the~~The Board of Directors may at any time ~~may~~ remove for cause any member, except for individuals who ~~is not a member~~are members of the Board solely because of their position as an elected official of a member agency, and any alternate. Removal must occur at a special meeting duly called for this purpose or at a regular meeting of the Board of Directors where notice of this purpose ~~has been established at the immediately preceding Board was included in the notice of such~~ meeting. The affirmative vote of a majority of the Board members in attendance at such meeting is required for any such removal. Removal shall be without prejudice to the representation rights of the Agency member represented by such Board member or alternate. The successor to such member or alternate shall be designated in the same manner as the ~~removed~~vacating member was selected.

Section 4.6 Compensation of Board Members. A member of the Board of Directors shall not receive compensation for services other than ordinary and incidental expenses, except that a member may be reimbursed for other reasonable expenses approved by a majority of the Board of Directors. The Agency considers attendance at meetings of the Board of Directors and its committees to be public employment on the same basis that any Board member or alternate is considered in public employment for the public position that determined qualification for membership on the Board of Directors.

ARTICLE V

ORGANIZATION OF THE BOARD OF DIRECTORS

Section 5.1 Regular Meetings. Regular meetings of the Board of Directors shall be determined and published annually at the principal offices of the Agency or such other location and time as the Board designates.

Section 5.2 Special Meetings. Special meetings of the Board of Directors may be called at any time by the President or by a majority of members upon written notice delivered to the President or Secretary of the Board of Directors. Such request shall state the purposes of the proposed meeting.

Section 5.3 Notice of Meetings. Except as otherwise provided in these Regulations or by law, written notice stating the time, place and purpose in case of a special meeting or regular meeting at which the removal of a member of the Board will be considered, shall be delivered to each Board member at least seven days before a regular meeting and four days prior to any special meeting, either personally, by regular mail, email, fax, telephone, or any other means permitted by law.

Section 5.4 Presiding Officer. Meetings of the Board of Directors shall be presided over by the President or, in the President's absence, by the First Vice President or next succeeding officer. The Secretary shall act as secretary at all meetings and in the Secretary's absence the President may appoint any person to act as secretary of such meeting.

Section 5.5 Ratification. The Board of Directors, acting at a meeting at which a quorum is present, may ratify any action taken by or on behalf of the Agency.

Section 5.6 Quorum. A majority of Board members shall constitute a quorum to transact business. Once established for any meeting of the Board, a quorum shall presume to continue unless otherwise noted on the record that a quorum is absent. The affirmative vote of a majority of Board members present at a meeting at which a quorum is present shall constitute the approval of any matter brought before the Board of Directors for decision. Any member of the Board of Directors who has a personal or financial interest in a contract or transaction which is before the Board of Directors, or who is an owner or principal of a private and nonpublic entity with an interest in a matter before the Board of Directors, may be counted for the purpose of determining the presence of a quorum at a meeting of the Board.

Section 5.7 Public Meetings. All meetings of the Board of Directors, its Standing Committees, Subcommittees, Advisory Councils or Task Forces shall be open to the public pursuant to the Ohio Sunshine Law, Revised Code Section 121.22, *et seq.* Executive sessions and other closed meetings shall be held only as permitted by law.

Section 5.8 Procedure. All meetings of the Board of Directors shall be conducted according to *Robert's Rules of Order.*

Section 5.9 Conflicts of Interest. The Agency may at times enter into contracts or other transactions with organizations and individuals with whom members of the Board of Directors have a personal or financial relationship. Each person who is a member of the Board of Directors has a duty to exercise his or her responsibilities in the best interests of the Agency. No Board member will use his or her position with the Agency for his or her own direct or indirect financial gain. Any Board member who has a personal or financial interest in, or who is an owner or principal of a private and nonpublic entity with an interest in, any matter coming before the Board of Directors, or any committee of the Board of Directors on which he or she serves, shall: (i) disclose his or her interest to the President of the Agency or committee chair; (ii) not participate in discussion or deliberations on the matter; and (iii) abstain from voting on the matter. Such disclosure and abstention shall be noted in the minutes of the meeting. Notwithstanding the foregoing, a member of the Board of Directors who has a personal or financial interest in a matter may, at the request of the President of the Board or a committee chair, present information regarding such matter. A Board member who abstains from a matter shall nevertheless be counted in determining a quorum. Each Board member shall identify to the Agency known and potential conflicts of interest annually.

Section 5.10 Applicability of Ohio Ethics Law. The provisions of Ohio Revised Code Chapter 102, and the related provisions contained in Ohio Revised Code Sections 2921.42 and 2921.43 are applicable to all members of the Board of Directors of the Agency and to all alternates. However, members or alternates who are not otherwise required to file the financial disclosure statement mandated by Ohio Revised Code Sections 102.02, 102.021 and 102.022 shall not be required to file such statement solely as a result of his or her appointment to the Board of the Agency as a member or alternate. Appointment as a member of the Board of the Agency or as an alternate does not constitute the holding of a public office or employment within the meaning of Ohio Revised Code Chapter 102 or Chapter 2921.

ARTICLE VI

COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS and TASK FORCES

Section 6.1 Establishment of Committees, Subcommittees, Advisory Councils and Task Forces. The President of the Board of Directors, with the approval of the Board, shall establish various Standing Committees, Subcommittees, Advisory Councils and Task Forces deemed necessary or appropriate to provide advice and policy recommendations to the Board of Directors relating to specific issues or technical areas of transportation or environmental matters. Unless the Board of Directors otherwise provides, each Standing Committee, Subcommittee, Advisory Council or Task Force may make, alter and repeal rules to conduct its business. In the absence of such rules, each Standing Committee, Subcommittee, Advisory Council or Task Force shall conduct business in the same manner as the Board of Directors conducts business. Appendix I contains the table defining the purpose, membership, duration, creation, appointment and reporting responsibilities of Standing Committees, Subcommittees, Advisory Councils and Task Forces. This table shall be used to establish these bodies unless otherwise stated in the Code.

Section 6.2 Standing Committees and Subcommittees.

(a) Standing Committees. The Standing Committees of the Agency shall be the Executive Committee, the Planning and Programming Committee, the Policy Committee, the Finance and Audit Committee, the Governance Committee, and the External Affairs Committee. Each Standing Committee shall provide advice and policy recommendations to the Executive Committee and, if recommended by the Executive Committee, to the Board of Directors in specific functional areas and provide a forum for in-depth discussion and analysis of relevant issues or agenda items prior to consideration by the Board of Directors. Each Standing Committee shall keep regular minutes of its proceedings and report to the Executive Committee.

(b) Membership. Unless otherwise specifically set forth, Standing Committee and Subcommittee members shall be appointed by the President of the Board of Directors with approval of the Board. Appointments shall be made and effective as of the first Board meeting in January of each year. Each member of the Board of Directors shall serve on at least one Standing Committee. Membership of each Standing Committee shall be comprised of members of the Board of Directors or their alternates. Subcommittee membership may include individuals who are not current members of the Board of Directors. Vacancies on a Standing Committee or Subcommittee shall be filled in the same manner as the vacating member was selected. Any Standing Committee or Subcommittee may propose to expand its membership beyond the minimum by nominating additional members to the Board of Directors; additional positions shall be filled by appointment of the President with approval of the Board. The Executive Director of the Agency, or designee, shall serve as an ex officio member (without vote in that capacity) of all Standing Committees and Subcommittees.

(c) Meetings. Each Standing Committee and Subcommittee shall hold regular meetings as necessary at a time and place to be determined and shall publish a calendar of its meetings. Special meetings and the initial meeting of each year may be called by the Chair or

Vice-Chair of the Standing Committee or Subcommittee or by the Executive Director of the Agency, on at least four days notice (oral or written).

(d) Officers. The President of the Board of Directors, with the approval of the Board, shall appoint a member of the Board of Directors as Chair of each Standing Committee and Subcommittee, which appointments will be effective as of the first Board meeting in January of each year. A Vice-Chair and such other officers as the Standing Committee or Subcommittee members deem necessary may be elected by a majority of the Standing Committee or Subcommittee membership. The term of office for each Standing Committee or Subcommittee officer shall be one year or until such member's successor is selected and qualified or until earlier resignation, removal from office or death.

(e) Attendance. The President of the Board of Directors may remove and appoint a replacement for any Standing Committee or Subcommittee member if the member has been absent from three consecutive Standing Committee or Subcommittee meetings. The member appointed must receive approval of the Board.

(f) Procedure. Meetings of any Standing Committee or Subcommittee shall be conducted according to *Robert's Rules of Order*. Such meetings shall be presided over by the Chair or of the Standing Committee or Subcommittee, or in her or her absence, the Vice-Chair or such other member of the Standing Committee or Subcommittee as appointed by the Chair.

(g) Subcommittee Member Representatives. Members of a Subcommittee may appoint a representative to attend meetings in their absence by submitting the name of the person in writing to the chairperson of the Subcommittee, with a copy to the Agency's Executive Director, prior to any meeting such representative will attend. The representative of a member shall be entitled to vote at any Subcommittee meeting in the absence of the member, but shall have no other rights as a Board member or alternate. The ability to appoint a member representative shall not apply to members of any Standing Committee.

(h) Staff Assistance. Agency staff shall provide Standing Committees and Subcommittees with any technical assistance required to organize meetings. Such assistance will be provided at request of the Chair of a Standing Committee or Subcommittee.

(i) Removal. The Board of Directors, upon recommendation of the Governance Committee, may remove any Standing Committee or Subcommittee member for cause at any time but such removal shall be without prejudice to the representation rights of the Agency member represented by such Standing Committee or Subcommittee member.

Section 6.3 Executive Committee. The Executive Committee shall review Agency policy documents, including the Agency's budget and Overall Work Program (OWP) as prepared by the Executive Director, and make recommendations to the Board of Directors regarding approval. The Executive committee shall also provide advice to the Executive Director and shall carry out other responsibilities delegated to it by the Board of Directors. All Standing Committees shall present any recommendations intended for discussion or approval by the Board of Directors first to the Executive Committee for placement on the agenda of the appropriate meeting of the Board. The Board of Directors may delegate authority to the

Executive Committee to act as the Board of Directors on individual issues. The Executive Committee shall keep regular minutes of its proceedings and report to the Board of Directors prior to each of its meetings. The Executive Committee shall consist of the President, First Vice President, Second Vice President (if any), Secretary, Treasurer, immediate past President of the Board of Directors and Mayor/Chief of Government and International Affairs of the largest city in the five-county region. Executive Committee membership shall also include at least one member of the governing officers of each county. The Mayor/Chief of Government and International Affairs of the largest city in the five-county region shall not be considered a county representative for this purpose. Vacancies in membership of the Executive Committee shall be filled in the same manner as the vacating member was selected.

Section 6.4 Planning and Programming Committee.

(a) The Planning and Programming Committee shall provide policy recommendations with regard to transportation, water quality and air quality powers of the Agency and shall evaluate recommendations from its subcommittees and bring such recommendations, as it deems appropriate, to the Board of Directors for discussion and approval. Subcommittees of the Planning and Programming Committee shall consist of the Water Quality Subcommittee, the Air Quality Subcommittee and the Transportation Subcommittee. Membership of the Planning and Programming Committee should reflect the diversity of Board membership in each of the five counties and the City of Cleveland and take into account the important role of the various agencies represented on the NOACA Board. The chairperson and members of the Planning and Programming Committee shall be appointed by the President with the approval of the Board and shall consist of at least twenty-two members, comprised of the following:

- (1) Nine members of the Board of Directors from jurisdictions within Cuyahoga County;
- (2) Four members of the Board of Directors from jurisdictions within the City of Cleveland;
- (3) One members of the Board of Directors from a jurisdiction within Geauga County;
- (4) Two members of the Board of Directors from jurisdictions within Lake County;
- (5) Three members of the Board of Directors from jurisdictions within Lorain County;
- (6) Two members of the Board of Directors from jurisdictions within Medina County; and
- (7) One member from the Ohio Department of Transportation.

(b) **Water Quality Subcommittee.** The Water Quality Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to water quality environmental planning powers of the Agency.

(1) **Membership.** The Water Quality Subcommittee shall consist of the following 11 voting members:

- A. Five members of the Board of Directors with at least one Board member from jurisdictions within each member county [5];

- B. one representative of the Environmental Health Directors of the County Health Agencies [1];
- C. one of the Sanitary Engineers, or substantial equivalent, of the five counties [1];
- D. one local soil and water conservation district representative within the NOACA area [1];
- E. a representative of the Northeast Ohio Regional Sewer District [1];
- F. City of Cleveland Health Director or Environmental Health Commissioner [1];
- G. one member of a local watershed group [1]; and
- H. the Ohio EPA Northeast District Office chief, who shall be a non-voting member.

(2) Functions. Functions of the Water Quality Subcommittee shall include the following:

- A. Providing advice and policy recommendations on water quality environmental issues or projects and transportation projects with related water quality issues;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant environmental problems, priorities and concerns with development of a comprehensive regional approach to environmental concerns;
- C. Assisting the Planning and Programming Committee and Agency staff in environmental work program development; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

(c) Air Quality Subcommittee. The Air Quality Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to air quality environmental planning powers of the Agency.

(1) Membership. The Air Quality Subcommittee shall consist of the following 11 voting members:

- A. Five members of the Board of Directors with at least one Board member from jurisdictions within each member county [5];
- B. One representative of the City of Cleveland [1];
- C. One member from each of the local air agencies (Cleveland Division of Air Quality, Lake County General Health District, and the Akron Regional Air Quality Management District) [3];
- D. The Ohio Department of Transportation, District 12 [1];
- E. The Greater Cleveland Regional Transit Authority [1];
- F. The Ohio EPA Northeast District Office chief, who shall be a non-voting member.

(2) Functions. Functions of the Air Quality Subcommittee shall include the following:

- A. Providing advice and policy recommendations on air quality environmental issues or projects and transportation projects with related air quality issues;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant environmental problems, priorities and concerns with development of a comprehensive regional approach to environmental concerns;
- C. Assisting the Planning and Programming Committee and Agency staff in environmental work program development; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

(j) **Transportation Subcommittee.** The Transportation Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to transportation matters affecting the Planning Area.

(1) **Membership.** The Transportation Subcommittee shall consist of the following 34 members:

- A. The County Engineer or Director of Public Works and Planning Director of each member county [10].
- B. From the City of Cleveland: Commissioner of Traffic Engineering, Commissioner of Engineering and Construction, a member of Cleveland City Council (selected by the Council) and the City Planning Director [4].
- C. The General Manager of the largest transit authority or agency in each member county [5].
- D. The Deputy Directors of the Ohio Department Transportation, Districts 3 and 12 [2].
- E. The Ohio Environmental Protection Agency, Regional Office [1].
- F. One member representing the Chamber of Commerce (or equivalent organization) of each member county, appointed by the President of the Board of Directors upon consultation with each county[5].
- G. Six members of the Board of Directors with at least one from each member county and one representative of the Cleveland-Cuyahoga Port Authority, [7].
- H. Additional non-voting members may be appointed by the President of the Board of Directors to insure inclusion of elected officials, public administrators, funding agencies and private sector organizations concerned with transportation planning and implementation in the Planning Area.

(2) **Functions.** The functions of the Transportation Subcommittee shall include the following:

- A. Assisting the Planning and Programming Committee and Agency staff in developing short and long-range plans and programs for the Planning Area, in accordance with NOACA's role and responsibilities as an MPO as required by federal law;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant transportation issues, using a regional approach to

address these issues, within the framework of the authority granted to the Agency in federal and state law and regulation;

- C. Assisting the Planning and Programming Committee and Agency staff in development of the transportation elements of the annual overall work program; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

Section 6.5 Policy Committee.

(a) The Policy Committee shall provide technical advice and recommendations in the area of comprehensive policy and long-range planning matters to the Board of Directors. Membership of the Policy Committee should reflect the diversity of Board membership in each of the five counties and the City of Cleveland and take into account the important role of the various agencies represented on the NOACA Board. The chairperson and members of the Policy Committee shall be appointed by the President with the approval of the Board and shall consist of at least twenty-two members, comprised of the following:

- (1) Nine members of the Board of Directors from jurisdictions within Cuyahoga County;
- (2) Four members of the Board of Directors from jurisdictions within the City of Cleveland;
- (3) One members of the Board of Directors from a jurisdiction within Geauga County;
- (4) Two members of the Board of Directors from jurisdictions within Lake County;
- (5) Three members of the Board of Directors from jurisdictions within Lorain County;
- (6) Two members of the Board of Directors from jurisdictions within Medina County; and
- (7) One member from the Ohio Department of Transportation.

(b) Functions. The functions of the Policy Committee shall include the following:

(1) As its principal function assist the Agency and its members in development of comprehensive, long-range policies in the areas of transportation asset management, and transportation investment and strategy, including regional strategic planning, by providing review and comment at appropriate stages of the planning process and providing technical advice and recommendations on comprehensive planning issues or projects as appropriate;

(2) Serve as a forum for exchange of information regarding comprehensive planning, land use development and redevelopment, land use regulation and data and other planning issues in the members' jurisdictions;

(3) Assist the Agency in development of annual Overall Work Programs by providing advice, review and comment at appropriate stages of the development process regarding land use planning-related components and land use impacts of Agency activities.

Section 6.6 Governance Committee. The chairperson and members of the Governance Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members, including one representative of each of the five counties and a representative of the largest city in the five-county region, with additional members appointed based on the expertise necessary to accomplish the committee's purpose. The Governance Committee shall have power to nominate the officers of the Board of Directors for the next year and conduct the election provided for in Section 4.3(a). The Governance Committee shall also (a) create and implement an orientation program for new Directors; (b) monitor the procedure by which Directors annually identify and report known and potential conflicts of interest; and (c) review and recommend to the Board for approval proposed revisions this Code of Regulations as necessary.

Section 6.7 Finance and Audit Committee. The Chairperson and members of the Finance and Audit Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members possessing the expertise necessary to accomplish the committee's purpose. The Finance and Audit Committee shall: be responsible for the selection of outside auditors; review and evaluate the Agency's accounting and financial controls with the President and the Executive Director; provide general financial oversight for the Agency; and report annually to the Board of Directors on the results of the audit.

Section 6.8 External Affairs Committee. The Chairperson and members of the External Affairs Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members with additional members appointed based on the expertise necessary to accomplish the committee's purpose. The External Affairs Committee shall assist the Agency with its relationships with various government agencies and subdivisions, the media and the general public.

Section 6.9 Other Committees, Subcommittees and Task Forces.

(a) The Board of Directors may create, by resolution adopted by a majority of the Board present and voting, other Standing Committees, which shall exercise authority granted to such Standing Committee by the Board of Directors, but the work of any such Standing Committee shall not be effective until approved by the Board.

(b) The Board of Directors, or the Chair of a Standing Committee and the President of the Board of Directors jointly, may establish special subcommittees of a Standing Committee in addition to those set forth in this Code of Regulations to explore problems requiring specific technical skills.

(c) The Board of Directors, or the Chair of any Subcommittee with the approval of the President of the Board, may establish additional Advisory Councils or Task Forces deemed necessary. The purpose of such Advisory Councils and Task Forces shall be to provide advice and recommendations to the Standing Committees and Subcommittees relating to specific issues

or technical areas. Task Forces shall be formed for specific projects to be completed within a designated time. Advisory Councils may be formed to provide ongoing advice and recommendations. Advisory Council and Task Force members shall consist of individuals with sufficient expertise in order to contribute to the mission and functional activities of the Advisory Council or Task Force and need not be members of the Board of Directors. At the time of its formation, each Advisory Council or Task Force shall create a written statement of purpose to be distributed to the Standing Committee or Subcommittee for review and comment.

Section 6.10 Citizen and Business Participation. The Board of Directors shall maintain an ongoing citizen participation program in accordance with all federal, state and Board directives to encourage citizen participation in the work and planning of the Agency. The Board of Directors may establish, by resolution adopted by a majority of the Board present and voting, a Citizen Advisory Council and a Business Advisory Council, with membership and purpose determined by such resolution.

ARTICLE VII

AGENCY STAFF

Section 7.1 Executive Director. The Agency shall employ a full-time Executive Director pursuant to a written contract, which shall be negotiated by the Executive Committee. Terms and conditions of the contract shall be subject to approval by a majority of the Board of Directors.

Section 7.2 Powers and Duties of Executive Director. The Executive Director, or designee, shall be responsible for managing day-to-day activities of the Agency. The Executive Director shall have authority and responsibility to hire, fire, supervise and direct Agency staff, as contained in the annually approved OWP. At the time of OWP review and approval, the Executive Director will provide the Executive Committee with information on the positions needed to complete the work contained in the OWP. The Executive Director has the authority to fill vacancies of approved positions, but will notify the Executive Committee of plans to fill a vacancy. For all new or additional positions not included in the annually approved OWP, the Executive Director shall notify the Executive Committee, which must approve the new or additional position prior to initiating the hiring process if such new or additional position has an effect on the annual budget. The Executive Director shall have the authority and responsibility to administer the Agency in accordance with the Code of Regulations of the Agency and Administrative Policies and Procedures adopted by the Board and to carry out duties and functions delegated by the Board of Directors or any officer.

Section 7.3 Staff. Agency staff shall report to the Executive Director. Principal functions of Agency staff shall be to:

(a) Implement all directives of the Board of Directors and Executive Committee to fulfill responsibilities of the Agency;

(b) Keep the Executive Director well informed of activities, projects, programs and studies being conducted by the Agency;

(c) Provide assistance necessary to organize meetings of the Board of Directors, Executive Committee, Standing Committees, Subcommittees, Advisory Councils and Task Forces which may include preparation of meeting agendas, minutes and accompanying materials;

(d) Prepare research reports and policy papers for the Board of Directors on issues of significance to the NOACA Area;

(e) Administer Intergovernmental Review (IGR) in accordance with Board policy.

(f) Complete work programs and projects approved by the Board of Directors in a timely and professional manner.

ARTICLE VIII

INDEMNITY

Section 8.1 In General. Any person who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, suit or proceeding, whether civil, criminal, administrative or investigative, other than a suit by or in the right of the Agency, by reason of the fact that the person is or was a Board member, officer, employee or agent of the Agency, or is or was serving at the request of the Agency as a director, trustee, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall be indemnified by the Agency for expenses, including reasonable attorney fees, judgments, fines and amounts paid in settlement actually and reasonably incurred in connection with such action, suit or proceeding if done in good faith and in a manner reasonably believed to be in the best interests of the Agency and, with respect to any criminal action or proceeding, had no reasonable cause to believe conduct was unlawful. Termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent, shall not create a presumption that the person did not act in good faith and in a manner which was reasonably believed to be in the best interests of the Agency and, with respect to any criminal action or proceeding, had reasonable cause to believe that the conduct was unlawful.

Section 8.2 Indemnification Against Expenses. Any person who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, suit or proceeding by or in the right of the Agency to procure a judgment in its favor by reason of the fact that the person is or was a Board member, officer, employee or agent of the Agency, or is or was serving at the request of the Agency as a director, trustee, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall be indemnified by the Agency against expenses, including reasonable attorney fees, actually and reasonably incurred by him in connection with the defense or settlement of such action or suit if done in good faith and in a manner reasonably believed to be in the best interests of the Agency. However, no indemnification shall be made in respect of any claim, issue or manner as to which

such person shall have been adjudged to be liable for negligence or misconduct in the performance of duty to the Agency unless, and only to the extent that, the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as such court shall deem proper.

Section 8.3 Process. Any indemnification under Section 8.1 and 8.2 (unless otherwise ordered by a court of competent jurisdiction) shall be made by the Agency only as authorized in the specific case upon a determination that indemnification of the officer, employee or agent is proper in the circumstances because the applicable standard of conduct set forth in Sections 8.1 and 8.2 has been met. Such determination shall be made (a) by the Board of Directors by a majority vote of a quorum consisting of members who were not parties to or threatened with such action, suit or proceeding; or (b) if such a quorum is not obtainable or even if obtainable, a quorum of disinterested members so directs, by independent legal counsel in a written opinion. Notwithstanding the provisions of Sections 8.1 and 8.2 of this Article VIII, to the extent that a Board member, officer, employee or agent of the Agency has been successful on the merits or otherwise, in defense of any action, suit or proceeding referred to in such sections, or in defense of any claim, issue or matter, in any event the person shall be indemnified against expenses (including reasonable attorney fees) actually and reasonably incurred in that connection. Reasonable attorney fees shall not be paid by NOACA if the person has obtained counsel apart from counsel designated by the Board.

Section 8.4 Prior Payment. Expenses incurred in defending a civil or criminal action may be paid by the Agency before final disposition of such action. Such expenses may be authorized by the Board of Directors in a specific case only upon receipt by the Agency of a request on behalf of the Board member, officer, employee or agent to repay such amount unless it shall finally be determined that the person is entitled to be indemnified in such amount by the Agency.

Section 8.5 Non-Exclusive. The indemnification provided by this Article VIII shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled by any law of the State of Ohio, agreement or other means, both as to action taken in an official capacity and as to action in another capacity while holding such office and shall continue as to a person who has ceased to be a Board member, officer, employee or agent and such rights shall insure to the benefit of such person's heirs, executors and administrators.

ARTICLE IX

AMENDMENTS

This Code of Regulations may be altered, amended or repealed only by a majority vote of the Board of Directors. However, any matters relating to Article IV of this Code of Regulations shall be altered, amended or repealed only upon written approval of each County of the NOACA area. Such written approvals must be submitted to NOACA within 90 days of the date of any resolution requiring approval, or at the next regular meeting of the Board of Directors, whichever is earlier. Alteration, amendment or repeal of this Code may be initiated by the Board

either after a special meeting called for that purpose or at any regular meeting where notice of such purpose was given at the immediately preceding regular meeting.

ARTICLE X

MISCELLANEOUS

Section 10.1 Checks and Notes. Certain checks or demand for money and notes of the Agency shall be signed by the officer authorized by these Regulations. The signature may be a facsimile when authorized by the Board of Directors.

Section 10.2 Seal. The Board of Directors may provide a seal containing the name of the Agency and it is kept by the Secretary. Duplicate seals may be kept and used by other officers of the Agency.

Section 10.3 Notice. Whenever notice is required to be given to any person it may be given to such person either personally, by mail, or by any method permitted by law, to the address or location appearing on the books of the Agency. If notice is sent by mail it shall be deemed to have been delivered to the addressee when deposited in the United States mail for transmission to such person.

Section 10.4 Waiver of Notice. Any notice required to be given to any person may be waived in writing by the person entitled to such notice before the meeting. Attendance at any meeting by any person entitled to notice, either in person or by a duly designated alternate, shall constitute a waiver of notice of such meeting by such person except where such person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully convened.

Section 10.5 Captions. Captions and headings in the Code of Regulations are for convenience only and in no way define or limit the scope or intent of any provision or section.

APPENDIX I

COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES

TYPE	PURPOSE	CREATED BY	MEMBERSHIP	DURATION	WHO APPOINTS MEMBERS	REPORTING RESPONSIBILITIES
Standing Committee	Advise & Recommend Tech/Function Issues to Board	<ul style="list-style-type: none"> • Code • Board 	Members of NOACA Board or alternates	Permanent	President with Board Approval	Recommend to Executive Committee
		•				
Subcommittee	Tech ongoing advice to Standing Committee	<ul style="list-style-type: none"> • Chair Standing Committee & President jointly, • Board • Code 	Standing Committee members or per Code Stakeholders Tech Experts	Permanent	<ul style="list-style-type: none"> • President • Standing Committee Chair with President • Code 	Recommend to Standing Committee
		•				
Advisory Council*	Advice to Board or Standing Committee or Subcommittee	<ul style="list-style-type: none"> • Chair Subcommittee & President jointly • Board • Code 	Board members Standing Committee members Individuals not with agency with special expertise	Permanent or Temporary	<ul style="list-style-type: none"> • President • Chair of Subcommittee with President • Code 	Recommend to Subcommittee
		•				
Task Force*	Oversees special study or report	<ul style="list-style-type: none"> • Chair Subcommittee & President jointly • Board • Code 	Board Members Standing Committee Subcommittee or individuals with special expertise	Temporary	<ul style="list-style-type: none"> • President • Chair of Subcommittee with President • Code 	Recommend to Subcommittee

*Written statement of purpose needed.

CODE OF REGULATIONS
OF THE
NORTHEAST OHIO AREA WIDE COORDINATING
AGENCY

(Agency By-Laws)

Revised and Restated as of July 11, 2014.

Historical Notes:

Revisions to this document include all those made by:

- Board Resolution 2010-050, ratified by the five counties on April 5, 2011.
- Board Resolution 2011-030, adopted August 12, 2011.
- Board Resolution 2012-050, adopted December 14, 2012.
- Board Resolution 2013-003, adopted March 8, 2013.
- Board Resolution 2013-004 adopted March 8, 2013.
- Board Resolution 2013-027, adopted August 9, 2013.
- Board Resolutions 2014-032, 2014-033 and 2014-~~033~~034, adopted July 11, 2014.

TABLE OF CONTENTS

Page

ARTICLE I	NAME AND MISSION	1
Section 1.1	Name	1
Section 1.2	Vision	1
Section 1.3	Mission	1
ARTICLE II	POWERS OF AGENCY	2
Section 2.1	Powers	2
ARTICLE III	MEMBERS	2
Section 3.1	Counties	2
Section 3.2	Cities, Villages, and Townships	2
Section 3.3	Regional Governmental Authorities and Districts	2
Section 3.4	Membership Dues	3
Section 3.5	Suspension of Membership	3
ARTICLE IV	BOARD OF DIRECTORS	3
Section 4.1	Duties of Board of Directors	3
Section 4.2	Appointments; Composition; Alternates; Term	3
Section 4.3	Officers; Election; Qualification; Term of Office; Resignation	67
Section 4.4	Vacancies	78
Section 4.5	Removal	78
Section 4.6	Compensation of Board Members	8
ARTICLE V	ORGANIZATION OF BOARD OF DIRECTORS	89
Section 5.1	Regular Meetings	89
Section 5.2	Special Meetings	89
Section 5.3	Notice of Meetings	89
Section 5.4	Presiding Officer	89
Section 5.5	Ratification	89
Section 5.6	Quorum	9
Section 5.7	Public Meetings	9
Section 5.8	Procedure	9
Section 5.9	Conflicts of Interest	910
Section 5.10	Applicability of Ohio Ethics Laws	910

ARTICLE VI	COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES	10
Section 6.1	Establishment of Committees, Subcommittees, Advisory Councils and Task Forces	10
Section 6.2	Standing Committees	10 <u>11</u>
Section 6.3	Executive Committee	11 <u>12</u>
Section 6.4	Planning and Programming Committee	12
Section 6.5	Policy Committee	15
Section 6.6	Governance Committee.....	16
Section 6.7	Finance and Audit Committee.....	16
Section 6.8	External Affairs Committee	16
Section 6.9	Other Committees, Subcommittees and Task Forces	16 <u>17</u>
Section 6.10	Citizen and Business Participation	17
ARTICLE VII	AGENCY STAFF	17
Section 7.1	Executive Director	17
Section 7.2	Powers and Duties of Executive Director	17
Section 7.3	Staff.....	17 <u>18</u>
ARTICLE VIII	INDEMNITY	18
Section 8.1	In General.....	18
Section 8.2	Indemnification Against Expenses	18 <u>19</u>
Section 8.3	Process	19
Section 8.4	Prior Payment	19
Section 8.5	Non-Exclusive	19
ARTICLE IX	AMENDMENTS	19 <u>20</u>
ARTICLE X	MISCELLANEOUS	20
Section 10.1	Checks and Notes	20
Section 10.2	Seal.....	20
Section 10.3	Notices	20
Section 10.4	Waiver of Notice.....	20
Section 10.5	Captions.....	20
APPENDIX I	COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES	20 <u>21</u>

**CODE OF REGULATIONS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

As local officials of the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina and of the City of Cleveland, and as part of our responsibilities for carrying out transportation and environmental planning in the five-county region, under local direction and in accordance with federal and state mandates, pursuant to authority granted under Ohio Revised Code Section 307.14, *et seq.*, we have established the Northeast Ohio Areawide Coordinating Agency and adopt the following Code of Regulations.

ARTICLE I

NAME AND MISSION

Section 1.1 Name. The name of this regional organization is the Northeast Ohio Areawide Coordinating Agency (NOACA or the Agency). The NOACA area for transportation and environmental planning encompasses the Cleveland/Lorain-Elyria metropolitan region including the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina, including the City of Cleveland and less the incorporated areas of the City of Vermilion in Lorain County and the City of Rittman in Medina County.

Section 1.2 Vision. NOACA will STRENGTHEN regional cohesion, PRESERVE existing infrastructure, and BUILD a sustainable multimodal transportation system to SUPPORT economic development and ENHANCE quality of life in Northeast Ohio.

Section 1.3 Mission. In pursuing responsibilities for transportation and environmental planning for the region, NOACA aims to: (1) improve the quality of life of the region's citizens by enhancing the region's long term economic development potential and by protecting its environmental quality; (2) assist member local governments and agencies in addressing local and regional issues in a cooperative manner; and (3) assure equitable flow and prudent expenditure of public funds.

NOACA supports these aims by: (1) serving as a forum for local public officials to engage in regional debate and intergovernmental cooperation; (2) encouraging local decision-making to be in harmony with the region's transportation and environmental plans; (3) maintaining federal designations and planning processes and meeting federal and state requirements for regional programs; (4) seeking equitable return of state and federal funds to the region to meet locally determined needs; (5) providing information and technical planning support to benefit member communities in order to best use public resources; and (6) advocating interests of the region with state and federal decision-makers.

ARTICLE II

POWERS OF AGENCY

Section 2.1 Powers. The Agency shall act as a comprehensive transportation and environmental planning organization. In so doing it shall plan and coordinate the following four distinct but interrelated areas as: (i) the federal and state designated metropolitan planning organization (MPO) for transportation planning; (ii) the federal designated areawide water quality management planning agency for the five-county area, including the Northeast Ohio Lake Erie Basin (NEOLEB) planning area; (iii) the federal designated planning agency to address transportation-related air quality issues in the five-county area; and (iv) planning and support coordination to the region, as directed by the NOACA Board of Directors, for limited environmental management and transportation planning assistance to member communities and other public agencies and non-governmental organizations. The Agency shall also provide information to members and other public and private organizations and the general public within guidelines established by the Board of Directors.

In addition, the Agency shall exercise powers conferred by applicable federal, state and local laws, regulations, ordinances, rules and policies as well as those powers transferred to it by its members permitted under the Constitution of the State of Ohio and the Ohio Revised Code.

ARTICLE III

MEMBERS

Section 3.1 Counties. The counties of Cuyahoga, Geauga, Lake, Lorain and Medina in the State of Ohio have created the Agency pursuant to Ohio Revised Code Section 307.14, *et seq.* in accordance with federal and state mandates and accordingly these counties, acting through their respective Boards of Commissioners or other administrative structures, are the principal members of the Agency.

Section 3.2 Cities, Villages and Townships. By virtue of home rule powers granted by Article XVIII of the Ohio Constitution, as well as statutory or charter authority granted by the Ohio General Assembly or their citizens, the cities, villages, and townships of the NOACA five-county area have important responsibilities for transportation and environmental issues within their jurisdictions. Each city, village and township within the NOACA area is a member of the Agency and entitled to services from the Agency.

Section 3.3 Regional Governmental Authorities and Districts. As provided in the Ohio Revised Code, certain portions of the NOACA area constitute special purpose government districts for transportation, mass transit, air quality and wastewater planning and management. Accordingly (except as provided) each county-based regional transit authority and regional sewer district within the NOACA area is a member of the Agency and entitled to participate in the Agency.

Section 3.4 Membership Dues. Financial responsibility for operation of the Agency rests with the five counties that have created the Agency and the City of Cleveland. Basic dues to support operations of the Agency shall be apportioned by population figures established by the decennial census conducted by the U.S. Bureau of Census and each county and the City of Cleveland shall pay their respective share. Each county and the City of Cleveland may further apportion its share of Agency dues to the governmental entities within its geographic area according to a plan submitted to the Board of Directors, but in all circumstances responsibility for the payment of dues shall remain with each of the five counties and the City of Cleveland. Basic dues may be increased or decreased by the Board of Directors each year.

Section 3.5 Suspension of Membership. Any member whose dues remain unpaid for a period in excess of 90 days after commencement of the fiscal year on each July 1 may be subject to suspension of membership. Suspension of membership may be undertaken by a majority vote of the Board of Directors and may provide for curtailment of voting authority or services and for such other penalties as the Board of Directors may direct in each case. Notice of any member's eligibility for suspension shall be given at regular intervals to the Board of Directors and in writing to the member's chief executive officer.

ARTICLE IV

BOARD OF DIRECTORS

Section 4.1 Duties of Board of Directors. The business of the Agency shall be managed by the Board of Directors. The Board of Directors shall exercise all powers of the Agency, which are not otherwise required to be exercised by Agency members.

Section 4.2 Appointments; Composition; Alternates; Term.

(a) The Board of Directors shall consist of representatives from the five counties and the City of Cleveland. The goals for representation are as follows: to ensure that the Board's discussions and decision-making are informed by the principal elected officials and regional administrators of the NOACA planning area concerned with transportation and environmental planning; to assure the area's citizens of an approximation of equal representation by population; and to assure the area's citizens of representation reflecting the demographics of the area's population. Board positions shall be granted based on requirements of Section 4.2. Each county and the City of Cleveland shall be responsible for assuring appropriate representation according to Section 4.2, recognizing the goals for representation, dues procedures and compliance within each county's, the City of Cleveland's, and the Agency's mission. Each voting member of the Board, including its Officers, shall be entitled to one vote on all matters submitted to the Board for action.

~~(b) Cuyahoga County Votes~~

~~(b) Individual Board members shall be appointed annually. Each of the five counties and the City of Cleveland shall appoint the number of representatives to the Board indicated in Sections 4.2(d)-(i) below. Appointments will be made by a representative of each appointing authority, or by the body or agency within each appointing authority, set forth in Sections 4.2(d)-(i). The Cuyahoga County Executive will be responsible for making the appointments under Sections 4.2(d)(i) and 4.2(d)(iii)(A)-~~

(G). Notice of all appointments must be delivered in writing to the President of the Board, with a copy to the Agency’s Executive Director. Notice must be delivered by each county and the City of Cleveland for their own appointments and for all appointments made by an appointing authority located within its geographic area, and must be received by the Agency at least 10 business days prior to the Board’s first meeting each calendar year or, if an appointment is to be made by a body or agency and the meeting schedule of such body or agency necessitates, immediately following the first legal meeting of the calendar year of such designated body or agency, whichever is later.

(c) Each of the five counties and the City of Cleveland shall be permitted to appoint individuals who hold titles other than those set forth in Sections 4.2(d)-(i) below by submitting written notice of a formal action authorizing such change to the President of the Board of Directors, with a copy to NOACA’s Executive Director, for approval by the Board and for subsequent ratification pursuant to Article IX of this Code. If approved and ratified, all changes described in this Section 4.2(c) shall be effective as of the Board’s first meeting the following calendar year. To ensure timely completion of the required approval and ratification, changes submitted pursuant to this Section 4.2(c) should be presented to the Board for approval no later than its October meeting. In no event shall any appointment cause an increase in the total number of members designated in Section 4.2(d)-(i) below for each of the five counties and the City of Cleveland.

<u>(d) Cuyahoga County</u>		<u>Votes</u>
(i)	County Government	
	(A) County Executive <u>(Administration Representative)</u>	1
	(B) Director of Public Works	1
	(C) County Executive Appointee	1
	(D) County Council Member.....	1
(ii)	Regional Authorities	
	(A) Northeast Ohio Regional Sewer District	1
	(B) Greater Cleveland Regional Transit Authority (President of the Board of Trustees or General Manager, as the President of the Board of Trustees may designate)	1
	(C) Cleveland-Cuyahoga Port Authority	<u>1</u>
	TOTAL	7
(iii)	Cuyahoga Suburban Regions	
	(A) West Shore Region	1
	(B) Southwest Region.....	1
	(C) South/Central Region.....	1
	(D) Cuyahoga Region	1
	(E) Chagrin/Southeast Region.....	1
	(F) Heights Region	1
	(G) Hillcrest Region.....	1
	(H) City of Cleveland Heights.....	1
	(I) City of Euclid	1
	(J) City of Lakewood.....	1
	(K) City of Parma	<u>1</u>
	TOTAL	11

(iv) City of Cleveland	
(A) Mayor (Chief of Government and International Affairs)	1
(B) Director of Capital Projects.....	1
(C) Council Member	1
(D) Council Member	1
(E) Council Member	1
(F) City Planning Director.....	<u>1</u>
TOTAL	6

(ee) Geauga County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner	<u>1</u>
TOTAL	3

(df) Lake County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner	1
(iv) County Engineer.....	1
(v) Laketran	<u>1</u>
TOTAL	5

(g) Lorain County

(i) County Commissioner	1
(ii) County Commissioner	1
(iii) County Commissioner (County Engineer)	1
(iv) City of Lorain.....	1
(v) City of Elyria.....	1
(vi) Municipal Representative	1
(vii) Township Representative.....	<u>1</u>
TOTAL	7

(fh) Medina County

(i) County Commissioner	1
(ii) County Commissioner (Municipal Representative).....	1
(iii) County Commissioner (Township Representative)	1
(iv) County Engineer.....	<u>1</u>
TOTAL	4

(gi) State of Ohio

(i) Department of Transportation.....	1
(appointment to be made by ODOT Director)	
TOTAL	44

(~~hk~~) Pursuant to contracts approved by the Board of Directors, a representative of the Ohio Environmental Protection Agency, Northeast District Office, shall be a non-voting ex officio member of the Board of Directors of the Agency. The Departments of Development, Natural Resources and the Environmental Protection Agency of the State of Ohio, as well as such other agencies of government as the Board of Directors may approve by resolution adopted at a meeting, may be represented. Representatives of these agencies shall have rights established by the Board of Directors but shall not have a right to vote or a right of initiative.

(~~il~~) No staff member of any regional or county planning commission, no consultant, nor any Agency staff member, whether part time or full time, whose salary is reimbursed in whole or in part by or through the Agency, shall vote as a member or alternate of the Board of Directors or the Executive Committee on appropriations, grants or contracts between NOACA and the employer of such person, but attendance of such person may be included in determining a quorum.

(~~jm~~) On or before the first meeting of the Board of Directors each calendar year, each person who is a member of the Board of Directors shall designate one alternate to act in the absence of such member, which alternate shall keep the member informed of all matters that come before the Board of Directors or any committee on which such alternate serves. No person may serve as the alternate for more than one Board member. Alternates shall possess full powers in all matters that come before the Board of Directors and shall have all the rights and responsibilities of a Board member, including all fiduciary and other responsibilities to the Agency. Notwithstanding the foregoing, no alternate shall serve as an officer of the Agency. Each alternate shall be considered a Board member with respect to all actions taken in his or her capacity as an alternate, including any duties as an Executive Committee member. Designation of an alternate shall be in writing and must be submitted to the President of the Board, with a copy to the Agency's Executive Director. Each designation shall be effective until it is revoked or modified by the Board member who made such designation or until the Board member making the designation is no longer a member of the Board of Directors, but in no event shall a designation of alternate be effective for more than one year from the date it is submitted. Each person who is a member of the Board of Directors may revoke or modify the designation of an alternate at any time in writing submitted to the President of the Board, with a copy to the Agency's Executive Director.

(~~kn~~) Each person who is a member of the Board of Directors by virtue of a position representing a county within the five-county area may elect to vote by written proxy on any matter submitted to the President of the Board, with a copy to NOACA's Executive Director. Alternates are specifically precluded from exercising such proxy rights.

(~~lo~~) Each person who is a member of the Board of Directors and any alternate designated by such member shall vacate Board membership immediately upon ceasing to hold the public office or position that originally entitled such person to become a member of the Board of Directors. The successor of such member shall be designated in the same manner as the vacating member was selected.

(~~mp~~) The Board of Directors is authorized to take appropriate measures to ensure attendance and a quorum, including limitations on speaking or similar rights of non-attending members, but no such measure shall operate to diminish the vote of any member government or collection of communities.

Section 4.3 Officers; Election; Qualification; Term of Office; Resignation.

(a) At its first meeting in January each year the Board of Directors shall elect from among its regularly appointed members a President, First Vice President, Secretary and Treasurer. The Board of Directors may also elect additional Vice Presidents, one or more Assistant Secretaries and one or more Assistant Treasurers. Each officer shall hold office until the meeting of the Board of Directors held in January of the following year, or until such officer's successor is elected and qualified or until such officer's resignation, removal or death. Upon approval by the Board one person may serve both as Secretary and Treasurer.

(b) Any officer may resign at any time upon written notice to the President of the Board of Directors, with a copy to NOACA's Executive Director.

(c) The Board of Directors may remove any officer for cause at any time but such removal shall be without prejudice to the representation rights of the Agency member represented by such officer.

(d) Any vacancy occurring in any office which is caused by death, resignation, removal or otherwise shall be filled for the unexpired portion of the term by appointment by the President (except that the First Vice President shall succeed the President as set forth below) with approval of the Board of Directors at its next regular meeting or a special meeting called for that purpose pursuant to Section 5.2 of this Code.

(e) No member organization shall have more than one Board member serving concurrently as an officer. This limitation does not apply in the case of officers serving as First or Second Vice President, Assistant Secretary or Assistant Treasurer.

(f) President. The President of the Board of Directors shall be the chief policy officer of the Agency and shall exercise all powers and duties in leadership of the Agency as are generally associated with such office including, but not limited to, the power to execute such documents and instruments authorized by resolutions adopted by the Board of Directors. The President shall represent the Agency before bodies of the state and federal government and shall be an ex officio voting member of all Standing Committees. The President shall also be responsible for execution of all directives and resolutions adopted by the Board of Directors.

(g) First Vice President. The First Vice President, in the absence or disability of the President, shall perform duties and exercise powers of the President. In addition, the First Vice President shall perform such other duties prescribed by the Board of Directors or President.

(h) Secretary. The Secretary shall give or cause to be given notice of all meetings of the Board of Directors and shall perform such other duties prescribed by the Board of Directors or President, under whose supervision the Secretary acts. The Secretary shall keep or cause to be kept the corporate seal of the Agency, if any, and when authorized by the Board of Directors, affix it to an instrument which shall be attested to either by the signature of the Secretary, Treasurer or Assistant Secretary. In the absence of the Secretary, the President or designee shall appoint a member to perform the duties of the Secretary.

(i) Treasurer. The Treasurer or designee (or Secretary in the absence or disability of the Treasurer) shall have responsibility for the custody of Agency funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Agency, and shall deposit or cause to be deposited all funds and securities of the Agency in depositories designated by the Board of Directors. The Treasurer shall oversee the disbursement of funds as directed by the Board of Directors, taking proper vouchers for such disbursements, and shall give or cause to be given to the President and other members of the Board of Directors a periodic accounting of all transactions and the financial condition of the Agency. The Treasurer shall perform such other duties prescribed by the Board of Directors or President.

(j) Vice Presidents, Assistant Secretaries and Assistant Treasurers. In the absence or disability of the First Vice President, Secretary or Treasurer, the Second Vice President, Assistant Secretaries or Assistant Treasurers in the order designated by the Board of Directors, shall perform the duties of the First Vice President, Secretary or Treasurer, respectively, and shall have full powers of the office.

Section 4.4 Vacancies. Board member appointments shall remain in effect until January of the following year, until such Board member's successor is appointed and qualified, or until such Board member's resignation, removal or death. A vacancy in the Board of Directors, however occurring, shall be filled by a public official ~~designated~~appointed by the appropriate appointing authority in the same manner as the vacating member was selected, to hold office for the whole or balance of the term to which such member was ~~appointed~~delected or until such member's successor is appointed and qualified or until earlier resignation, removal from office or death. Written notice of such appointment must be delivered by the respective county or the City of Cleveland, in writing to the President of the Board with a copy to the Agency's Executive Director, prior to the first meeting at which such new member will act.

Section 4.5 Removal. The Board of Directors may at any time remove for cause any member, except for individuals who are members of the Board solely because of their position as an elected official of a member agency, and any alternate. Removal must occur at a special meeting duly called for this purpose or at a regular meeting of the Board of Directors where notice of this purpose was included in the notice of such meeting. The affirmative vote of a majority of the Board members in attendance at such meeting is required for any such removal. Removal shall be without prejudice to the representation rights of the Agency member represented by such Board member or alternate. The successor to such member or alternate shall be designated by the appropriate appointing authority in the same manner as the vacating member was selected. Written notice of such appointment must be delivered by the respective county or the City of Cleveland, in writing to the President of the Board with a copy to the Agency's Executive Director, prior to the first meeting at which such new member will act.

Section 4.6 Compensation of Board Members. A member of the Board of Directors shall not receive compensation for services other than ordinary and incidental expenses, except that a member may be reimbursed for other reasonable expenses approved by a majority of the Board of Directors. The Agency considers attendance at meetings of the Board of Directors and its committees to be public employment on the same basis that any Board member or alternate is considered in public employment for the public position that determined qualification for membership on the Board of Directors.

ARTICLE V

ORGANIZATION OF THE BOARD OF DIRECTORS

Section 5.1 Regular Meetings. Regular meetings of the Board of Directors shall be determined and published annually at the principal offices of the Agency or such other location and time as the Board designates.

Section 5.2 Special Meetings. Special meetings of the Board of Directors may be called at any time by the President or by a majority of members upon written notice delivered to the President or Secretary of the Board of Directors. Such request shall state the purposes of the proposed meeting.

Section 5.3 Notice of Meetings. Except as otherwise provided in these Regulations or by law, written notice stating the time, place and purpose in case of a special meeting or regular meeting at which the removal of a member of the Board will be considered, shall be delivered to each Board member at least seven days before a regular meeting and four days prior to any special meeting, either personally, by regular mail, email, fax, telephone, or any other means permitted by law.

Section 5.4 Presiding Officer. Meetings of the Board of Directors shall be presided over by the President or, in the President's absence, by the First Vice President or next succeeding officer. The Secretary shall act as secretary at all meetings and in the Secretary's absence the President may appoint any person to act as secretary of such meeting. At no time shall an alternate preside over a regular or special meeting of the Board of Directors.

Section 5.5 Ratification. The Board of Directors, acting at a meeting at which a quorum is present, may ratify any action taken by or on behalf of the Agency.

Section 5.6 Quorum. A majority of Board members shall constitute a quorum to transact business. Once established for any meeting of the Board, a quorum shall presume to continue unless otherwise noted on the record that a quorum is absent. The affirmative vote of a majority of Board members present at a meeting at which a quorum is present shall constitute the approval of any matter brought before the Board of Directors for decision. Any member of the Board of Directors who has a personal or financial interest in a contract or transaction which is before the Board of Directors, or who is an owner or principal of a private and nonpublic entity with an interest in a matter before the Board of Directors, may be counted for the purpose of determining the presence of a quorum at a meeting of the Board.

Section 5.7 Public Meetings. All meetings of the Board of Directors, its Standing Committees, Subcommittees, Advisory Councils or Task Forces shall be open to the public pursuant to the Ohio Sunshine Law, Revised Code Section 121.22, *et seq.* Executive sessions and other closed meetings shall be held only as permitted by law.

Section 5.8 Procedure. All meetings of the Board of Directors shall be conducted according to *Robert's Rules of Order*.

Section 5.9 Conflicts of Interest. The Agency may at times enter into contracts or other transactions with organizations and individuals with whom members of the Board of Directors have a personal or financial relationship. Each person who is a member of the Board of Directors has a duty to exercise his or her responsibilities in the best interests of the Agency. No Board member will use his or her position with the Agency for his or her own direct or indirect financial gain. Any Board member who has a personal or financial interest in, or who is an owner or principal of a private and nonpublic entity with an interest in, any matter coming before the Board of Directors, or any committee of the Board of Directors on which he or she serves, shall: (i) disclose his or her interest to the President of the Agency or committee chair; (ii) not participate in discussion or deliberations on the matter; and (iii) abstain from voting on the matter. Such disclosure and abstention shall be noted in the minutes of the meeting. Notwithstanding the foregoing, a member of the Board of Directors who has a personal or financial interest in a matter may, at the request of the President of the Board or a committee chair, present information regarding such matter. A Board member who abstains from a matter shall nevertheless be counted in determining a quorum. Each Board member shall identify to the Agency known and potential conflicts of interest annually.

Section 5.10 Applicability of Ohio Ethics Law. The provisions of Ohio Revised Code Chapter 102, and the related provisions contained in Ohio Revised Code Sections 2921.42 and 2921.43 are applicable to all members of the Board of Directors of the Agency and to all alternates. However, members or alternates who are not otherwise required to file the financial disclosure statement mandated by Ohio Revised Code Sections 102.02, 102.021 and 102.022 shall not be required to file such statement solely as a result of his or her appointment to the Board of the Agency as a member or alternate. Appointment as a member of the Board of the Agency or as an alternate does not constitute the holding of a public office or employment within the meaning of Ohio Revised Code Chapter 102 or Chapter 2921.

ARTICLE VI

COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS and TASK FORCES

Section 6.1 Establishment of Committees, Subcommittees, Advisory Councils and Task Forces. The President of the Board of Directors, with the approval of the Board, shall establish various Standing Committees, Subcommittees, Advisory Councils and Task Forces deemed necessary or appropriate to provide advice and policy recommendations to the Board of Directors relating to specific issues or technical areas of transportation or environmental matters. Unless the Board of Directors otherwise provides, each Standing Committee, Subcommittee, Advisory Council or Task Force may make, alter and repeal rules to conduct its business. In the absence of such rules, each Standing Committee, Subcommittee, Advisory Council or Task Force shall conduct business in the same manner as the Board of Directors conducts business. Appendix I contains the table defining the purpose, membership, duration, creation, appointment and reporting responsibilities of Standing Committees, Subcommittees, Advisory Councils and Task Forces. This table shall be used to establish these bodies unless otherwise stated in the Code.

Section 6.2 Standing Committees and Subcommittees.

(a) Standing Committees. The Standing Committees of the Agency shall be the Executive Committee, the Planning and Programming Committee, the Policy Committee, the Finance and Audit Committee, the Governance Committee, and the External Affairs Committee. Each Standing Committee shall provide advice and policy recommendations to the Executive Committee and, if recommended by the Executive Committee, to the Board of Directors in specific functional areas and provide a forum for in-depth discussion and analysis of relevant issues or agenda items prior to consideration by the Board of Directors. Each Standing Committee shall keep regular minutes of its proceedings and report to the Executive Committee.

(b) Membership. Unless otherwise specifically set forth, Standing Committee and Subcommittee members shall be appointed by the President of the Board of Directors with approval of the Board. Appointments shall be made and effective as of the first Board meeting in January of each year. Each member of the Board of Directors shall serve on at least one Standing Committee. Membership of each Standing Committee shall be comprised of members of the Board of Directors or their alternates. Subcommittee membership may include individuals who are not current members of the Board of Directors. Vacancies on a Standing Committee or Subcommittee shall be filled in the same manner as the vacating member was selected. Any Standing Committee or Subcommittee may propose to expand its membership beyond the minimum by nominating additional members to the Board of Directors; additional positions shall be filled by appointment of the President with approval of the Board. The Executive Director of the Agency, or designee, shall serve as an ex officio member (without vote in that capacity) of all Standing Committees and Subcommittees.

(c) Meetings. Each Standing Committee and Subcommittee shall hold regular meetings as necessary at a time and place to be determined and shall publish a calendar of its meetings. Special meetings and the initial meeting of each year may be called by the Chair or Vice-Chair of the Standing Committee or Subcommittee or by the Executive Director of the Agency, on at least four days notice (oral or written).

(d) Officers. The President of the Board of Directors, with the approval of the Board, shall appoint a regularly appointed member of the Board of Directors as Chair of each Standing Committee and Subcommittee, which appointments will be effective as of the first Board meeting in January of each year. A Vice-Chair and such other officers as the Standing Committee or Subcommittee members deem necessary may be elected by a majority of the Standing Committee or Subcommittee membership. The term of office for each Standing Committee or Subcommittee officer shall be one year or until such member's successor is selected and qualified or until earlier resignation, removal from office or death.

(e) Attendance. The President of the Board of Directors may remove and appoint a replacement for any Standing Committee or Subcommittee member if the member has been absent from three consecutive Standing Committee or Subcommittee meetings. The member appointed must receive approval of the Board.

(f) Procedure. Meetings of any Standing Committee or Subcommittee shall be conducted according to *Robert's Rules of Order*. Such meetings shall be presided over by the Chair

or of the Standing Committee or Subcommittee, or in her or her absence, the Vice-Chair or such other member of the Standing Committee or Subcommittee as appointed by the Chair. In no event shall an alternate preside over any regular or special meeting of a Standing Committee or Subcommittee.

(g) Subcommittee Member Representatives. Members of a Subcommittee may appoint a representative to attend meetings in their absence by submitting the name of the person in writing to the chairperson of the Subcommittee, with a copy to the Agency's Executive Director, prior to any meeting such representative will attend. The representative of a member shall be entitled to vote at any Subcommittee meeting in the absence of the member, but shall have no other rights as a Board member or alternate. The ability to appoint a member representative shall not apply to members of any Standing Committee.

(h) Staff Assistance. Agency staff shall provide Standing Committees and Subcommittees with any technical assistance required to organize meetings. Such assistance will be provided at request of the Chair of a Standing Committee or Subcommittee.

(i) Removal. The Board of Directors, upon recommendation of the Governance Committee, may remove any Standing Committee or Subcommittee member for cause at any time but such removal shall be without prejudice to the representation rights of the Agency member represented by such Standing Committee or Subcommittee member.

Section 6.3 Executive Committee. The Executive Committee shall review Agency policy documents, including the Agency's budget and Overall Work Program (OWP) as prepared by the Executive Director, and make recommendations to the Board of Directors regarding approval. The Executive committee shall also provide advice to the Executive Director and shall carry out other responsibilities delegated to it by the Board of Directors. All Standing Committees shall present any recommendations intended for discussion or approval by the Board of Directors first to the Executive Committee for placement on the agenda of the appropriate meeting of the Board. The Board of Directors may delegate authority to the Executive Committee to act as the Board of Directors on individual issues. The Executive Committee shall keep regular minutes of its proceedings and report to the Board of Directors prior to each of its meetings. The Executive Committee shall consist of the President, First Vice President, Second Vice President (if any), Secretary, Treasurer, immediate past President of the Board of Directors and Mayor/Chief of Government and International Affairs of the largest city in the five-county region. Executive Committee membership shall also include at least one member of the governing officers of each county. The Mayor/Chief of Government and International Affairs of the largest city in the five-county region shall not be considered a county representative for this purpose. Vacancies in membership of the Executive Committee shall be filled in the same manner as the vacating member was selected.

Section 6.4 Planning and Programming Committee.

(a) The Planning and Programming Committee shall provide policy recommendations with regard to transportation, water quality and air quality powers of the Agency and shall evaluate recommendations from its subcommittees and bring such recommendations, as it deems appropriate, to the Board of Directors for discussion and approval. Subcommittees of the Planning and

Programming Committee shall consist of the Water Quality Subcommittee, the Air Quality Subcommittee and the Transportation Subcommittee. Membership of the Planning and Programming Committee should reflect the diversity of Board membership in each of the five counties and the City of Cleveland and take into account the important role of the various agencies represented on the NOACA Board. The chairperson and members of the Planning and Programming Committee shall be appointed by the President with the approval of the Board and shall consist of at least twenty-two members, comprised of the following:

- (1) Nine members of the Board of Directors from jurisdictions within Cuyahoga County;
 - (2) Four members of the Board of Directors from jurisdictions within the City of Cleveland;
 - (3) One members of the Board of Directors from a jurisdiction within Geauga County;
 - (4) Two members of the Board of Directors from jurisdictions within Lake County;
 - (5) Three members of the Board of Directors from jurisdictions within Lorain County;
 - (6) Two members of the Board of Directors from jurisdictions within Medina County;
- and
- (7) One member from the Ohio Department of Transportation.

(b) **Water Quality Subcommittee.** The Water Quality Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to water quality environmental planning powers of the Agency.

(1) **Membership.** The Water Quality Subcommittee shall consist of the following 11 voting members:

- A. Five members of the Board of Directors with at least one Board member from jurisdictions within each member county [5];
 - B. one representative of the Environmental Health Directors of the County Health Agencies [1];
 - C. one of the Sanitary Engineers, or substantial equivalent, of the five counties [1];
 - D. one local soil and water conservation district representative within the NOACA area [1];
 - E. a representative of the Northeast Ohio Regional Sewer District [1];
 - F. City of Cleveland Health Director or Environmental Health Commissioner [1];
 - G. one member of a local watershed group [1]; and
 - H. the Ohio EPA Northeast District Office chief, who shall be a non-voting member.
- (2) **Functions.** Functions of the Water Quality Subcommittee shall include the following:
- A. Providing advice and policy recommendations on water quality environmental issues or projects and transportation projects with related water quality issues;
 - B. Assisting the Planning and Programming Committee and Agency staff in identifying significant environmental problems, priorities and concerns with development of a comprehensive regional approach to environmental concerns;
 - C. Assisting the Planning and Programming Committee and Agency staff in environmental work program development; and
 - D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

(c) **Air Quality Subcommittee.** The Air Quality Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to air quality environmental planning powers of the Agency.

(1) **Membership.** The Air Quality Subcommittee shall consist of the following 11 voting members:

- A. Five members of the Board of Directors with at least one Board member from jurisdictions within each member county [5];
- B. One representative of the City of Cleveland [1];
- C. One member from each of the local air agencies (Cleveland Division of Air Quality, Lake County General Health District, and the Akron Regional Air Quality Management District) [3];
- D. The Ohio Department of Transportation, District 12 [1];
- E. The Greater Cleveland Regional Transit Authority [1];
- F. The Ohio EPA Northeast District Office chief, who shall be a non-voting member.

(2) **Functions.** Functions of the Air Quality Subcommittee shall include the following:

- A. Providing advice and policy recommendations on air quality environmental issues or projects and transportation projects with related air quality issues;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant environmental problems, priorities and concerns with development of a comprehensive regional approach to environmental concerns;
- C. Assisting the Planning and Programming Committee and Agency staff in environmental work program development; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

(j) **Transportation Subcommittee.** The Transportation Subcommittee shall provide advice and policy recommendations to the Planning and Programming Committee with regard to transportation matters affecting the Planning Area.

(1) **Membership.** The Transportation Subcommittee shall consist of the following 34 members:

- A. The County Engineer or Director of Public Works and Planning Director of each member county [10].
- B. From the City of Cleveland: Commissioner of Traffic Engineering, Commissioner of Engineering and Construction, a member of Cleveland City Council (selected by the Council) and the City Planning Director [4].
- C. The General Manager of the largest transit authority or agency in each member county [5].
- D. The Deputy Directors of the Ohio Department Transportation, Districts 3 and 12 [2].
- E. The Ohio Environmental Protection Agency, Regional Office [1].
- F. One member representing the Chamber of Commerce (or equivalent organization) of each member county, appointed by the President of the Board of Directors upon consultation with each county[5].

- G. Six members of the Board of Directors with at least one from each member county and one representative of the Cleveland-Cuyahoga Port Authority, [7].
- H. Additional non-voting members may be appointed by the President of the Board of Directors to insure inclusion of elected officials, public administrators, funding agencies and private sector organizations concerned with transportation planning and implementation in the Planning Area.

(2) Functions. The functions of the Transportation Subcommittee shall include the following:

- A. Assisting the Planning and Programming Committee and Agency staff in developing short and long-range plans and programs for the Planning Area, in accordance with NOACA’s role and responsibilities as an MPO as required by federal law;
- B. Assisting the Planning and Programming Committee and Agency staff in identifying significant transportation issues, using a regional approach to address these issues, within the framework of the authority granted to the Agency in federal and state law and regulation;
- C. Assisting the Planning and Programming Committee and Agency staff in development of the transportation elements of the annual overall work program; and
- D. Serving in such other capacities as the Planning and Programming Committee and the Board of Directors may determine.

Section 6.5 Policy Committee.

(a) The Policy Committee shall provide technical advice and recommendations in the area of comprehensive policy and long-range planning matters to the Board of Directors. Membership of the Policy Committee should reflect the diversity of Board membership in each of the five counties and the City of Cleveland and take into account the important role of the various agencies represented on the NOACA Board. The chairperson and members of the Policy Committee shall be appointed by the President with the approval of the Board and shall consist of at least twenty-two members, comprised of the following:

- (1) Nine members of the Board of Directors from jurisdictions within Cuyahoga County;
 - (2) Four members of the Board of Directors from jurisdictions within the City of Cleveland;
 - (3) One members of the Board of Directors from a jurisdiction within Geauga County;
 - (4) Two members of the Board of Directors from jurisdictions within Lake County;
 - (5) Three members of the Board of Directors from jurisdictions within Lorain County;
 - (6) Two members of the Board of Directors from jurisdictions within Medina County;
- and
- (7) One member from the Ohio Department of Transportation.

(b) Functions. The functions of the Policy Committee shall include the following:

(1) As its principal function assist the Agency and its members in development of comprehensive, long-range policies in the areas of transportation asset management, and transportation investment and strategy, including regional strategic planning, by providing review and comment at appropriate stages of the planning process and providing technical advice and recommendations on comprehensive planning issues or projects as appropriate;

(2) Serve as a forum for exchange of information regarding comprehensive planning, land use development and redevelopment, land use regulation and data and other planning issues in the members' jurisdictions;

(3) Assist the Agency in development of annual Overall Work Programs by providing advice, review and comment at appropriate stages of the development process regarding land use planning-related components and land use impacts of Agency activities.

Section 6.6 Governance Committee. The chairperson and members of the Governance Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members, including one representative of each of the five counties and a representative of the largest city in the five-county region, with additional members appointed based on the expertise necessary to accomplish the committee's purpose. The Governance Committee shall have power to nominate the officers of the Board of Directors for the next year and conduct the election provided for in Section 4.3(a). The Governance Committee shall also (a) create and implement an orientation program for new Directors; (b) monitor the procedure by which Directors annually identify and report known and potential conflicts of interest; and (c) review and recommend to the Board for approval proposed revisions this Code of Regulations as necessary.

Section 6.7 Finance and Audit Committee. The Chairperson and members of the Finance and Audit Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members possessing the expertise necessary to accomplish the committee's purpose. The Finance and Audit Committee shall: be responsible for the selection of outside auditors; review and evaluate the Agency's accounting and financial controls with the President and the Executive Director; provide general financial oversight for the Agency; and report annually to the Board of Directors on the results of the audit.

Section 6.8 External Affairs Committee. The Chairperson and members of the External Affairs Committee shall be appointed by the President with the approval of the Board and shall consist of at least seven members with additional members appointed based on the expertise necessary to accomplish the committee's purpose. The External Affairs Committee shall assist the Agency with its relationships with various government agencies and subdivisions, the media and the general public.

Section 6.9 Other Committees, Subcommittees and Task Forces.

(a) The Board of Directors may create, by resolution adopted by a majority of the Board present and voting, other Standing Committees, which shall exercise authority granted to such Standing Committee by the Board of Directors, but the work of any such Standing Committee shall not be effective until approved by the Board.

(b) The Board of Directors, or the Chair of a Standing Committee and the President of the Board of Directors jointly, may establish special subcommittees of a Standing Committee in addition to those set forth in this Code of Regulations to explore problems requiring specific technical skills.

(c) The Board of Directors, or the Chair of any Subcommittee with the approval of the President of the Board, may establish additional Advisory Councils or Task Forces deemed necessary. The purpose of such Advisory Councils and Task Forces shall be to provide advice and recommendations to the Standing Committees and Subcommittees relating to specific issues or technical areas. Task Forces shall be formed for specific projects to be completed within a designated time. Advisory Councils may be formed to provide ongoing advice and recommendations. Advisory Council and Task Force members shall consist of individuals with sufficient expertise in order to contribute to the mission and functional activities of the Advisory Council or Task Force and need not be members of the Board of Directors. At the time of its formation, each Advisory Council or Task Force shall create a written statement of purpose to be distributed to the Standing Committee or Subcommittee for review and comment.

Section 6.10 Citizen and Business Participation. The Board of Directors shall maintain an ongoing citizen participation program in accordance with all federal, state and Board directives to encourage citizen participation in the work and planning of the Agency. The Board of Directors may establish, by resolution adopted by a majority of the Board present and voting, a Citizen Advisory Council and a Business Advisory Council, with membership and purpose determined by such resolution.

ARTICLE VII

AGENCY STAFF

Section 7.1 Executive Director. The Agency shall employ a full-time Executive Director pursuant to a written contract, which shall be negotiated by the Executive Committee. Terms and conditions of the contract shall be subject to approval by a majority of the Board of Directors.

Section 7.2 Powers and Duties of Executive Director. The Executive Director, or designee, shall be responsible for managing day-to-day activities of the Agency. The Executive Director shall have authority and responsibility to hire, fire, supervise and direct Agency staff, as contained in the annually approved OWP. At the time of OWP review and approval, the Executive Director will provide the Executive Committee with information on the positions needed to complete the work contained in the OWP. The Executive Director has the authority to fill vacancies of approved positions, but will notify the Executive Committee of plans to fill a vacancy. For all new

or additional positions not included in the annually approved OWP, the Executive Director shall notify the Executive Committee, which must approve the new or additional position prior to initiating the hiring process if such new or additional position has an effect on the annual budget. The Executive Director shall have the authority and responsibility to administer the Agency in accordance with the Code of Regulations of the Agency and Administrative Policies and Procedures adopted by the Board and to carry out duties and functions delegated by the Board of Directors or any officer.

Section 7.3 Staff. Agency staff shall report to the Executive Director. Principal functions of Agency staff shall be to:

(a) Implement all directives of the Board of Directors and Executive Committee to fulfill responsibilities of the Agency;

(b) Keep the Executive Director well informed of activities, projects, programs and studies being conducted by the Agency;

(c) Provide assistance necessary to organize meetings of the Board of Directors, Executive Committee, Standing Committees, Subcommittees, Advisory Councils and Task Forces which may include preparation of meeting agendas, minutes and accompanying materials;

(d) Prepare research reports and policy papers for the Board of Directors on issues of significance to the NOACA Area;

(e) Administer Intergovernmental Review (IGR) in accordance with Board policy.

(f) Complete work programs and projects approved by the Board of Directors in a timely and professional manner.

ARTICLE VIII

INDEMNITY

Section 8.1 In General. Any person who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, suit or proceeding, whether civil, criminal, administrative or investigative, other than a suit by or in the right of the Agency, by reason of the fact that the person is or was a Board member, officer, employee or agent of the Agency, or is or was serving at the request of the Agency as a director, trustee, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall be indemnified by the Agency for expenses, including reasonable attorney fees, judgments, fines and amounts paid in settlement actually and reasonably incurred in connection with such action, suit or proceeding if done in good faith and in a manner reasonably believed to be in the best interests of the Agency and, with respect to any criminal action or proceeding, had no reasonable cause to believe conduct was unlawful. Termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent, shall not create a presumption that the person did not act in good faith and in a manner which was reasonably believed to be in the best interests of the Agency

and, with respect to any criminal action or proceeding, had reasonable cause to believe that the conduct was unlawful.

Section 8.2 Indemnification Against Expenses. Any person who was or is a party or is threatened to be made a party to any threatened, pending or completed claim, suit or proceeding by or in the right of the Agency to procure a judgment in its favor by reason of the fact that the person is or was a Board member, officer, employee or agent of the Agency, or is or was serving at the request of the Agency as a director, trustee, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall be indemnified by the Agency against expenses, including reasonable attorney fees, actually and reasonably incurred by him in connection with the defense or settlement of such action or suit if done in good faith and in a manner reasonably believed to be in the best interests of the Agency. However, no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of duty to the Agency unless, and only to the extent that, the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as such court shall deem proper.

Section 8.3 Process. Any indemnification under Section 8.1 and 8.2 (unless otherwise ordered by a court of competent jurisdiction) shall be made by the Agency only as authorized in the specific case upon a determination that indemnification of the officer, employee or agent is proper in the circumstances because the applicable standard of conduct set forth in Sections 8.1 and 8.2 has been met. Such determination shall be made (a) by the Board of Directors by a majority vote of a quorum consisting of members who were not parties to or threatened with such action, suit or proceeding; or (b) if such a quorum is not obtainable or even if obtainable, a quorum of disinterested members so directs, by independent legal counsel in a written opinion. Notwithstanding the provisions of Sections 8.1 and 8.2 of this Article VIII, to the extent that a Board member, officer, employee or agent of the Agency has been successful on the merits or otherwise, in defense of any action, suit or proceeding referred to in such sections, or in defense of any claim, issue or matter, in any event the person shall be indemnified against expenses (including reasonable attorney fees) actually and reasonably incurred in that connection. Reasonable attorney fees shall not be paid by NOACA if the person has obtained counsel apart from counsel designated by the Board.

Section 8.4 Prior Payment. Expenses incurred in defending a civil or criminal action may be paid by the Agency before final disposition of such action. Such expenses may be authorized by the Board of Directors in a specific case only upon receipt by the Agency of a request on behalf of the Board member, officer, employee or agent to repay such amount unless it shall finally be determined that the person is entitled to be indemnified in such amount by the Agency.

Section 8.5 Non-Exclusive. The indemnification provided by this Article VIII shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled by any law of the State of Ohio, agreement or other means, both as to action taken in an official capacity and as to action in another capacity while holding such office and shall continue as to a person who has ceased to be a Board member, officer, employee or agent and such rights shall inure to the benefit of such person's heirs, executors and administrators.

ARTICLE IX

AMENDMENTS

This Code of Regulations may be altered, amended or repealed only by a majority vote of the Board of Directors. However, any matters relating to Article IV of this Code of Regulations shall be altered, amended or repealed only upon written approval of each County of the NOACA area- and the City of Cleveland. Such written approvals must be submitted to NOACA within 90 days of the date of any resolution requiring approval, or at the next regular meeting of the Board of Directors, whichever is earlier. Alteration, amendment or repeal of this Code may be initiated by the Board either after a special meeting called for that purpose or at any regular meeting where notice of such purpose was ~~given at the immediately preceding regular~~ included in the notice of such meeting.

ARTICLE X

MISCELLANEOUS

Section 10.1 Checks and Notes. Certain checks or demand for money and notes of the Agency shall be signed by the officer authorized by these Regulations. The signature may be a facsimile when authorized by the Board of Directors.

Section 10.2 Seal. The Board of Directors may provide a seal containing the name of the Agency and it is kept by the Secretary. Duplicate seals may be kept and used by other officers of the Agency.

Section 10.3 Notice. Whenever notice is required to be given to any person it may be given to such person either personally, by mail, or by any method permitted by law, to the address or location appearing on the books of the Agency. If notice is sent by mail it shall be deemed to have been delivered to the addressee when deposited in the United States mail for transmission to such person.

Section 10.4 Waiver of Notice. Any notice required to be given to any person may be waived in writing by the person entitled to such notice before the meeting. Attendance at any meeting by any person entitled to notice, either in person or by a duly designated alternate, shall constitute a waiver of notice of such meeting by such person except where such person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully convened.

Section 10.5 Captions. Captions and headings in the Code of Regulations are for convenience only and in no way define or limit the scope or intent of any provision or section.

APPENDIX I

COMMITTEES, SUBCOMMITTEES, ADVISORY COUNCILS AND TASK FORCES

TYPE	PURPOSE	CREATED BY	MEMBERSHIP	DURATION	WHO APPOINTS MEMBERS	REPORTING RESPONSIBILITIES
Standing Committee	Advise & Recommend Tech/Function Issues to Board	<ul style="list-style-type: none"> • Code • Board 	Members of NOACA Board or alternates	Permanent	President with Board Approval	Recommend to Executive Committee
		•				
Subcommittee	Tech ongoing advice to Standing Committee	<ul style="list-style-type: none"> • Chair Standing Committee & President jointly, • Board • Code 	Standing Committee members or per Code Stakeholders Tech Experts	Permanent	<ul style="list-style-type: none"> • President • Standing Committee Chair with President • Code 	Recommend to Standing Committee
		•				
Advisory Council*	Advice to Board or Standing Committee or Subcommittee	<ul style="list-style-type: none"> • Chair Subcommittee & President jointly • Board • Code 	Board members Standing Committee members Individuals not with agency with special expertise	Permanent or Temporary	<ul style="list-style-type: none"> • President • Chair of Subcommittee with President • Code 	Recommend to Subcommittee
		•				
Task Force*	Oversees special study or report	<ul style="list-style-type: none"> • Chair Subcommittee & President jointly • Board • Code 	Board Members Standing Committee Subcommittee or individuals with special expertise	Temporary	<ul style="list-style-type: none"> • President • Chair of Subcommittee with President • Code 	Recommend to Subcommittee

*Written statement of purpose needed.

**RESOLUTION NO. 2014-033
(CLARIFYING EDITS REQUIRING RATIFICATION)**

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the areawide water quality management agency for the same region; and

WHEREAS, the NOACA Code of Regulations provides for the organization and operation of NOACA, its officers, its committees, and the Board of Directors itself; and

WHEREAS, the NOACA Code of Regulations is periodically reviewed in order to increase the agency's functionality and efficiency, to allow the agency to provide greater service to its members, and to allow for increased public participation and transparency; and

WHEREAS, the NOACA Governance Committee met to discuss improvements that might be made to the Code of Regulations and arrived at recommended clarifying edits to articles IV and IX as summarized in the attached table;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain and Medina that:

Section 1. Articles IV and IX of the Code are amended with the changes summarized in the attachment. These changes require the approval of the five counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, from whom ratification is sought prior to the next regularly scheduled Governance Committee meeting on September 12, 2014. If written concurrence is not received by that date, the changes contained in Article IV and Article IX will be void and of no effect.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 11th day of July 2014.

Secretary: 

Date Signed: 11 Jul 14

ATTACHMENT

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the areawide water quality management agency for the same region; and

WHEREAS, the NOACA Code of Regulations provides for the organization and operation of NOACA, its officers, its committees, and the Board of Directors itself; and

WHEREAS, the NOACA Code of Regulations is periodically reviewed in order to increase the agency's functionality and efficiency, to allow the agency to provide greater service to its members, and to allow for increased public participation and transparency; and

WHEREAS, the NOACA Governance Committee met to discuss improvements that might be made to the Code of Regulations and arrived at recommended revisions to articles IV and IX as summarized in the attached table;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain and Medina that:

Section 1. Articles IV and IX of the Code are amended with the changes summarized in the attachment. These changes require the approval of the five counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, from whom ratification is sought prior to the next regularly scheduled Governance Committee meeting on September 12, 2014. If written concurrence is not received by that date, the changes contained in Article IV and Article IX will be void and of no effect.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 10th day of January 2014.

Secretary:  _____

Date Signed: 11 JUL 14

ATTACHMENT A

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0028

Sponsored by: Council President Connally	An Ordinance establishing the Cuyahoga County Archives Advisory Commission, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article III, Section 3.09(2) of the County Charter empowers the Council to establish “such boards, agencies, commissions, and authorities... as the Council determines to be necessary for the efficient administration of the County;” and,

WHEREAS, Article II, Section 2.03(2) of the County Charter empowers the County Executive to appoint members of such commissions, subject to confirmation by County Council; and,

WHEREAS, the County Council deems a Cuyahoga County Archives Advisory Commission necessary to promote the identification and preservation of historical records and ensure access by Cuyahoga County and the general public through the County Archives; and,

WHEREAS, Cuyahoga County created the County Archives in 1975 to serve as the central repository of historical records requiring temporary maintenance, which must be available and accessible for governmental and public use; and

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

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

SECTION 1: CHAPTER 206 of the Cuyahoga County Code, which provides for County commissions, is hereby amended to enact Section 206.11 as follows:

SECTION 206.11: Cuyahoga County Archives Advisory Commission

A. Definitions. As used in this section:

- (1) “Historical Records” shall mean all information, regardless of media, created by county entities and preserved because of ongoing value and which may also be referred to as “Archives”;

- (2) "Access" shall mean the ability to obtain, examine, and or retrieve all public records in an efficient and convenient manner;
- (3) "Public Programming" shall mean the structure and components of certain programs that assist in facilitating the outreach efforts of the Cuyahoga County Archives.

B. There is hereby established the Cuyahoga County Archives Advisory Commission. The Archives Advisory Commission shall have the following powers and duties:

- (1) To promote the identification and preservation of Cuyahoga County's historical records by identifying the necessary resources and raising the visibility of the Archives;
- (2) To ensure availability of Cuyahoga County's historical records by identifying facilities that meet best standards for archival preservation and, which may easily be accessed by the citizens of Cuyahoga County;
- (3) To raise awareness of the historical value and significance of Cuyahoga County's historical records through effective public programming;
- (4) To recommend the appropriate practices, policies and procedures to bridge the gap between technological efficiencies and historical competencies.
- (5) To encourage best practices that align with the standards of a modern archival administration and are in accordance with the terms as defined by the Society of American Archivists

C. Qualifications and Composition of Archives Advisory Commission Members.

- (1) The general qualifications of the members of the Archives Advisory Commission shall be determined by the postsecondary education in History, Library Science, Genealogy or related field, experience in archival facilities or related area, and a working knowledge of relevant software.
- (2) The Archives Advisory Commission shall be composed of nine voting members, with the County Archivist providing general organizational support, which include five appointed electors of the County and the following ex officio members:
 - i. Chief Information Officer or designee
 - ii. Director of Public Works or designee

- iii. A member of County Council as determined by the President of Council
- iv. Clerk of Council

D. Appointment Process and Qualification.

- (1) All Commission members not serving in an ex officio capacity shall be an elector of the County and shall be appointed by the County Executive and confirmed by the County Council.

E. Commission Member Terms.

- (1) The term of office for each appointed Commission member shall be four years.
- (2) The term of office of each appointed member shall commence upon the date specified in the confirmation resolution approved by Council.
- (3) With regard to the initial terms of appointed Commission members, three members shall be appointed to full terms and two members shall be appointed to half terms.
- (4) Commission membership shall be a non-compensated position, provided however, that members shall be entitled to reimbursement for reasonable expenses in connection with Commission duties.

F. Officers and Terms of Office.

The Archives Advisory Commission shall elect a Chair, a Vice-Chair, and a Secretary. The term of each Officer shall be one year or until his/her successor takes office. The Commission shall determine a Chair by a majority vote. Officers shall be elected annually at the first organizational meeting of each year and shall take office immediately upon election.

G. Commission Member Resignation.

If an appointed Commission member should resign, the County Executive shall appoint, subject to confirmation by Council, a replacement Commission member to fulfill the remainder of the unexpired term.

H. Archives Advisory Commission Rules.

The Commission shall be responsible for recommending the rules and procedures governing the maintenance of historical records and archives of Cuyahoga County. Such rules shall encompass guidelines, criteria, and best practices for identifying, preserving and providing access to the historical

records of Cuyahoga County and oversight of the resources necessary for the maintenance of the facility housing the County's historical records. The Commission shall make any other recommendations it deems necessary for carrying out its purposes.

I. Approval of Access

In approving access to the historical records and archives, the Commission shall recommend the standard criteria and guidelines to facilitate public access and staffing accommodations, including, but not limited to, reference desks, database management, scanning and copying, and appropriate space design.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0029

Sponsored by: Councilmembers Connally and Conwell on behalf of Personnel Review Commission	An Ordinance amending the Administrative Rules for the Cuyahoga County Personnel Review Commission, and declaring the necessity that this Ordinance become immediately effective.
---	--

WHEREAS, Article IX of the Charter of Cuyahoga County creates a Personnel Review Commission consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations; and,

WHEREAS, the Personnel Review Commission has determined that it requires the amendment of its administrative rules that were adopted in Chapter 301.01 of the Cuyahoga County Code; and,

WHEREAS, Section 9.01 of the Charter of Cuyahoga County states that the County's human resources policies and systems shall be established by ordinance and shall be administered in such a manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, it is necessary that this Ordinance become immediately effective to insure the efficient operation of the Personnel Review Commission.

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

SECTION 1. Council hereby adopts the amended Personnel Review Commission Administrative Rules attached as Exhibit A to this Ordinance as the administrative rules for the Cuyahoga County Personnel Review Commission.

SECTION 2. It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a county commission. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that



Kathleen K. Walsh, Commissioner
Thomas L. Colaluca, Commissioner
Robert M. Wolff, Commissioner

**CUYAHOGA COUNTY
PERSONNEL REVIEW COMMISSION
MEMORANDUM**

DATE: September 11, 2014

TO: Cuyahoga County Council President C. Ellen Connally
Yvonne Conwell, Chairwoman, Human Resources, Appointments & Equity
Committee

FROM: Chairwoman Kathleen Walsh, *Kathleen Walsh*
Cuyahoga County Personnel Review Commission

RE: Recommendation of new classification

The Personnel Review Commission respectfully requests County Council's consideration and approval of the attached proposed revisions to the PRC's Administrative Rules. These proposed revisions reflect a lengthy consideration by the Commission of its role and responsibilities under the County Charter, and extensive discussion with the County's Human Resources Director regarding these proposed changes. The Commission is recommending these changes to ensure the PRC's operations are consistent with the obligations of the PRC as they are stated in the Charter.

To assist you in your consideration of these proposed changes, you will also find attached a summary of the significant changes being proposed. Should you have any questions about these changes, please contact the PRC Administrator, Rebecca Kopcienski, or the PRC's Staff Attorney Sara DeCaro.

KW:rk

Attachments

cc: Commissioner Thomas Colaluca
Commissioner Robert Wolff
Clerk of Council Jeanne Schmotzer
Law Director Majeed Makhoulouf
Human Resources Director Elise Hara

KEY REVISIONS TO PRC ADMINISTRATIVE RULES

Rule 1.01

Revision: Added definitions for testing operations and clarified some existing definitions.

Rule 3.01

Revision: Provide a list of the PRC's authority and responsibilities per the Charter and Council's Ordinances.

Rationale: For ease of reference and clarity, and to reflect Charter changes approved by voters in 2013.

Rule 3.06

Revision: PRC is delegating some of its duties that are assigned to it through the Charter and the Ethics Ordinance to the HR Department; specifically, the development, implementation, posting, record keeping and dissemination of personnel policies and practices, as well as training for County employees, officials, and contractors. Allows the PRC to delegate additional duties via PRC resolution to avoid timely process required for Rule changes.

Rationale: To further clarify the roles of the PRC and the HR Department.

Rule 3.07

Revision: Explains the PRC's responsibilities per the County's Ethic's Ordinance and how a whistleblower appeal will be handled as part of the PRC's appellate function.

Rationale: To provide clarity regarding whistleblower appeals.

Rule 3.01(9)

Revision: Add language to give the PRC that authority to enter into its own contracts.

Rationale: The PRC currently has to obtain the Executive's signature on all contracts. It makes sense that as an independent agency, the PRC have the ability to enter into its own contracts. The PRC would still be required to get approval of the contracts at the Contracts and Purchasing Board or the Board of Control depending on the amount of the contract.

Rule 6.01

Revision: Specifics that per the Charter the PRC is responsible for administering a Countywide classification and compensation plan. Identifies the offices, agencies and departments that are included in the Countywide classification and compensation plan per the Charter.

Rationale: To satisfy the Charter's mandate that the PRC administer a countywide Classification and Salary Administration system. In addition, classification and compensation are interrelated, and the PRC's countywide responsibilities extend beyond the Executive's realm, and PRC's independence allows it to provide checks and balances to ensure pay equity and Charter objectives: an employment system based on merit and fitness, an efficient and economical system of employment – and compensation systems play an important role in attracting, retaining and rewarding the best possible workforce for the County.

Rule 6.05

Revision: The County's workforce is divided into the classified and unclassified service. Ohio law requires that unless a position is explicitly exempted from the classified service (per R.C. 124.11), the position is classified.

Rationale: The PRC is responsible for ensuring the County's compliance with employment laws. As such, it is necessary for the appointing authorities to provide information regarding their unclassified position/employees to the PRC so that the PRC can ensure compliance with Ohio civil service laws. Furthermore, the pre-charter County's personnel practices were the source of many irregularities. The Charter specifically created the PRC as an independent agency to provide a check on the County's appointing authorities personnel practices.

Section 7

The PRC is implementing a comprehensive centralized civil service testing operation for the County. The rules in Sections 7-11 are newly created to govern the testing operations.

Rule 12.04

Revision: Added a provision to allow the PRC to conduct inquiries regarding appointments, layoffs, removals, reductions, suspensions or violations of the PRC's Rules of Council's Ordinances that the PRC is charged with enforcing.

Rationale: (1) SPBR has this authority and the PRC has been assigned the duties of SPBR via the Charter; (2) this differs from the IG and Prosecutor's authority in that the

PRC's inquiry is very limited in scope (abuse of the power of appointment, layoff, removal, reduction, suspension or violation of laws/Rules PRC is charged with enforcing –i.e. employment related), the PRC's investigations are not criminal, and the PRC only reports its findings to Council; (3) Per the Charter, the PRC is responsible for "ensuring compliance" with employment laws and without this very limited power to inquire regarding reports employment law/Rule violations, the PRC is disadvantaged in carrying out its Charter mandated duties.

Rule 13.04

Revision: Explains in more detail the PRC's initial review of employee appeals and the process for objecting to the PRC's dismissal of an appeal.

Rationale: Rule change to reflect how process works operationally.

OTHER NECESSARY LEGISLATIVE CHANGES

Personnel Policies and Procedures Manual

Section 5.02

Revision: Change-- as determined by the ~~Director of Human Resources~~ Personnel Review Commission

Rationale: The PRC is responsible under the Charter for civil service testing.

CUYAHOGA COUNTY PERSONNEL REVIEW COMMISSION



ADMINISTRATIVE RULES

323 W. Lakeside Avenue, Suite 400

Cleveland, Ohio 44113

Phone: 216-443-5675 Fax: 216-443-3694

<http://prc.cuyahogacounty.us>

Initial Adoption: Ordinance 02011-0034 (9.13.11)

First Revision: Ordinance 02012-0034 (1.8.13)

Second Revision: Resolution _____

TABLE OF CONTENTS

- SECTION 1 DEFINITIONS..... 4**
 - 1.01 DEFINITIONS..... 4
- SECTION 2 GENERAL PROVISIONS..... 6**
 - 2.01 ORIGIN 6
 - 2.02 PURPOSE..... 7
 - 2.03 RELATIONSHIP TO COLLECTIVE BARGAINING AGREEMENTS 7
 - 2.04 RECORDKEEPING..... 7
 - 2.05 CONSTRUCTION 7
 - 2.06 SAVINGS CLAUSE 7
- SECTION 3 POWERS AND DUTIES OF THE COMMISSION 8**
 - 3.01 AUTHORITY AND JURISDICTION 8
 - 3.02 CLASSIFICATION PLANS..... 9
 - 3.03 CIVIL SERVICE TESTING 9
 - 3.04 COUNTY HUMAN RESOURCES POLICIES AND SYSTEMS..... 9
 - 3.05 SUBPOENA POWERS 10
 - 3.06 DELEGATION OF CERTAIN ADMINISTRATIVE FUNCTIONS..... 10
 - 3.07 ETHICS 11
- SECTION 4 MEETINGS..... 12**
 - 4.01 PUBLIC MEETINGS 12
 - 4.02 NOTICE..... 12
 - 4.03 QUORUM..... 12
 - 4.04 EXECUTIVE SESSION..... 12
 - 4.05 MINUTES..... 13
- SECTION 5 RULE-MAKING..... 13**
 - 5.01 RULE-MAKING PROCEDURE..... 13
- SECTION 6 CLASSIFICATION AND COMPENSATION PLANS 14**
 - 6.01 CLASSIFICATION PLAN..... 14
 - 6.02 COMPETITIVE AND NONCOMPETITIVE CLASSES 14
 - 6.03 CHANGES TO THE CLASSIFICATION PLAN 15
 - 6.04 COMPENSATION PLAN 15
 - 6.05 UNCLASSIFIED SERVICE 15
- SECTION 7 ANNOUNCEMENTS & APPLICATIONS 16**
 - 7.01 EXAMINATION ANNOUNCEMENT..... 16
 - 7.02 APPLICATIONS 16

7.03	REJECTION OF APPLICANTS	16
7.04	ACCOMMODATION	17
7.05	EQUAL EMPLOYMENT OPPORTUNITY	17
SECTION 8 EXAMINATIONS		17
8.01	CHARACTER OF EXAMINATION	17
8.02	SCHEDULING OF EXAMINATION	18
8.03	CONTENTS OF EXAMINATION	18
8.04	IDENTITY OF EXAMINEE CONCEALED	18
8.05	FRAUD IN EXAMINATIONS	18
8.06	METHOD OF GRADING	19
8.07	CREDIT FOR MILITARY (UNIFORMED) SERVICE	19
8.08	EXAMINATION RECORDS	20
8.09	NOTICE OF RESULTS	20
8.10	NONCOMPETITIVE EXAMINATIONS	20
SECTION 9 ELIGIBILITY LISTS		21
9.01	POSTING OF LISTS	21
9.02	DURATION OF LISTS	21
9.03	BREAKING TIED GRADES	21
9.04	CHANGE OF ADDRESS	21
9.05	REMOVAL FROM LIST	22
9.06	CREATION BY NONCOMPETITIVE EXAMINATION	22
SECTION 10 CERTIFICATION		23
10.01	CERTIFICATION REQUEST	23
10.02	NUMBER OF NAMES TO BE CERTIFIED	23
10.03	CERTIFICATION NOT MORE THAN THREE TIMES	23
SECTION 11 APPOINTMENTS		23
11.01	ORIGINAL APPOINTMENTS	23
11.02	TEMPORARY APPOINTMENTS	24
SECTION 12 EMPLOYMENT ACTIONS		25
12.01	NOTICE REQUIREMENTS	25
12.02	LACHES	25
12.03	MERGER AND BAR	26
12.04	INVESTIGATIONS	26
SECTION 13 APPELLATE PROCEDURE		26
13.01	MANNER OF FILING APPEALS	26
13.02	TIME FOR FILING APPEALS	27
13.03	INTERIM APPEALS	27
13.04	PRELIMINARY JURISDICTIONAL REVIEW	27
13.05	HEARINGS	28
13.06	DECISIONS OF THE PERSONNEL REVIEW COMMISSION	31
13.07	APPEALS TO THE COURT OF COMMON PLEAS	31

SECTION 1 DEFINITIONS

1.01 Definitions

- (1) *Abolishment* – Means one of the following:
 - a. *Abolishment of Classification* – The permanent deletion of a classification from the organization due to lack of continued need for the classification, due to reorganization for efficient operation, economy or lack of work, or other lawful purpose; or
 - b. *Abolishment of Position* – The permanent deletion of a position from the structure of an Appointing Authority due to lack of continued need for the position, due to reorganization for efficient operation, economy or lack of work, or other lawful purpose.
- (2) *Appeal*—An action by which an affected party challenges the decision or determination of an Appointing Authority, the Director, and/or the Commission.
- (3) *Appointment* – Placement of an employee in a position.
- (4) *Appointing Authority* – Means the same as defined in Section 9.04 of the Cuyahoga County Charter.
- (5) *Charter* – The Cuyahoga County Charter.
- (6) *Classification* – Means one of the following:
 - a. A group of positions of sufficiently similar duties that the same title and specification may be assigned to each; or
 - b. The act of assigning a classification title to a position(s) based upon the duties performed.
- (7) *Commission* – The Cuyahoga County Personnel Review Commission.
- (8) *Competitive Examination*— Method used by the Commission to assess the relative capability of qualified applicants to perform the duties and responsibilities of the classification.
- (9) *County* – As defined in the Charter.

- (10) *County Code* – The Code of Cuyahoga County established by Ordinance No. 02013-0001.
- (11) *County Council* – The Cuyahoga County Council.
- (12) *County Executive* – The Cuyahoga County Executive.
- (13) *Demotion* – The act of placing an individual in a position, at the request of an Appointing Authority or the employee, the classification for which carries a lower salary range than that of the classification the employee currently holds.
- (14) *Director* – The Director of the Cuyahoga County Human Resources Department as appointed by the County Executive.
- (15) *Eligibility List* – A list of names established by the Commission for the purpose of filling vacancies in the classified service.
- (16) *Ethics Code* – Cuyahoga County Ordinance No. 02011-0008 and any revisions thereto.
- (17) *Human Resources Department* – The Cuyahoga County Department of Human Resources.
- (18) *Layoff* – A suspension of employment due to either a lack of work or a lack of funds, or other lawful purpose.
- (19) *Meeting* – Any prearranged discussion of the public business of the PRC by a majority of its members.
- (20) *Noncompetitive Examination* – An examination that evaluates individual candidates based upon established criteria to determine which applicants are qualified to fill appointments to positions requiring exceptional qualifications of a scientific, professional, educational, or managerial character or positions where it is impractical to develop and administer competitive examinations.
- (21) *Pay* – The annual, non-overtime compensation due an employee.
- (22) *Pay Equity Ordinance* – Cuyahoga County Ordinance No. 02011-0043 and any revisions thereto.
- (23) *Pay Range* – The pay grade assigned to a position or classification.
- (24) *Position* – The name that applies to a group of duties intended to be performed by an employee.

- (25) *Promotion* – The appointment of an employee to a different position assigned a higher pay range than the employee's previous position.
- (26) *Reassignment* – The assignment of an employee to a different classification.
- (27) *Reclassification* – The assignment of a position to a different classification.
- (28) *Reduction in Pay* – An action that diminishes an employee's pay. The ending of supplemental pay shall not be considered a reduction.
- (29) *Reduction in Position* – An action that diminishes an employee's duties or responsibilities to the extent an audit of the employee's position would result in a reclassification to a classification assigned a lower pay range.
- (30) *Removal* – Termination of an employee's employment.
- (31) *Request for Reconsideration* - A request made by an affected party seeking the Commission's reconsideration of certain pre-employment determinations made by the Commission. See Rules 7.03 and 9.05.
- (32) *Suspension* – The interruption of an employee's employment and compensation for a fixed period of time.

SECTION 2 GENERAL PROVISIONS

2.01 Origin

On November 3, 2009, the citizens of Cuyahoga County, Ohio, adopted a County Charter pursuant to the authority granted to them in Article 10, Section 3 of the Ohio Constitution. Section 9.01 of the Charter required the creation of a Human Resource Commission:

The County Executive, subject to confirmation by the Council, shall appoint the members of a Human Resource Commission, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations.

On November 5, 2013, the citizens of Cuyahoga County, Ohio, adopted amendments to the Charter. Section 9.01 of the Charter was amended to change the name of the Human Resource Commission to the Personnel Review Commission, the members of which shall now be appointed by County Council.

2.02 Purpose

Pursuant to Section 9.01 of the Charter, the Personnel Review Commission ("Commission") is responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness.

2.03 Relationship to Collective Bargaining Agreements

If an employee's collective bargaining agreement provides for a final and binding arbitration of grievances, such employee and union are subject solely to that grievance procedure and the Commission shall have no jurisdiction to receive and determine any appeals relating to matters that were the subject of a final and binding grievance procedures.

However, pursuant to the Ethics Code, the Commission shall have jurisdiction over whistleblower appeals of all County employees, including employees who are members of bargaining units. See Section 3.06 herein.

2.04 Recordkeeping

The Commission shall maintain a record that shall be open to public inspection, in which it shall keep records of all of its proceedings and of the vote of each of its members upon every action taken by it.

The Commission shall properly adopt a records retention schedule in accordance with Chapter 149 of the Ohio Revised Code. All records described above shall be retained in accordance with the retention schedule.

2.05 Construction

These Rules shall be construed so as to carry out their purposes as determined from both the literal reading of the Rules and their context. The Rules shall not be construed in a way that limits the Commission's power to interpret and apply the Rules within the scope of their authority under the Charter, Council Ordinances and Resolutions, and general law. In conflicts between these Rules and the applicable provision of the Ohio Revised Code, these Rules shall govern.

2.06 Savings Clause

If any section of these Rules is held by a court of competent jurisdiction to be invalid, the same shall not invalidate or impair the validity, force, and effect of any other section or part of a section of these Rules unless it clearly appears that such other section or

part of a section is wholly or necessarily dependent for its operation upon the section or part of a section held invalid.

SECTION 3

POWERS AND DUTIES OF THE COMMISSION

3.01 Authority and Jurisdiction

Pursuant to the Charter, the Commission shall have:

- (1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;
- (2) Responsibility for administration of countywide compliance with federal and state laws regarding personnel matters for which the County is the reporting unit and for maintenance of records required by such laws;
- (3) For the County Executive's organization and departments, authority to ensure:
 - a. Pay equity for like positions;
 - b. Standardization of benefits;
 - c. Approval of qualifications;
 - d. Consistent discipline;
 - e. Training of management in personnel practices;
 - f. Training of employees in job functions;
 - g. Training for total quality management;
 - h. Consistent administration of performance management system;
 - i. Coordination of recruitment;
 - j. Compliance with ethics resolutions or ordinances as passed by the Council;
- (4) Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in the Charter in accordance with the human resources policies established by ordinance;
- (5) Responsibility for administering a clear, countywide classification and salary administration system;
- (6) Responsibility for ensuring compliance with ethics resolutions and ordinances passed by County Council, including the authority to hear whistleblower appeals

pursuant to the Ethics Code, as well as, appeals of job audit determinations including step placement per the Pay Equity Ordinance;

- (7) Responsibility for conducting inquiries regarding the abuse of the power of appointment, layoff, removal, reduction, suspension, or otherwise violating laws, rules or ordinances the Commission is charged with enforcing and to report the inquiry findings to County Council (See Rule 12.04);
- (8) Authority to enter into contracts on behalf of the Commission; and
- (9) Such other functions as may be deemed necessary by the Council for the Commission to carry out its mission and purpose, including those responsibilities set forth in the Ethics Code and the Pay Equity Ordinance.

3.02 Classification Plans

Pursuant to Section 9.03 of the Charter, the Commission shall administer a clear, countywide classification and salary administration system in accordance with the requirements set forth in the Charter.

3.03 Civil Service Testing

Pursuant to Section 9.01 of the Charter, the Commission shall be responsible for administering an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. To this end, the Commission has authority, including but not limited to the following:

- (1) To prepare, conduct, grade, and validate all competitive examinations for positions in the County's classified service;
- (2) To evaluate qualifications for all noncompetitive positions in the County's classified service;
- (3) To prepare and maintain eligible lists containing the names, scores, and rankings of persons qualified for appointment to positions in the classified service; and
- (4) To contract with third-party vendor(s) for the construction, administration and/or scoring of any examination.

3.04 County Human Resources Policies and Systems

The County's human resources policies and systems shall be established by ordinance. The Commission shall review and submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council. In the event

the Commission does not endorse an ordinance, the Commission may provide a Statement of Non-Endorsement to the Council.

3.05 Subpoena Powers

The Commission has authority to subpoena and require the attendance and testimony of witnesses and the production of books, papers, public records, and other documentary evidence pertinent to any matter it has authority to investigate, inquire into, or hear.

All officers in the civil service of the County shall attend and testify when summoned to do so by the Commission. Depositions of witnesses may be taken by the Commission or designee, or any member of the Commission, in the manner prescribed by law for like depositions in civil actions in the courts of common pleas. In case any person, in disobedience to any subpoena issued by the Commission, or any member of the Commission, fails or refuses to attend and testify to any matter regarding which the person may be lawfully interrogated, or produce any documentary evidence pertinent to any investigation, inquiry, or hearing, the court of common pleas of any county, or any judge of the court of common pleas of any county, where the disobedience, failure, or refusal occurs, upon application of the Commission, or any member of the Commission, shall compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from the court or a refusal to testify in the court.

Parking fees and mileage shall be allowed to witnesses and, on their certificate, duly audited, shall be paid by the Cuyahoga County Treasurer.

3.06 Delegation of Certain Administrative Functions

The Commission delegates the following administrative functions to the Human Resources Department, which shall serve under the day-to-day direction of the Director:

- (1) Management and implementation of personnel policies and practices that comply with federal and state employment laws and for the maintenance of records required by such laws;
- (2) Responsibility for hiring, firing, discipline, layoffs, training, benefits, time and attendance, HR compliance, and drafting policies and procedures;
- (3) Providing copies of all Human Resources Policies and Procedures to all County employees, as well as, providing copies of Ohio laws and County ordinances relating to ethics policies to County public officials and employees;
- (4) Conducting ethics training programs and classes for County public officials and employees;

- (5) Ensuring that public officials and employees acknowledge, in writing, receipt of the materials and attendance to all programs and classes identified in the preceding paragraphs of this Section; and
- (6) Post whistleblower provisions of the Ethics Code on the Cuyahoga County website and in all physical locations where other human resources policies are posted.

The Commission retains the authority to exercise all its Charter mandated duties and administrative functions not expressly delegated in this Section. The Commission may modify this Rule via resolution of the Commission. The Commission shall retain an oversight role regarding all powers and duties delegated under this Section. The Department of Human Resources shall provide reports to the Commission regarding the Department's performance of the delegated functions. The specific reporting schedules and content of reports shall be determined by the Commission and will be adopted by resolution of the Commission.

3.07 Ethics

Pursuant to Section 9.02 of the Charter, the Commission shall have the authority to ensure compliance with ethics resolutions or ordinances passed by County Council. The Commission shall be the ethics compliance and training body for the County as set forth in the Ethics Code.

The Commission delegated certain portions of its duties under the Ethics Code to the Human Resources Department as set forth in Rule 3.06 herein.

The Commission shall hear appeals from disciplinary or retaliatory actions taken against all classified or unclassified employees of the County (including bargaining unit employees), as a result of the employee's whistleblower report made pursuant to the County's Ethics Code. When an employee files a whistleblower appeal, the Commission will determine whether a proper report was made under the Ethics Code and whether a causal relationship exists between such report and the County's actions. If retaliatory action has been taken, the Commission may impose a remedy up to and including reinstatement.

Additionally, the Ethics Code grants the Commission the authority to write and send letters of notification, admonition, and censure regarding ethics law violations, when applicable. The Commission, however, shall not exercise this authority unless one of the following occurs:

- The Inspector General requests assistance from the Commission due to a conflict of interest; or
- The Commission, by a majority vote, determines that it is necessary to exercise this authority.

SECTION 4 MEETINGS

4.01 Public Meetings

The Commission shall hold meetings as often as necessary to complete Commission business. All meetings of the Commission shall be open to the public and include a time for public comment.

The Commission's conducting of quasi-judicial hearings and its deliberations when acting in its quasi-judicial capacity are not "meetings" for purposes of this Section or Section 121.22 of the Ohio Revised Code.

The Commission shall elect one of its members as the Chairperson and elect one of its members as Vice-Chairperson of the Personnel Review Commission at their first meeting in January on a biennial basis beginning in 2015.

In the event of a vacancy in the Chair position, the Vice-Chair shall assume the duties of the Chair for the remainder of the biennial period.

4.02 Notice

The schedule for regular meetings shall be posted under the "Public Notices" section of Cuyahoga County's main webpage (<http://www.cuyahogacounty.us>). In addition, notices of meetings, meeting agendas and minutes shall be posted on the Commission's webpage (<http://PRC.cuyahogacounty.us>).

Notices of special meetings shall be posted in the manner described above. When a special meeting is held to discuss particular issues, the statement of the meeting's purpose must specifically indicate those issues, and only those issues may be discussed at that meeting.

4.03 Quorum

The physical presence of two members of the Commission at any scheduled meeting constitutes a quorum. The Commission cannot act without a quorum.

4.04 Executive Session

The members of the Commission may hold an executive session at a regular or special meeting for the purpose of considering one of the authorized matters provided in Section 121.22 of the Ohio Revised Code.

4.05 Minutes

The minutes of any meeting of the Commission shall be promptly prepared, filed, and maintained and shall be open to public inspection. The minutes need only reflect the general subject matter of discussions in executive sessions.

SECTION 5 RULE-MAKING

5.01 Rule-Making Procedure

A "rule change" means the addition of a new rule, or rescission or amendment of an existing rule. For purposes of this Section, the word "rule" refers to the PRC Administrative Rules, Cuyahoga County Personnel Policies and Procedures Manual and employee classifications.

Rule changes may be proposed to the Commission by the PRC Administrator, the Director, or by an individual Commission member. Proposed rule changes shall be submitted with a coversheet containing the following information:

- (1) A statement declaring the intention to consider adopting, amending or rescinding the rule;
- (2) A synopsis of the proposed rule change a general statement of the subject matter to which the proposed rule change relates; and
- (3) A statement of the reason or purpose for the rule change.

Upon receipt, the Commission shall post the proposed rule changes and the coversheet on its webpage (<http://PRC.cuyahogacounty.us>). The posting should include the date, time and place of the Commission meeting where the proposed rule change will be heard. The public shall be permitted to comment regarding the proposed rule change in accordance with Section 4.01 of these Rules. The Commission may act on a proposed rule change only after such rule change has been posted for a minimum of twenty (20) days.

If a proposed rule change involves a proposed ordinance that requires the Commission's recommendation, the Commission may modify the time requirements for posting and acting upon such proposed ordinance, but in no case shall the proposed rule change be presented and posted less than three (3) days prior to the Commission acting on such proposed ordinance.

If the proposed rule change is approved by a majority vote of the Commission, such rule change will be referred to County Council for its consideration.

Notwithstanding the foregoing, the PRC Administrator is authorized to approve minor revisions to a rule if such revision does not alter the meaning or intent of the rule. If the PRC Administrator makes such a change, a record will be created to reflect the modification and the purpose of the change.

SECTION 6

CLASSIFICATION AND COMPENSATION PLANS

6.01 Classification Plan

As required by the Charter, the Commission shall administer a countywide classification and compensation plan that includes the classified employees (if any) of the County Executive, County Council, Fiscal Office, Law Department, Sheriff's Department, Public Works, Medical Examiner, Clerk of Courts, Treasurer, Public Defender, Prosecutor, Personnel Review Commission, Inspector General, and the County Audit Committee.

The classification plan shall be adopted and maintained by the Commission and approved by County Council. The plan shall provide for the classification and standardization of all positions in the County's classified service. The classification system will serve to organize the work performed by the County's classified employees, and will organize positions into classifications on the basis of duties and responsibilities. Classifications are organized into class series, which groups two or more classes that are similar in the type of work but differ in levels of complexity, difficulty and managerial responsibility. Each position within the classified service shall have a corresponding classification specification which shall contain the minimum qualifications for appointment to the class.

All positions in the service of the County, except those specifically designated by general law, the Charter, or the PRC as unclassified, shall be in the classified service and subject to the rules of the Commission.

Each position within the unclassified service shall have a corresponding job description which shall identify the basis upon which the position is exempted from the classified service.

6.02 Competitive and Noncompetitive Classes

Following the effective date of this section and anytime a classification is created thereafter; the Commission shall determine whether the class is to be designated as competitive or noncompetitive. In making this determination, the Commission shall consider the following factors:

- (1) The practicality of testing for the class by competitive examination in accordance with generally accepted psychometric standards;
- (2) Whether the class requires peculiar or exceptional qualifications of a scientific, managerial, professional or educational character as demonstrated by:
 - a. the level of education, the field of study and the degree of specialization required;
 - b. the kind, level and amount of work experience required;
 - c. a special license or certificate required; and/or
 - d. any recruiting or other information relating to the number or availability of qualified applicants.
- (3) Whether the class consists of positions that are impractical to test for competitively; and
- (4) Any other relevant information.

Upon revision of a classification or at the request of the Director, the assignment of a class as competitive or noncompetitive shall be reviewed by the Commission.

6.03 Changes to the Classification Plan

The Commission may consider changes to the class plan upon request via the procedure set forth in Rule 5.01 herein.

6.04 Compensation Plan

The Commission shall administer a compensation plan for the County's non-bargaining unit, classified employees, and shall recommend to County Council such modifications as needed to ensure the system provides for compensation based on merit and fitness and to ensure pay equity in like classifications. The PRC's administration of the classification and compensation plans includes but is not limited to performing job analysis, salary surveys, periodic system reviews, development of position descriptions and classification specifications, and research/recommendation/implementation of best classification and compensation practices. Job audits performed at the request of classified employees will be conducted by the Human Resources Department.

6.05 Unclassified Service

The unclassified service consists of positions that are specifically exempted from the classified serviced by law. Persons employed in a position in the unclassified service

serve at the pleasure of the appointing authority and may be removed from their unclassified position at any time for any lawful reason.

All appointing authorities shall provide reports detailing the appointment of employees to the unclassified service to the Commission in accordance with the procedures that shall be determined by the Commission and will be adopted by resolution of the Commission.

SECTION 7

ANNOUNCEMENTS & APPLICATIONS

7.01 Examination Announcement

The Commission shall give reasonable notice of the time, place, and general scope of competitive examinations for positions in the classified civil service. Examination announcements shall be posted electronically on both the Personnel Review Commission's and Cuyahoga County's website.

The examination announcement shall contain the title, definition, salary range, and minimum qualifications for the classification. The examination announcement shall also indicate the last day and hour that applications will be accepted.

The Commission shall establish and publish minimum qualifications for each position, which shall be included in the official announcement of each examination.

7.02 Applications

Applicants for classified civil service positions shall file one application that will serve as both the request to take the examination and as the application for employment with the County.

Job postings and Applications are available at the County's Human Resources Department website (<http://hr.cuyahogacounty.us>).

Once filed, applications become the property of the County and shall not be returned to the applicant.

7.03 Rejection of Applicants

All applications shall be reviewed by an authorized representative of the Commission. Applications may be rejected for any of the following reasons:

- (1) It was not filed within the prescribed time period.

(2) That the applicant has not met one or more of the minimum qualifications of the position.

(3) That the applicant has made a false statement on the application.

(4) Any just or reasonable cause that is job-related, and not discriminatory, as determined by the Commission.

Upon rejecting any application, the Commission shall promptly notify the applicant of the reason for the rejection at the electronic mail address provided on the application. The applicant may, within five (5) calendar days after the date of the notice, file a written request for reconsideration of such rejection that shall set forth why the rejection was in error and providing evidence of the same.

The Commission will not consider requests that contest the qualifications established for the position. If a request for reconsideration from a rejection is pending at the time an examination is scheduled to be held, the applicant shall be allowed to take the examination pending the resolution of the request. If the Commission, within its sole discretion, finds the rejection justified, the examination paper shall not be graded.

7.04 Accommodation

The examination announcement will advise potential applicants as to the procedures by which a potential applicant may request reasonable accommodation for a disability, as defined by applicable law, in order to participate in the application process and/or examination process.

7.05 Equal Employment Opportunity

Applications will be accepted without regard to the race, ethnic background, national origin, sex, sexual orientation, genetic information, medical condition, political affiliation or opinion, military status, religious belief, or age of any applicant unless otherwise lawfully required.

SECTION 8 EXAMINATIONS

8.01 Character of Examination

Examinations will be developed so as to be job-relevant and to measure the relative capacity and fitness of the persons examined to discharge the duties of the positions to which they seek to be appointed.

8.02 Scheduling of Examination

The time, place, and type of an examination shall be determined by the Commission. The Commission may cancel, or postpone an examination because of inadequate number of applicants, a change in requirements, or for other sufficient cause. Cancellations or postponements shall be posted on the Commission's website and each applicant shall be notified via electronic email.

8.03 Contents of Examination

Examinations may include an evaluation of such factors as education, training, capacity, knowledge, manual dexterity, and physical or psychological fitness. Tests may be written, oral, physical, demonstration of skill or an evaluation of training and experiences and shall be designed to fairly test the relative capacity of the persons examined to discharge the particular duties of the position for which appointment is sought. Tests may include: structured interviews; assessment centers; work simulations; examinations of knowledge, skills and abilities; and any other acceptable testing method.

No question on the examination shall relate to the race, ethnic background, national origin, gender, sexual orientation, genetic information, medical condition, political affiliation or opinion, or religious belief or age of any applicant unless otherwise lawfully required.

A Commission-approved EEO applicant information form shall be furnished to all applicants for employment or examination. The completion of the EEO form shall be wholly voluntary, and no applicant shall be adversely affected in any way for having refused to complete such form. If completed by an applicant, the EEO form shall be physically separated from the application.

8.04 Identity of Examinee Concealed

The identity of all persons taking competitive examinations shall be concealed by the use of an identification number, which shall be used on all examination papers. This number shall be used from the beginning of the examination until after the papers are rated. Any papers bearing the applicant's name or any other identification mark shall be rejected and the candidate so notified.

8.05 Fraud in Examinations

Fraud in examinations is prohibited and shall result in automatic disqualification. No person shall:

- (1) Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing;
- (2) Make any false representations concerning the results of such examination or concerning any person examined;
- (3) Furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered or certified, or to be appointed, employed or promoted;
- (4) Impersonate another person, or permit or aid in any manner another person to impersonate an applicant, in connection with any examination, registration or appointment or application or request to be examined, registered or appointed;
- (5) Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed;
- (6) Make known or assist in making known to any applicant for examination any question to be asked on such examination;
- (7) Acquire, through fraudulent means, any exam content or question(s) to be asked on the examination prior to the examination; or
- 8) Personally solicit a favor from any appointing officer, or have any person on his/her behalf solicit a favor pertaining to the testing procedures of the PRC.

Any person or persons attempting to deceive any of the examiners in any manner whatsoever by impersonation or by assisting or receiving assistance shall be prohibited from taking any examination for employment with the County for a period of two (2) years. If the person is already in the County service, such conduct shall be grounds for disciplinary action.

8.06 Method of Grading

The method of grading—including the setting of minimum passing scores, weighting of multiple test components, rank ordering, banding, protests, or any other consideration in determining an applicant's score on an employment test—shall be determined by the Commission on a test-by-test basis.

8.07 Credit for Military (Uniformed) Service

Any person who has completed more than one hundred eighty days of active duty service in the uniformed services and who has been honorably discharged from the

uniformed services or transferred to the reserve with evidence of satisfactory service may seek to receive an additional credit of twenty percent of the person's total grade, provided the applicant: (1) received a passing grade in all phases of the examination before the addition of the military service credit; and (2) submitted sufficient proof of eligibility for the military service credit at the time of application.

A member in good standing of a reserve component of the uniformed services who has successfully completed the initial entry-level training may seek a credit of fifteen percent of the person's total grade, provided the applicant: (1) received a passing grade in all phases of the examination before the addition of the military service credit; and (2) provided sufficient proof of eligibility for the military service credit at the time of application.

As proof of military service, the applicant shall file Form DD214, member copy 4 and the application for military credit (available on the Commission's website). Credit for military service will not be given if the request for such credit is received by the Commission after the closing date for applications.

As used in these Rules, "service in the uniformed services" and "uniformed services" have the same meaning as the "Uniformed Services Employment and Reemployment Rights Act of 1994,..." 38 U.S.C.A. 4303" which meaning shall be:

The Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or a full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in the time of war or national emergency.

8.08 Examination Records

All applications, selection devices and examination papers are the property of the Commission and shall be treated as confidential records to the maximum extent possible under law.

8.09 Notice of Results

After the grading of the examination has been completed, all applicants shall be notified via electronic mail of their final grade and relative position on the eligibility list established from the examination.

8.10 Noncompetitive Examinations

The Commission may suspend competition for positions which require exceptional qualifications of a scientific, managerial, professional or educational nature as provided in Rule 6.02.

For positions designated as noncompetitive, the applicants shall file an application with the Commission, together with such proof of education, training, experience, ability and character, as shall be set forth in the examination announcement.

The Commission shall evaluate the applications to determine if the applicants meet the minimum requirements of the class specifications for the class being examined. Following this review, an eligibility list shall be prepared including the names of all applicants who met the minimum requirements. Applicants will appear in alphabetical order.

SECTION 9

ELIGIBILITY LISTS

9.01 Posting of Lists

From the results of each competitive examination, the Commission shall prepare, certify and keep open to public inspection a list of the persons whose grade in any examination meets or exceeds the established passing grade and who are otherwise eligible.

9.02 Duration of Lists

Eligible lists created by the Commission shall remain in force not longer than one (1) year; however, the Commission may, at its discretion, extend the eligible list.

9.03 Breaking Tied Grades

In the event two (2) or more applicants receive the same grade on an open competitive examination in which rank ordering is used in establishing the eligibility list, priority in the time of filing the application shall determine the order in which their names shall be placed on the eligible list; applicants eligible for uniformed service credit shall receive priority in rank on the eligible list over non-veterans on the list with a rating equal to that of the veteran. Ties among applicants receiving military service credit shall be decided by which application was filed earlier with the Commission.

9.04 Change of Address

Each person on an eligibility list shall file with the Commission a written notice of any change of address, and failure to do so may be considered sufficient reason for not certifying the applicant's name to the appointing authorities for consideration for appointment.

9.05 Removal from List

Upon receiving notification from the Appointing Authority, Director, or the PRC Administrator, names may be removed from an eligibility list by action of the Commission for the following reasons:

1. At the request of the eligible candidate.
2. After three certifications or considerations without receiving an appointment.
4. As provided by state statute.
5. Failure to pass a pre-employment background check and/or drug or alcohol screen.
6. Failure to appear for an interview.
7. Inability to locate the eligible at his or her last known address.
8. Practice or attempt to practice any deception in his or her application or in securing eligibility or appointment.
9. Any other just or reasonable cause.

If a candidate requests removal, and the request is based on illness, military service, or conflict with schooling, that candidate may be restored to the eligibility list when that candidate indicates renewed availability for consideration if the eligibility list is still in effect per Section 9.02.

If a candidate's name is removed for any of the other reasons set forth in this Rule, the candidate may make a written request for reconsideration to the Commission for the restoration of his or her name to the eligibility list. Such request shall be made within five (5) calendar days of date the notification of removal was electronically mailed and shall set forth why the removal was in error, stating the reasons that would justify restoration to the list, and providing evidence of the same. Restoration to the eligibility list is within the sole discretion of the Commission.

9.06 Creation by Noncompetitive Examination

After the completion of the review as provided in Rule 8.10, an eligibility list shall be prepared including the names of all applicants, placed in alphabetical order, who met the minimum requirements as set forth in the examination announcement.

The Commission shall provide the Appointing Authority with the eligibility list and the application materials of the individuals on the list for interview and subsequent selection.

SECTION 10 CERTIFICATION

Permanent appointments to all positions in the classified service that are not filled by promotion, transfer, or reduction shall be made from those persons whose names are certified to the Appointing Authority in accordance with these Rules.

10.01 Certification Request

When an Appointing Authority desires to fill a vacancy in any position in the classified service, the Appointing Authority shall submit a request to the Commission specifying the department, title of the position, grade, whether the service is temporary or permanent, and the anticipated date of the vacancy.

10.02 Number of Names to be Certified

Following such request from an Appointing Authority, the Commission shall certify the names, addresses, and rank of the top twenty-five percent (25%) or a minimum of ten (10) names of the applicants on the eligibility list for the class or grade to which the position is classified.

When less than 10 names appear on an eligibility list, the Commission may certify less than ten (10) names and a new examination may be scheduled.

10.03 Certification Not More Than Three Times

A person certified from the same eligible list three (3) times to the same Appointing Authority may be omitted from future certifications. A person is "certified," for purposes of this section, each time an appointment is made from a certified eligibility list containing that person's name.

SECTION 11 APPOINTMENTS

11.01 Original Appointments

A person who has been selected by an Appointing Authority from an open competitive eligibility list, certified in accordance with Rules 9.01 and 10.01 to fill a vacancy in the

classified service is said to have received an original appointment. Those persons receiving original appointments do not become permanent employees until they have satisfied the applicable probationary period.

11.02 Temporary Appointments

Temporary appointments shall not exceed one hundred eighty (180) days in duration and shall be filled in the following manner:

(1) Eligibility List

If an applicable eligibility list is available, the temporary appointment shall be offered to the candidates on the eligibility list, provided that the acceptance or declination of appointment to such position shall not affect the right of an eligible person to certification for appointment to a permanent position. At the expiration of the temporary appointment, which in no case shall exceed one hundred eighty (180) days, the services of the temporary employee shall be terminated and the candidate shall be restored to the eligibility list in rank order.

(2) No Applicable Eligibility List

In the absence of an applicable eligibility list, the Appointing Authority may appoint a qualified person for a temporary period of service, not to exceed one hundred eighty (180) days in duration, when the need of service is urgent and necessary to prevent the loss of public property, serious inconvenience to the public, or damaging delay to the public service.

In the event of a subsequent appointment to a permanent position, the temporary appointment shall not be counted as part of a probationary period.

Successive temporary appointments to the same position shall not be made under this Rule.

Temporary appointments made necessary by reason of sickness, disability, or other approved leave of absence shall not continue beyond such period of sickness, disability, or other absence.

The HR Department shall provide the Commission with a monthly report identifying the previous month's temporary appointments, the date of the appointment, the date the appointment expires, the position, and department.

SECTION 12

EMPLOYMENT ACTIONS

12.01 Notice Requirements

Any action taken by an Appointing Authority, the County Executive or the Director (collectively referred to as "the Employer" for purposes of this Section) that creates a right of appeal for an employee shall be done in the following manner:

- In writing and signed by the Appointing Authority or designee;
- The original or a copy of the action shall be served upon the employee on, before or as soon as practicable after the effective date of the action;
- The document should, on its face, indicate the particulars that form the basis for the action; and
- The document should specifically describe the procedures required for the employee to exercise their appellate rights.

The notice document shall be "served upon the employee" when:

- It is personally served upon the employee;
- It is received by the employee at the employee's last known address, by certified mail, return receipt requested; or
- It is left at the usual place of residence, or last known address of the affected employee, with an adult residing therein.

If the service by certified mail under this Section is returned with an endorsement showing the service was refused or unclaimed, then the notice may be sent by ordinary mail, evidenced by a certificate of mailing (or employee affidavit). Such notice shall be deemed "served" on the third calendar day after the order is mailed.

An action will not be disaffirmed based upon failure of service where the employee has failed to notify the Employer of a change of address. The burden is on the employee to prove the Employer was notified of a change in the employee's address.

12.02 Laches

Employees shall not be disciplined for acts that have been known or should have been known to the Employer more than two years prior to the effective date of the disciplinary action.

This rule does not bar discipline based upon a criminal conviction, less than two years old, although the incidents giving rise to such conviction occurred more than two years prior to the imposition of discipline.

12.03 Merger and Bar

All incidents that occurred prior to the incident for which a non-oral disciplinary action is being imposed, of which the Employer has knowledge and for which an employee could be disciplined, are merged into the non-oral discipline imposed by the Appointing Authority. Incidents occurring after the incident for which a non-oral disciplinary action is being imposed, but prior to the issuance of the non-oral disciplinary order, are not merged and may form the basis for subsequent discipline.

12.04 Inquiries

In furtherance of the Commission's Charter mandated duty to ensure compliance with federal, state and local employment laws, the Commission may conduct an inquiry when, upon written complaint or on its own motion, it has reason to believe that an individual is abusing the power of appointment, layoff, removal, reduction, suspension, or otherwise violating laws, rules or ordinances that the Commission is charged with enforcing. The Commission shall determine the procedures for conducting such inquiries and adopt such procedures via Commission Resolution. The inquiries shall not be quasi-judicial and shall not result in a final order that might be the subject of an administrative appeal to the Commission. If the Commission finds that a violation has occurred, it shall make a report to the County Council.

SECTION 13 APPELLATE PROCEDURE

13.01 Manner of Filing Appeals

All appeals to the Commission shall be in writing and shall include the following information:

- The Employee's name;
- The Employee's address and telephone number;
- Employee's Department; and
- A copy of the action being appealed or a brief summary of the subject of the appeal.

Information regarding how to file an appeal, including initial appeal forms, can be obtained on the PRC's website at <http://PRC.cuyahogacounty.us>. Appeals shall be filed with the Personnel Review Commission by mail, in person, by email (prc@cuyahogacounty.us) or facsimile (216-443-3694).

13.02 Time for Filing Appeals

All appeals shall be filed with the Commission within ten (10) calendar days of the date on which the employee was served with the action in question, by the end of the PRC business day at 4:30 p.m. The date the employee receives the notice is not counted as part of the 10 days. In the event the Personnel Review Commission Office is closed due to a holiday or weekend on the 10th calendar day, appeals received the following business day will be deemed filed timely. Appeals filed after that date will not be considered.

An appeal shall be deemed to be "filed" when one of the following occurs:

- The appeal is received in person and date stamped by the Commission;
- The appeal is postmarked; or
- The appeal is received by facsimile or e-mail (date of filing shall be the date marked on the appeal by the Commission's facsimile machine or e-mail system).

13.03 Interim Appeals

The Commission retains jurisdiction over all applicable employment actions that were taken during the time period from January 1, 2011 through the effective date of these Rules. All employees who properly perfected appeals in accordance with the instruction provided by the Human Resources Department shall be considered to have met all of the filing requirements of this section. Employees who did not properly perfect appeals in accordance with the instruction provided by the Human Resources Department shall be deemed to have waived their right to appeal the underlying employment action.

13.04 Preliminary Jurisdictional Review

Upon receipt of an appeal, the Commission shall conduct a preliminary review to determine the following:

- Whether the appeal was properly perfected in accordance with these Rules; and
- Whether the Commission has jurisdiction to hear the appeal.

If the Commission's Administrator determines that an appeal was not properly perfected or that the Commission lacks jurisdiction to hear the appeal, the Appellant will be notified in writing of the Administrator's determination. The Appellant may file written objections to the determination within fourteen (14) calendar days after the date on which the determination was mailed. The Appellant must also send a copy of the objections to the Appellee's legal representative (Law Department or the Prosecutor's Office). The Law Department or Prosecutor's Office shall have fourteen (14) calendar days from receipt of the objections to file a written response to the objections. At the first meeting following the expiration of the period for objection and response (if applicable), the Commission shall make a final determination of the jurisdictional issue.

The Commission may accept jurisdiction over the appeal, dismiss the appeal or assign the appeal to a hearing officer for a determination of the jurisdictional issue. If the Commission accepts jurisdiction, the appeal will proceed in accordance with these Rules.

13.05 Hearings

Discovery/Subpoenas

The Hearing Officer shall have discretion to set dates for the exchange of documents and both parties must agree to these dates, or the default procedure will require that at least fourteen (14) calendar days prior to the scheduled hearing, the parties shall provide the opposing party copies of the documents intended to be introduced at the hearing and a list of witnesses to be called by the party to testify at the hearing. If a party fails to comply with this requirement, the Hearing Officer has discretion to exclude such testimony or documents from the hearing. In all cases, the Hearing Officers should make every effort to ensure that the appeal record is fully developed.

Prior to the hearing, the parties may make requests to the Commission (or Hearing Officer) to issue procedural orders commanding the opposing party to disclose certain documentation and/or information.

Upon the request of either party made on or before the tenth calendar day prior to hearing, the Hearing Officer or the Commission may, in its own discretion, issue subpoenas for such persons, documents, and attendance of witnesses as the requesting party deems necessary.

Parties are limited to five (5) subpoenas absent good cause. Discovery depositions shall not be permitted.

Failure to Appear

Upon failure of the Appellant to appear for the record hearing within at least 30 minutes of the scheduled hearing time, and on showing of proof of service of the notice of hearing, the Commission (or Hearing Officer) may dismiss the appeal.

Upon failure of the Appellee to appear for the record hearing within at least 30 minutes of the scheduled hearing time, and on showing of proof of service of the notice of hearing, the Commission (or Hearing Officer) may grant appropriate relief, including the disaffirmance of the employment action.

Burdens of Proof

With regard to a disciplinary action, the Employer is required to prove by a preponderance of the evidence:

- That the Employer has substantially complied with the procedural requirements detailed in Section 6 of these Rules; and
- That the employee committed a sufficient disciplinary offense(s) to justify the discipline received.

With regard to an abolishment (classification or position), the Employer shall demonstrate by a preponderance of the evidence:

- that the Employer substantially complied with the procedural requirements associated with the abolishment; and
- that the abolishment was undertaken due to a lack of a continuing need for the position based on: a reorganization for the efficient operation of the Appointing Authority, reasons of economy, or a lack of work expected to last one year or longer. Certification of lack of funds or lack of work is not required for abolishments.

With regard to a layoff, the Employer shall demonstrate by a preponderance of the evidence:

- that the Employer substantially complied with the procedural requirements associated with the layoff; and
- that a layoff was undertaken due to a lack of work or lack of funds.

Abolishments (classification or position) and layoffs shall also be disaffirmed if the Commission determines that the action was taken in bad faith. The Employee is required to prove the Employer's bad faith by a preponderance of the evidence.

With regard to reclassifications and assignments to classifications:

When an appeal presents the issue of whether an employee is properly classified, or properly assigned to a classification, the Hearing Officer shall conduct a fact-finding hearing to determine the duties performed by the employee in the position at issue. Prior to the hearing, the parties should file with the Hearing Officer a designation of what classification each contends best matches the employee's duties. The Appellant can request a copy of the most recent audit of the employee's position from Human Resources, and parties can access job descriptions or class specifications for the positions that each party has designated, and the class specifications for any adjacent classifications within the same classification series, through the Human Resources' department website. If the Appellant does not have on-line access to these records, the Appellant may request the Human Resources department to provide hard copies of these records.

- If the employee's position has not been audited within two years, or if either the employee or the Appointing Authority contends that the employee's duties significantly changed since the last audit, the Hearing Officer may recommend to the PRC that the appeal be stayed pending completion of a new position audit.
- In an evidentiary hearing concerning the proper classification of an employee, the witnesses should be limited to the audited employee, the employee's immediate supervisor, and/or the designee of the authority who conducted the position audit. In this type of evidentiary hearing the Hearing Officer might choose to conduct the primary examination of the witnesses, followed by limited examination by the parties.

- The Hearing Officer's Report and Recommendation should compare the duties performed by the audited employee to the appropriate specifications and determine which classification most appropriately describes the duties performed by the employee. It is not anticipated that evidence about whether other employees are properly classified would be relevant.

The standard of proof for all other appeals before the Commission shall be a preponderance of the evidence.

Official Record

All hearings shall be recorded by the use of audio electronic recording devices. The audio record is the official record and shall be maintained / destroyed in accordance with the Commission's record retention schedule.

Post-Hearing Briefs

The Hearing Officer or Commission, in its own discretion, may allow the parties to a hearing to submit post-hearing briefs. A reasonable briefing schedule shall be established by the Hearing Officer or Commission in such cases. The official record shall be held open in such cases until the time for submittal of the briefs has passed. Any brief submitted within this time period shall be included as part of the official record.

Reports and Recommendations

After the official record has been closed, the Hearing Officer or the Commission will consider all evidence and submissions and issue a Report and Recommendation making findings of fact and conclusions of law. The Report and Recommendation shall be sent by electronic mail and regular mail to the last known post office address of the Appellant, and by electronic and regular mail to the Appellee's legal representative.

Either party may file with written objections to the Report and Recommendation with the Commission within fourteen (14) calendar days after the date on which the Report and Recommendation was mailed. For purposes of filing the objection, the written objection must actually be received by the Commission within the fourteen (14) day period. A party filing a written objection must also serve a copy of the objections on the opposing party. The opposing party shall have fourteen (14) calendar days from receipt of the objections to file a written response to the objections. The response to objections must be actually received by the Commission within this fourteen (14) day period.

The Objections and Responses must be received by the Commission within the time periods set forth in the preceding paragraph and by the end of the PRC's business day at 4:30 p.m.

Motions for extension of time to object or respond to objections shall be submitted to the Commission at the address listed on the PRC's website, by email (prc@cuyahogacounty.us) or facsimile (216-443-3694). The PRC Chairperson shall have the authority to rule on the parties' motions for extension of time to file Objections

or Responses thereto. The parties may request one extension of not more than seven (7) days. Except for good cause shown no further extensions will be granted.

13.06 Decisions of the Personnel Review Commission

At the first regular meeting of the Commission following the receipt of objections or responses, if applicable, the Commission will, as a regular item of business, consider the Report and Recommendation along with any objections or responses received in a timely manner. At that time, the Commission may take the matter under advisement.

At the point in time when the Commission acts upon a Report and Recommendation, it shall perform one of the following actions:

- Vote to affirm the Report and Recommendation as written;
- Vote to disaffirm the Report and Recommendation and submit a new decision;
- Vote to modify the Report and Recommendation;
- Vote to remand the matter back to the Hearing Officer to reopen the official record for additional evidence.

All votes taken under this Section shall be recorded in the minutes. The Commission shall notify the parties in writing of its decision. The notification shall also inform the parties of their rights (if any) to appeal to the Court of Common Pleas.

13.07 Appeals to the Court of Common Pleas

The decision of the Personnel Review Commission shall be a final order, and may be appealed by either the Appellant or by the County, as provided by general law.

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0021

Sponsored by: Councilmember Miller	An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements for Cuyahoga County.
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WHEREAS, Sections 2.03(9) and 2.03(10) of the Cuyahoga County Charter require the County Executive to submit to Council on a biennial basis a proposed operating budget, capital improvements plan, and detailed supporting financial information on revenues and expenditures; and,

WHEREAS, Section 3.09(5) of the Cuyahoga County Charter gives Council the power to adopt and amend the County's biennial operating budget and capital improvements program and to make appropriations for the County; and,

WHEREAS, the County Office of Budget and Management (OBM) within the Fiscal Office manages the County's budgeting process on behalf of the County Executive; and,

WHEREAS, Cuyahoga County adopted a biennial budget process through Ordinance No. O2011-0036 on 9/13/2011 and the power for a biennial operating budget was incorporated into the County Charter by the voters on November 6, 2012; and,

WHEREAS, Executive and Council collaboration on the budget process would be facilitated by a regular pattern of financial reporting.

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

SECTION 1. The Cuyahoga County Council hereby amends Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements for Cuyahoga County and shall read as follows:

Chapter 701

Section 701.06: Investment Policy

- (A) The Fiscal Officer shall publish on its website the County's written investment policies, as established and revised by the Investment Advisory Committee.

- (B) The County Treasurer shall conduct an ongoing analysis of the performance of the County's investment portfolio against the County's investment objectives, policies, procedures, and generally recognized performance benchmarks and shall use this analysis to better align the County's investments with the objectives, policies, and procedures and to improve performance against recognized benchmarks, consistent with safety and liquidity. The County Treasurer shall refer any recommendations for investment policy changes resulting from portfolio performance analysis to the Investment Advisory Committee and shall send a copy to County Council.

Section 701.07: Financial Reporting

- (A) Not later than March 31st of each year of the year, OBM shall prepare, publish, and submit to Council a public presentation on the budget, which shall include the following:
 - (1) An overview of County operations, programs, and finances reflecting prior year results and projections for the current year and one or more future years;
 - (2) A presentation of key financial schedules;
 - (3) A presentation of reserves on General Fund balance, describing each item and the likelihood that funds set aside for each item will actually need to be expended;
 - (4) A detailed description of the budget process;
 - (5) An analysis of County revenues;
 - (6) A description of the various fund types used in budgeting;
 - (7) Prior year results and current year goals on departmental performance measurement;
 - (8) Program budgets for each department, office, or agency;
 - (9) A description of the Capital Improvements Plan;
 - (10) A list of the County's outstanding debt obligations and discussion of the County's debt management plan;
 - (11) The list of outstanding loans made by the County, as provided for in Subsection E of this section.
 - (12) A brief overview of the most important aspects of the Biennial Operating Budget, presented so as to be easily understood and available as a separate document.

The budget presentation made in the second year of the biennium may be a summary of changes to the information required above, rather than a full report.

- (B) Not later than 45 days after the end of each calendar quarter, OBM shall prepare, publish, and submit to Council a quarterly financial report, which shall include the following:
 - (1) A presentation of key financial schedules, including reserves on General Fund balance;

- (2) A schedule of expenditures to date compared to budget for all departments, agencies, and other accounts within the General Fund and the Health and Human Services Levy Fund;
 - (3) An update of projected revenues and expenses for the General Fund, the Health and Human Services Levy Fund, and all funds combined;
 - (4) A list of bonds, notes, or other obligations of the County that expired, are new obligations, or were refinanced or restructured during the quarter;
 - (5) A discussion of likely impacts of actual and potential revenue and expenditure variations from the budget plan, including an update of changes, if any, to the presentation of reserves on General Fund balance provided for in Subsection 701.07(A)(3) above.
- (C) OBM shall prepare, publish, and submit to Council a monthly financial report not later than fifteen (15) days after the end of each month, which shall be a brief narrative regarding any of the following that may have occurred during the preceding month:
- (1) Changes to the County's overall revenue and/or expense projections or to any major individual revenue or expense item;
 - (2) Significant changes to the performance of any department or agency relative to its budget;
 - (3) Any significant unexpected revenue or expense obligation;
 - (4) Changes to the projected performance of the County's General Fund and/or Health and Human Services Levy Fund against its reserve target.
- (D) The Fiscal Officer, County Treasurer, and the Investment Advisory Committee shall provide Council a copy of any investment reports generated through its office or committee.
- (E) OBM, in coordination with the Department of Development and other County agencies, as needed, shall maintain and publish annually by March 31st of each year a list of all outstanding loans made by the County, including the amount, interest rate, and term of each loan and the amount of each loan that may be forgivable, if any. OBM shall determine a written process for determining a reasonable and prudent portion of the total loan amount to hold in reserve against nonpayment of loans or the exercise of forgivable loan provisions. This reserve amount shall be reported as a reserve on balance against the General Fund, and it shall be updated at least quarterly with respect to new loans and at least annually with respect to the status of existing loans.
- (F) The county shall use best efforts to ensure timely completion of its work for the county's external audit to enable the external audit to be completed and filed by the next September 30th following each calendar year.
- (G) The Fiscal Officer shall post all reports required to be published under this section on his/her website. Such posting shall be the primary means of

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0022

Sponsored by: Councilmember Brady	An Ordinance enacting the County Executive Transition Act, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: Councilmember Miller	

WHEREAS, Council seeks to promote the orderly transfer of executive power in connection with the expiration of the term of a County Executive and the inauguration of a new County Executive; and,

WHEREAS, it is in the County's interest to avoid or minimize any disruption to ongoing operations and the provision of services to County citizens; and,

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

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

SECTION 1: Section 102.01 of the Cuyahoga County Code is hereby amended to insert subsection (J) as follows; and the following subsections shall be renumbered accordingly:

- J. **“Executive-elect”** shall mean such person as is the apparent successful candidate for the office of County Executive as ascertained by the Director of Law following the general elections held for the office of County Executive.

SECTION 2. Chapters 111 and 112 of the Cuyahoga County Code are hereby enacted to read as follows:

Chapter 111. Legal Services for Executive-elect and Office of the Executive-elect

Section 111.01 Executive-elect and the Office of the Executive-elect's Access to Legal Representation and Attorney-Client Privilege

- A. The Executive-elect and the Office of the Executive-elect shall have the right to receive legal advice, opinions, and representation from the Law Department.

- B. The Law Department shall add the Executive-elect and the Office of the Executive-elect as clients with full rights, including the ability to access the Law Department's electronic intake system as clients.
- C. In receiving legal advice, opinions, and representation from the Law Department, the Executive-elect and the Office of the Executive-elect shall each be entitled to their own attorney-client privilege with the Law Department as their legal counsel. The Law Department shall take the necessary measures to protect the confidentiality of its communications with the Executive-elect and the Office of the Executive-elect, including protection from disclosure of such communications to the Executive or Council.

Chapter 112. Interim Appointments

Section 112.01 New Executive's Interim Appointments

A new County Executive may make interim appointments for up to 120 days without Council confirmation in accordance with Section 2.03(2) of the County Charter, notwithstanding the status or length of service of previous interim appointments made by a predecessor Executive.

SECTION 3: Section 202.19 of the Cuyahoga County Code is hereby enacted to read as follows:

Section 202.19 Office of the Executive-elect

- A. Not sooner than the second Monday in November in each year in which a new County Executive is elected, the Executive-elect may appoint no more than five immediate staff members to the Office of the Executive-elect. The Office of the Executive-elect shall assist the Executive-elect in preparing for the assumption of official duties as County Executive. All operations of the Office of the Executive-elect shall terminate no later than January 15 of the year following the election for County Executive.
- B. Employees of County agencies may be detailed to the Office of the Executive-elect with the consent of the County Executive and the director of their respective agency; and, while so detailed, such employees shall be responsible only to the Executive-elect. Any employee so detailed shall continue to receive the compensation provided for regular employment.
- C. Employees of the Office of the Executive-elect shall serve in a temporary, unclassified capacity; provided however that those employees detailed from other County agencies shall retain the rights and privileges of their permanent employment without interruption.
- D. The Council shall make appropriations in the operating budget for the fiscal year in which a new Executive is elected for the payment of salaries of staff of

the Office of the Executive-elect and other reasonable expenses of the Executive-elect during the period of transition. All funds appropriated for carrying out the purposes of this Section shall not exceed \$250,000 for any one County Executive transition period. The County Executive shall include in the biennial budget transmitted to Council a proposed appropriation for carrying out the purposes of this Section for each fiscal year in which his or her regular term of office will expire. In the event the Executive-elect is the incumbent County Executive, appropriations made pursuant to this section shall not be used for transition activities, and shall instead be returned to the general fund.

- E. County Departments operating under the authority of the County Executive shall each, upon request, provide those services, facilities, and equipment as may be reasonably necessary for the Office of the Executive-elect to carry out its official duties.

SECTION 4: It is necessary that this Ordinance become immediately effective for the operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of the 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 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: August 12, 2014

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Additional Sponsorship Requested: September 15, 2014

Journal CC015

September 23, 2014

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0016

Sponsored by: Councilmembers Miller, Conwell and Germana	An Ordinance amending Section 106.06 of the Cuyahoga County Code to establish copying costs for public records.
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WHEREAS, Section 149.43 et seq. of the Ohio Revised Code governs the availability of public records for inspection and copying; and,

WHEREAS, Chapter 106 of the Cuyahoga County Code governs the public records policy of Cuyahoga County, which was originally enacted by Ordinance No. O2011-0012 and was thereafter amended and codified by Ordinance No. O2013-0002; and,

WHEREAS, Section 106.06 of the County Code establishes the copy costs for public records, and further provides that County Council shall biennially determine and establish the copying costs for public records; and,

WHEREAS, Council now wishes to update and clarify the copying costs of public records for the public offices of Cuyahoga County.

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

SECTION 1: Section 106.06 of the Cuyahoga County Code is hereby amended to read as follows:

A. County Council to Determine Costs for Public Records

Unless otherwise provided in this Section, persons requesting copies of public records shall be required to pay for the cost of copies and/or delivery or transmission of public records. No charge for public records shall exceed the actual cost of making copies, packaging, postage, and any other costs of the method of delivery or transmission chosen by the requestor, except as otherwise provided by court order or law.

B. Costs for Public Records

Except as otherwise provided by court order or law, the copying costs for public records shall not exceed the following rates:

1. The charge for paper copies shall not exceed \$0.03 per page. The charge for paper copies shall be waived when the total cost of copying is less than \$1.00.
2. The charge for electronic copies provided on a compact disc, USB flash drive, or other data storage device shall not exceed \$1.00 per gigabyte of storage space available on the device.
3. There shall be no charge for electronic copies provided via email, facsimile, or other electronic transmission; provided, however, that a public office may charge up to \$0.03 per page when it is necessary to copy or print records for the purpose of redaction.

A public office may require payment in advance, or may waive copying and delivery costs when it determines it is cost-effective to do so, provided that the public office follows a consistent policy for all requests.

SECTION 2: 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: May 27, 2014
 Committee(s) Assigned: Council Operations & Intergovernmental Relations

Committee Report/Second Reading: September 9, 2014

Journal CC015
September 23, 2014

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0230

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on December 10, 2013, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2014/2015 (Resolution No. R2013-0229) establishing the 2014/2015 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2014 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 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following additional appropriation increases and decreases:

Fund Nos./Budget Accounts

Journal Nos.

A. 24A430 – Executive Office of HHS **BA1400547**
HS157289 – Executive Office of H&HS
Personal Services \$ (48,504.00)

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

B. 24A640 – FCFC Public Assistance **BA1400548**
FC451492 – Family and Children First Council PA
Personal Services \$ 15,023.00

Funding Source: The funding source is primarily the Human Services Levy Fund.

C. 24A601 – Senior and Adult Services **BA1400549**
SA138321 – Administrative Services - SAS
Personal Services \$ 33,481.00

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

D. 40A069 – Capital Projects Future Debt Issuance **BA1400558**
CC768531 – Hunter Building and Men’s Shelter
Capital Outlays \$ 324,071.00

Funding Source: Funding for the men’s shelter roof will come from future debt issuance. This is a temporary use of reserves.

E. 01A001 – General Fund **BA1400688**
HR018028 – Employee Benefits – General Fund
Other Expenses \$ 180,000.00

Funding Source: Funding is a General Fund Subsidy.

F1. 26A601 – General Gas and License Fees **BA1400689**
CE835025 – County Engineer Administration
Other Expenses \$ 6,000,000.00

F2. 26A650 – \$5.00 Road Capital Improvements
CE418053 – County Engineer \$5 License Tax Fund
Capital Outlays \$ 6,000,000.00

Funding Source: The total sources of funding for the project are 76% Federal Highway Administration funds, 13% County Road and Bridge funds, and 11% Ohio Public Works Commission Integrating Committee Issue One funds (see related cash transfer item).

G. 22A900 – EPA Brownfields Fund **BA1400501**
DV708982 – EPA-Petroleum Grant
Other Expenses \$ (140.98)

Funding Source: Funding was fund the United States Environmental Protection Agency covering the period October 1, 2003 through January 15, 2009.

H.	20A630 – Home Detention Fees		BA1400503
	SH586115 – Home Detention Fees		
	Other Expenses	\$	434,000.00

Funding Source: Funding is from fees collected from offenders that qualify and participate in home detention covering the period January 1, 2014 through December 31, 2014.

I.	20A377 – Probation Supervision Fees		BA1400506
	CO507228 – Probation Supervision Fees		
	Other Expenses	\$	250,000.00

Funding Source: Funding is from participants fees on home detention covering the period January 1, 2014 through December 31, 2014.

J.	22A041 –2011 NSP 3 Admin		BA1400507
	DV713602 – 2011 NSP 3 Project Plan		
	Other Expenses	\$	52,321.26

Funding Source: Funding is from the United States Department of Urban Development covering the period October 1, 2011 through September 30, 2014.

K.	22A040 –2011 Lead Hazard Reduction Grant		BA1400508
	DV708974 – Lead Hazard Reduction Grant 2011-2014		
	Other Expenses	\$	13,358.00

Funding Source: Funding is from the United States Department of Urban Development covering the period October 1, 2011 through September 30, 2014.

L.	21A003 – High Visibility Enforcement OT		BA1400509
	SH350801- High Visibility Enforcement OT 2014		
	Personal Services	\$	66,666.19
	Other Expenses	\$	2,578.55

Funding Source: Funding is from the United States Department of Transportation Federal Fiscal Year 2014 passed through the Ohio Department of Public Safety, Office of Criminal Justice Services to the Cuyahoga County Sheriff. The grant was accepted by the Contracts and Purchasing Board on March 17, 2014, Approval Number CPB2014-195. The grant period is October 1, 2013 through September 30, 2014. No cash match is required.

M.	21A926 – CBCF Operating Account		BA1400546
	CC742379 – CBCF Operating Grant FY15		
	Other Expenses	\$	5,906,125.00

Funding Source: The Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions grant. This is a continuation grant and covers the period June 23, 2014 through June 30, 2015.

N.	21A359 - Internet Crimes Against Children PR765248 – 2014 ICAC Task Force		BA1400550
	Personal Services	\$	188,479.00
	Other Expenses	\$	154,650.00
	Capital Outlay	\$	168,000.00

Funding Source: Funding is from the Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. No match is required for this grant. The funding period is July 1, 2014 through June 30, 2015.

O1.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754291 – Program Admin – FY14 & 15 – 000		BA1400552
	Personal Services	\$	502,397.00
	Other Expenses	\$	181,561.38
	Capital Outlay	\$	10,000.00
O2.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754309 – Probation – FY14 & 15 – 101		
	Personal Services	\$	463,615.00
	Other Expenses	\$	58,000.52
O3.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754317 – Fam Base HB – FY14 & 15 – 110		
	Other Expenses	\$	195,000.00
O4.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754325 – Mental Health – FY14 & 15 – 111		BA1400553
	Personal Services	\$	704,660.00
	Other Expenses	\$	81,000.52
O5.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754341 - Youth I G-FY14 & 15-115		
	Other Expenses	\$	45,000.00
O6.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754382 – Sex Offender Treatment FY14 & 15-106		
	Other Expenses	\$	170,000.00
O7.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754390 - Substance Abuse Treatment FY14 & 15-107		
	Other Expenses	\$	140,000.00
O8.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754408 – Clinical Assessment FY14 & 15-217		
	Other Expenses	\$	145,040.00
O9.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754358 – Work Detail FY14 & 15-209		
	Personal Services	\$	174,672.00
	Other Expenses	\$	9,600.00

O10.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754275 - Monit./Surv. FY14-15-201		BA1400554
	Personal Services	\$	1,092,518.00
	Other Expenses	\$	40,000.52
O11.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754283 – Sheltercare -FY14 & 15-202		
	Personal Services	\$	72,259.00
	Other Expenses	\$	690,532.00
O12.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754366 - JDAI-FY14 & 15-302		
	Other Expenses	\$	65,964.64
O13.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754374 – Day Treatment FY14 & 15-104		
	Other Expenses	\$	450,682.20

Funding Source: Funding is from the Ohio Department of Youth Services. The funding period is July 1, 2014 through June 30, 2014.

P1.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754416 – Mental Hlth (T.R.)FY14/15-T111		BA1400555
	Other Expenses	\$	432,984.31
P2.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754424 - CBT (T.R.) FY14/15-T303		
	Personal Services	\$	72,386.00
	Other Expenses	\$	1,251,024.69
P3.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754440 – Day Treatment (T.R.)FY14/15-T104		
	Other Expenses	\$	610,909.00
P4.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754671 – Targeted Program Admin. FY15 T000		
	Other Expenses	\$	40,000.00

Funding Source: Funding is from the Ohio Department of Youth Services. The funding period is July 1, 2014 through June 30, 2014.

SECTION 2. That the 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>		<u>Journal Nos.</u>
A. FROM:	40A069 – Capital Projects Future Debt Issuance CC768531 – Hunter Building and Men’s Shelter Personal Services	BA1400559
	\$	96,133.00

TO: 40A069 – Capital Projects Future Debt Issuance
 CC768531 – Hunter Building and Men’s Shelter
 Capital Outlay \$ 96,133.00

Funding Source: Funding for the men’s shelter roof will come from future debt issuance. This is a temporary use of reserves.

B. FROM: 20A390 – Emergency Management **BA1400504**
 JA100123 –Justice Services-Emergency Management
 Personal Services \$ 25,000.00

TO: 20A390–Emergency Management
 JA100123 –Justice Services-Emergency Management
 Other Expenses \$ 25,000.00

Funding Source: Funding is from grants and a General Fund Subsidy covering the period January 1, 2014 through December 31, 2014.

C. FROM: 50A410- Cuyahoga Regional Information System **BA1400505**
 JA090068 –J.A. Cuyahoga Regional Information System
 Personal Services \$ 150,000.00

TO: 50A410- Cuyahoga Regional Information System
 JA090068 –J.A. Cuyahoga Regional Information System
 Other Expenses \$ 150,000.00

Funding Source: Funding is user fees and court costs collected on moving violations covering the period January 1, 2014 through December 31, 2014.

SECTION 3. That the 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following cash transfers between County funds:

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

A. FROM: 26A601 – General Gas and License Fees **JT1400046**
 CE835025 – County Engineer Administration
 Transfer Out \$ 6,000,000.00

TO: 26A650 – \$5.00 Road Capital Improvements
 CE418053 – County Engineer \$5 License Tax Fund
 Revenue Transfer \$ 6,000,000.00

Funding Source: The total sources of funding for the project are 76% Federal Highway Administration funds, 13% County Road and Bridge funds, and 11% Ohio Public Works Commission Integrating Committee Issue One funds (see related additional appropriation item).

B. FROM: 26A651 - \$7.50 Road and Bridge Registration Tax **JT1400047**
 CE417477 – \$7.50 License Tax Fund Capital Improvements
 Transfer Out \$ 421,699.21

TO: 40A526 – Ohio Department of Transportation Local Projects Admin.
 CE785006 – ODOT - LPA
 Revenue Transfer \$ 421,699.21

Funding Source: This project receives 80% of funding from Federal Highway Administration funds passed through the Ohio Department of Transportation and 20% of funding from County Road and Bridge funds.

C. FROM: 20A377–Probation Supervision Fees **JT1400054**
 CO507228– Probation Supervision Fees
 Transfer Out \$ 250,000.00

TO: 20A630 –Home Detention Fees
 SH586115 – Home Detention Fees
 Revenue Transfer \$ 250,000.00

Funding Source: Funding is from fees collected from offenders that qualify and participate in home detention. Funding covers the period January 1, 2014 through December 31, 2014.

SECTION 4. That items approved in Resolution No. R2014-0188 passed on August 12, 2014 be corrected as follows to reconcile appropriations for 2014 in the County’s financial system:

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

Original Item

C. FROM: 21A900 – Regional Collaboration Project **BA1400369**
 JA753822 –Regional Collaboration Project
 Other Expenses \$ 1,232.58

TO: ~~20A900~~–Regional Collaboration Project
 JA753822 –Regional Collaboration Project
 Personal Services \$ 1,232.58

Funding Source: Funding is from the Ohio Emergency Management Agency covering the grant period August 1, 2011 through August 30, 2014.

Corrected Item

D. FROM: 21A900 – Regional Collaboration Project **BA1400369**
 JA753822 –Regional Collaboration Project
 Other Expenses \$ 1,232.58

TO: ~~21A900~~–Regional Collaboration Project
 JA753822 –Regional Collaboration Project
 Personal Services \$ 1,232.58

Funding Source: Funding is from the Ohio Emergency Management Agency covering the grant period August 1, 2011 through August 30, 2014.

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

Journal CC015
September 23, 2014



EDWARD FITZGERALD
Cuyahoga County Executive

September 16, 2014

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 23, 2014, 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.

Temporary/Permanent Use of Reserves	Amount
Capital Projects/Hunter Building and Men's Shelter – Additional appropriation to repair the roof of the Jane Edna Hunter building and the men's shelter. The bid exceeded the original estimate. Funding is from a future debt issuance. This is a temporary use of reserves. (Item D.)	\$324,071.00
TOTAL	\$324,071.00

General Fund/Health & Human Services	Amount
Office of Health and Human Services/Family and Children First Council/Senior and Adult Services – Decreasing appropriation in the Office of Health and Human Services (\$48,023) with corresponding increase to Family and Children First Council and Senior and Adult Services to cover personnel services for an Employment Services Coordinator and an Executive Officer position. Funding is from the Health and Human Services Levy Fund. (Items A, B and C.)	\$0.00
Human Resources – Additional appropriation to cover a cash transfer of the RTA public transportation subsidy to the General Fund Benefits account. Funding is from the General Fund. (Item E.)	\$180,000.00
TOTAL	\$180,000.00

Other Operating Funds	Amount
Sheriff's Department – Additional appropriation to cover a new GPS Monitoring contract. Funding is from fees collected from home detention participants and a Memorandum of Understanding with the Court of Common Pleas for a loan in the amount of \$250,000. (Item H.)	\$434,000.00
Court of Common Pleas – Increasing appropriation to cover a cash transfer to the Sheriff's Home Detention Fees account for a new GPS Monitoring contract. Funding is from fees from home detention participants. (Item I.)	\$250,000.00
TOTAL	\$684,000.00

Grants/Projects	Amount
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Public Works/Road and Bridge – Increasing appropriation to cover capital expenses and the local cash match for the East 105 th Opportunity Corridor Project in Cleveland. Funding for the project is 76% Federal Highway Administration funds, 13% County Road and Bridge funds, and 11% Ohio Public Works Commission Integrating Committee Issue One funds. (Items F1 and F2.)	\$12,000,000.00
Development – Decreasing appropriation in the Environmental Protection Agency (EPA) Petroleum Grant in preparation of grant closure. Funding is from the U.S. Environmental Protection Agency. (Item G.)	-\$140.98
Development – To appropriate revenue collected in August for the Neighborhood Stabilization Program 3 Project Plan (\$52,321.26) and the Lead Hazard Reduction Grant (\$13,358.00) that are required to be reprogrammed according to grant agreement. Funding is from the U.S. Department of Urban Development. (Items J and K.)	\$65,679.26
Sheriff’s Department – To establish appropriations for the High Visibility Enforcement Overtime 2014 grant from the U.S. Department of Transportation, Federal Fiscal Year 2014. (Item L.)	\$69,244.74
Community Based Correctional Facility – To appropriate an operating grant received from the Ohio Department of Rehabilitation and Correction’s Bureau of Community Sanctions. (Item M.)	\$5,906,125.00
Prosecutor – To appropriate the Internet Crimes Against Children Task Force grant from the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. (Item N.)	\$511,129.00
Juvenile Court – To appropriate the 2015 Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM) grant from the Ohio Department of Youth Services. (Items O1 – O13.)	\$5,292,502.78
Juvenile Court – To appropriate the 2015 Targeted Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors grant from the Ohio Department of Youth Services. (Items P1 – P3.)	\$2,407,304.00
TOTAL	\$26,251,843.80
Total Additional Appropriations - All Funds	\$27,439,914.80

The following represents the overall changes made to the Annual Appropriation Measure for 2014 since its adoption on December 10, 2013 Resolution R2013-0229. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

APPROPRIATION STATUS SUMMARY:

	<u>09/23/14 Agenda</u>	<u>R2013-0229*</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 180,000.00	\$ 377,204,012.00	\$ 382,310,330.72
HHS Levy Impact	\$ 0.00	\$ 235,311,170.00	\$ 237,804,788.32
Other Fund Impact	\$ <u>27,259,914.80</u>	\$ <u>693,095,162.00</u>	\$ <u>979,831,708.01</u>
Total Impact	\$ 27,439,914.80	\$1,305,610,344.00	\$ 1,599,946,827.05

* 2014-2015 appropriation levels adopted by resolution R2013-0229 on December 10, 2014.

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

Other Operating Funds	Amount
Justice Services/Cuyahoga Regional Information System – Realigning appropriation to cover a pending maintenance contract for Automated Fingerprint Identification System (AFIS). Funding is from user fees and court costs collected on moving violations.	\$150,000.00
TOTAL	\$150,000.00

Grants/Projects	Amount
Capital Projects/Hunter Building and Men's Shelter – Realigning appropriation within the capital project to offset the increase for the repair of the Jane Edna Hunter Building and men's shelter roof repair bid, that came in higher than anticipated. Funding is from a future debt issuance.	\$96,133.00
Justice Services/Emergency Management – Realigning appropriation to cover the purchase of required supplies, travel and training expenses. Funding is from grants and a General Fund subsidy.	\$25,000.00
TOTAL	\$121,133.00

Total Appropriation Transfers - All Funds	\$271,133.00
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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.

Other Operating Funds	Amount
Court of Common Pleas – A cash transfer from Probation Supervision Fees Special Revenue account to the Sheriff's Home Detention Fees Special Revenue for the purchase of GPS equipment. Funding is from fees collected from offenders that qualify and participate in home detention. (Item C.)	\$250,000.00
TOTAL	\$250,000.00

Grants/Projects	Amount
Public Works/Road and Bridge – A cash transfer to pay the local cash match for the East 105 th Opportunity Corridor Project in Cleveland. Funding is 76% Federal Highway Administration funds, 13% County Road and Bridge funds, and 11% Ohio Public Works Commission Integrating Committee Issue One funds. (Item A.)	\$6,000,000.00
Public Works/Road and Bridge – A cash transfer to reconcile the Bagley/Pleasant Valley Right of Way project. Funding is 80% Federal Highway Administration funds and 20% County Road and Bridge funds. (Item B.)	\$421,699.21
TOTAL	\$6,421,699.21

Total Cash Transfers - All Funds	\$6,671,699.21
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Thank you for your consideration regarding this matter.

Sincerely,



W. Christopher Murray, II
 Interim Director, Office of Budget & Management
cmurray@cuyahogacounty.us
 (216) 443-7175
 Fax: (216) 443-8193



EDWARD FITZGERALD
Cuyahoga County Executive

MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

FROM: W. Christopher Murray, II, Interim Director, Office of Budget & Management

DATE: September 16, 2014

RE: Fiscal Resolution 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 23, 2014. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A.	24A430 – Executive Office of HHS	BA1400547
	HS157289 – Executive Office of H&HS	
	Personal Services	\$ (48,504.00)

The Department of Jobs and Family Services Executive Office of Health and Human Services has requested to decrease available appropriation. Offsetting adjustments will increase appropriation in the Office of Family and Children First Council and the division of Senior and Adult Services to cover salary/fringe impact of an Employment Services Coordinator position and an Executive Officer position for remainder of year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

B.	24A640 – FCFC Public Assistance	BA1400548
	FC451492 – Family and Children First Council PA	
	Personal Services	\$ 15,023.00

The Office of Family and Children First Council has requested to increase appropriation to cover salary/fringe impact of an Employment Services Coordinator position for remainder of year. An offsetting adjustment will decrease appropriation in the Executive Office of Health and Human Services. The funding source is primarily the Health and Human Services Levy Fund.

C.	24A601 – Senior and Adult Services	BA1400549
	SA138321 – Administrative Services - SAS	
	Personal Services	\$ 33,481.00

The division of Senior and Adult Services has requested to increase appropriation to cover salary/fringe impact of an Executive Officer position for remainder of year. An offsetting adjustment will decrease

Fiscal Office
Office of Budget & Management
2079 E. 9th Street, Cleveland, OH 44115, (216) 443-7220, FAX (216) 443-8193
Ohio Relay Service (TTY) 711

appropriation in the Executive Office of Health and Human Services. The funding source is the Health and Human Services Levy Fund, the Public Assistance allocations, and fees for direct services provided to clients.

D.	40A069 – Capital Projects Future Debt Issuance CC768531 – Hunter Building and Men’s Shelter Capital Outlays	\$ 324,071.00	BA1400558
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Additional appropriation is requested to repair the roof of the Jane Edna Hunter building and on the men’s shelter because the bid exceeded the original estimate. Funding for the men’s shelter roof will come from future debt issuance. This is a temporary use of reserves.

E.	01A001 – General Fund HR018028 – Employee Benefits – General Fund Other Expenses	\$ 180,000.00	BA1400688
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Appropriation is requested to provide for the transfer of the RTA public transportation subsidy to the new General Fund Benefits account. The subsidy transfer was approved per R2014-0167.

F1.	26A601 – General Gas and License Fees CE835025 – County Engineer Administration Other Expenses	\$ 6,000,000.00	BA1400689
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F2.	26A650 – \$5.00 Road Capital Improvements CE418053 – County Engineer \$5 License Tax Fund Capital Outlays	\$ 6,000,000.00	
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An increase is requested to provide for capital expenses and the local cash match for the East 105th Opportunity Corridor Project in Cleveland. The General Gas and License Fee Fund pays for the County’s cash match for the project and the local project costs will be paid out of the \$5 License Tax Fund. The total sources of funding for the project are 76% Federal Highway Administration funds, 13% County Road and Bridge funds, and 11% Ohio Public Works Commission Integrating Committee Issue One funds (see related cash transfer item A, on page 8).

G.	22A900 – EPA Brownfields Fund DV708982 – EPA-Petroleum Grant Other Expenses	\$ (140.98)	BA1400501
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Decrease appropriations in the Environmental Protection Agency (EPA) Petroleum Grant in preparation of closure. Funding was fund the United States Environmental Protection Agency covering the period October 1, 2003 through January 15, 2009.

H.	20A630 – Home Detention Fees SH586115 – Home Detention Fees Other Expenses	\$ 434,000.00	BA1400503
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Increase appropriation in the Sheriff’s Home Detention Fees account for a new GPS monitoring contract as an alternative to incarceration for low-level, non-violent offenders. The cash balance in the Home Detention Fund as of August 31, 2014 is \$207,278.93 with a remaining encumbrance of \$22,854.45 resulting in an available cash balance of \$184,424.48. However, the Common Pleas Court entered into a

Memorandum of Understanding with the Sheriff to “Loan” \$250,000 toward this GPS contract. The combined resulting available balance is \$434,424.48. (See JT1400054 for the operating transfer from the Common Pleas Court appearing on the same fiscal agenda (fiscal item C, on page 8). Funding is from fees collected from offenders that qualify and participate in home detention covering the period January 1, 2014 through December 31, 2014.

I.	20A377 – Probation Supervision Fees	BA1400506
	CO507228 – Probation Supervision Fees	
	Other Expenses	\$ 250,000.00

Increase appropriation in the Common Pleas Probation Supervision Fees Special Revenue account to provide sufficient funding for the pending operating transfer (see JT1400054, fiscal item C, on page 8) to the Sheriff’s Home Detention Fees account for a new GPS monitoring contract as an alternative to incarceration for low-level, non-violent offenders supported by a Memorandum of Understanding with the Sheriff to “Loan” \$250,000 toward this GPS contract with remittance back to this fund no later than September 1, 2017 from fees collected by the Sheriff for participation in the home detention program. Funding is from participants fees on home detention covering the period January 1, 2014 through December 31, 2014.

J.	22A041 –2011 NSP 3 Admin	BA1400507
	DV713602 – 2011 NSP 3 Project Plan	
	Other Expenses	\$ 52,321.26

Increase appropriation in the Department of Development 2011 NSP 3 Project Plan for revenues collected in August that are required to be reprogrammed according the grant agreement. Funding is from the United States Department of Urban Development covering the period October 1, 2011 through September 30, 2014.

K.	22A040 –2011 Lead Hazard Reduction Grant	BA1400508
	DV708974 – Lead Hazard Reduction Grant 2011-2014	
	Other Expenses	\$ 13,358.00

Increase appropriation in the Department of Development Lead Hazard Reduction Grant 2011-2014 for revenues collected in August that are required to be reprogrammed according the grant agreement. Funding is from the United States Department of Urban Development covering the period October 1, 2011 through September 30, 2014.

L.	21A003 – High Visibility Enforcement OT	BA1400509
	SH350801- High Visibility Enforcement OT 2014	
	Personal Services	\$ 66,666.19
	Other Expenses	\$ 2,578.55

Establish appropriations in the Sheriff Department for the award of a grant titled High Visibility Enforcement Overtime 2014 for patrols on interstate highways to deter and enforcement of laws such as speeding, driving while intoxicated and ancillary crimes associated with traffic stops. Funding is from the United States Department of Transportation Federal Fiscal Year 2014 passed through the Ohio Department of Public Safety, Office of Criminal Justice Services to the Cuyahoga County Sheriff. The grant was accepted by the Contracts and Purchasing Board on March 17, 2014, Approval Number CPB2014-195. The grant period is October 1, 2013 through September 30, 2014. No cash match is required.

M.	21A926 – CBCF Operating Account		BA1400546
	CC742379 – CBCF Operating Grant FY15		
	Other Expenses	\$	5,906,125.00

The Ohio Department of Rehabilitation and Correction's Bureau of Community Sanctions has awarded a Community Based Correctional Facility (CBCF) operating grant to the Facility Governing Board of Cuyahoga County for state fiscal year 2015 in the amount of \$5,906,125.00 pursuant to O.R.C. § 5120.112 et seq. The appropriation of grant funds would be used for a contract with Oriana House, Inc. as the operator of the Judge Nancy R. McDonnell Community Based Correctional Facility. This is a continuation grant and covers the period June 23, 2014 through June 30, 2015.

N.	21A359 - Internet Crimes Against Children		BA1400550
	PR765248 – 2014 ICAC Task Force		
	Personal Services	\$	188,479.00
	Other Expenses	\$	154,650.00
	Capital Outlay	\$	168,000.00

The Prosecutor's Office has been award a grant from the Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention in the amount of \$511,129 for the fiscal year 2014 Internet Crimes Against Children Task Force. No match is required for this grant. The funding period is July 1, 2014 through June 30, 2015.

O1.	21A429 – Youth Svcs Subsidy – FDCC 2014/15		BA1400552
	JC754291 – Program Admin – FY14 & 15 – 000		
	Personal Services	\$	502,397.00
	Other Expenses	\$	181,561.38
	Capital Outlay	\$	10,000.00

O2.	21A429 – Youth Svcs Subsidy – FDCC 2014/15		
	JC754309 – Probation – FY14 & 15 – 101		
	Personal Services	\$	463,615.00
	Other Expenses	\$	58,000.52

O3.	21A429 – Youth Svcs Subsidy – FDCC 2014/15		
	JC754317 – Fam Base HB – FY14 & 15 – 110		
	Other Expenses	\$	195,000.00

O4.	21A429 – Youth Svcs Subsidy – FDCC 2014/15		BA1400553
	JC754325 – Mental Health – FY14 & 15 – 111		
	Personal Services	\$	704,660.00
	Other Expenses	\$	81,000.52

O5.	21A429 – Youth Svcs Subsidy – FDCC 2014/15		
	JC754341 - Youth I G-FY14 & 15-115		
	Other Expenses	\$	45,000.00

O6.	21A429 – Youth Svcs Subsidy – FDCC 2014/15		
	JC754382 – Sex Offender Treatment FY14 & 15-106		
	Other Expenses	\$	170,000.00

O7.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754390 - Substance Abuse Treatment FY14 & 15-107		
	Other Expenses	\$	140,000.00
O8.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754408 – Clinical Assessment FY14 & 15-217		
	Other Expenses	\$	145,040.00
O9.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754358 – Work Detail FY14 & 15-209		
	Personal Services	\$	174,672.00
	Other Expenses	\$	9,600.00
O10.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754275 - Monit./Surv. FY14-15-201		BA1400554
	Personal Services	\$	1,092,518.00
	Other Expenses	\$	40,000.52
O11.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754283 – Sheltercare -FY14 & 15-202		
	Personal Services	\$	72,259.00
	Other Expenses	\$	690,532.00
O12.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754366 - JDAI-FY14 & 15-302		
	Other Expenses	\$	65,964.64
O13.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754374 – Day Treatment FY14 & 15-104		
	Other Expenses	\$	450,682.20

The Juvenile Court requests appropriation of the state fiscal year 2015 Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM). The state fiscal year 2015 appropriation requests are included in BA1400552, BA1400553, and BA1400554. RECLAIM Ohio is a funding initiative to encourage juvenile courts to develop or purchase a range of community-based options to meet the needs of each juvenile offender or youth at risk of offending. The Court uses the grant funds for treatment, intervention, diversion, and prevention programs. The funding period is July 1, 2014 through June 30, 2014.

P1.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754416 – Mental Hlth (T.R.)FY14/15-T111		BA1400555
	Other Expenses	\$	432,984.31
P2.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754424 - CBT (T.R.) FY14/15-T303		
	Personal Services	\$	72,386.00
	Other Expenses	\$	1,251,024.69

P3.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754440 – Day Treatment (T.R.)FY14/15-T104		
	Other Expenses	\$	610,909.00
P4.	21A429 – Youth Svcs Subsidy – FDCC 2014/15 JC754671 – Targeted Program Admin. FY15 T000		
	Other Expenses	\$	40,000.00

The Juvenile Court requests appropriation of the state fiscal year 2015 Targeted Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM). The Court has been receiving Targeted RECLAIM in addition to regular RECLAIM grants since 2010. The purpose of Targeted RECLAIM is to reduce the number of commitments to the Ohio Department of Youth Services and help develop evidence-based local services to meet the needs of youth in the community. The funding period is July 1, 2014 through June 30, 2014.

Resolution: Appropriation Transfers:

A.	FROM:	40A069 – Capital Projects Future Debt Issuance CC768531 – Hunter Building and Men’s Shelter Personal Services	\$	96,133.00	BA1400559
	TO:	40A069 – Capital Projects Future Debt Issuance CC768531 – Hunter Building and Men’s Shelter Capital Outlay	\$	96,133.00	

Request to realign appropriation within the capital project to offset the increase in capital outlay for the repair of the roof of the Jane Edna Hunter building and on the men’s shelter because the bid exceeded the original estimate. Funding for the men’s shelter roof will come from future debt issuance. This is a temporary use of reserves.

B.	FROM:	20A390 – Emergency Management JA100123 –Justice Services-Emergency Management Personal Services	\$	25,000.00	BA1400504
	TO:	20A390–Emergency Management JA100123 –Justice Services-Emergency Management Other Expenses	\$	25,000.00	

Transfer appropriations within the Department of Public Safety and Justice Services Emergency Management account for required outreach supplies and travel/training expenses for the balance of 2014. A surplus in personal services exists due to vacancies. Funding is from grants and a General Fund Subsidy covering the period January 1, 2014 through December 31, 2014.

C.	FROM:	50A410- Cuyahoga Regional Information System JA090068 –J.A. Cuyahoga Regional Information System Personal Services	\$	150,000.00	BA1400505
	TO:	50A410- Cuyahoga Regional Information System JA090068 –J.A. Cuyahoga Regional Information System Other Expenses	\$	150,000.00	

Transfer appropriations within the Department of Public Safety and Justice Services Cuyahoga County Regional Information System now known as Regional Enterprise Data Sharing System account for a pending maintenance contract for Automated Fingerprint Identification System (AFIS). A surplus in personal services exists due to vacancies. The cost of the contract will be recovered through funding from users. Funding is user fees and court costs collected on moving violations covering the period January 1, 2014 through December 31, 2014.

Resolution: Cash Transfers:

A.	FROM:	26A601 – General Gas and License Fees	JT1400046
		CE835025 – County Engineer Administration	
		Transfer Out	\$ 6,000,000.00
	TO:	26A650 – \$5.00 Road Capital Improvements	
		CE418053 – County Engineer \$5 License Tax Fund	
		Revenue Transfer	\$ 6,000,000.00

A cash transfer is requested to pay the local cash match for the East 105th Opportunity Corridor Project in Cleveland. The total sources of funding for the project are 76% Federal Highway Administration funds, 13% County Road and Bridge funds, and 11% Ohio Public Works Commission Integrating Committee Issue One funds (see related additional appropriation items F1 and F2, on page 2).

B.	FROM:	26A651 - \$7.50 Road and Bridge Registration Tax	JT1400047
		CE417477 – \$7.50 License Tax Fund Capital Improvements	
		Transfer Out	\$ 421,699.21
	TO:	40A526 – Ohio Department of Transportation Local Projects Admin.	
		CE785006 – ODOT - LPA	
		Revenue Transfer	\$ 421,699.21

A cash transfer is requested to reconcile the Bagley/Pleasant Valley Right of Way project. This project receives 80% of funding from Federal Highway Administration funds passed through the Ohio Department of Transportation and 20% of funding from County Road and Bridge funds.

C.	FROM:	20A377–Probation Supervision Fees	JT1400054
		CO507228– Probation Supervision Fees	
		Transfer Out	\$ 250,000.00
	TO:	20A630 –Home Detention Fees	
		SH586115 – Home Detention Fees	
		Revenue Transfer	\$ 250,000.00

Transfer from the Court of Common Pleas Probation Supervision Fees Special Revenue account \$250,000 to the Sheriff’s Home Detention Fees Special Revenue account for the purchase of GPS equipment to alleviate jail overcrowding. Sufficient cash exists in the Common Pleas account for this transfer. The transfer is supported by a Memorandum of Understanding between the Common Pleas Court and Sheriff Department as a loan to be returned by no later than September 1, 2017 to the Common Pleas Court from fees collected for the monitoring of the GPS monitoring. Funding is from fees collected from offenders that qualify and participate in home detention. Funding covers the period January 1, 2014 through December 31, 2014.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0231

<p>Sponsored by: County Executive FitzGerald/Department of Public Works</p>	<p>A Resolution making an award on RQ30137 to Hilton Supply Management, LLC in the amount not-to-exceed \$150,000.00 to arrange for the purchase, delivery and installation of certain operating supplies and equipment (“OS&E”) for use in the operation of the Hotel; authorizing Hilton Supply Management, LLC to act as the County’s agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel; 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 project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County has determined to engage Hilton Supply Management, LLC (“HSM”) to perform purchasing services for the Downtown Cleveland Convention Center Hotel Project (the "Project"), and

WHEREAS, in response to the RFQ #30137, HSM submitted a proposal and a scope of services on March 25, 2014, which pursuant to a selection process, was determined by the Department of Public Works to be the most suitable for this Agreement; and

WHEREAS, the County desires to engage the services of HSM to arrange for the purchase, delivery and installation of certain operating supplies and equipment (hereinafter referred to as "OS&E") for use in the operation of the Project as a hotel ("Hotel"), and HSM desires to perform such services for the compensation and pursuant to the terms and conditions described in this Agreement;

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 RFQ #30137 to HSM in the amount not-to-exceed \$150,000.00 and authorizes the entry of a Purchasing Agreement with HSM to act as the County's agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel.

SECTION 2. Any and all exemptions from competitive bidding and/or authorizations to engage in an alternative procurement process required pursuant to the County's Contracting and Purchasing Laws for anything contemplated in this Resolution or the Purchasing Agreement with HSM are hereby granted.

SECTION 3. That the County Executive or his authorized designee is authorized to take all actions, and to execute, acknowledge, and deliver (a) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, the Purchasing Agreement and all documents to be executed by the County pursuant to the Resolution, (b) all other and further documents, instruments, certificates, agreements, amendments, assignments, consents, affidavits, certifications, payments, disbursements, and notices, and (c) 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 herein, in all cases containing such terms and conditions as may be approved by the County's Director of Law or his designee.

SECTION 4. That the Director of Public Works is authorized to administer the Project and all actions contemplated by this Resolution through its milestones and be responsible for any ongoing approval rights (including the approval of invoices) under the Agreements contemplated herein.

SECTION 5. That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director or his designee's approval, including as to legal form and correctness.

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 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 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

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

Journal _____
_____, 2014

Date sent to Dept: 3-31-14
 Date Received from Dept: _____
 (OPD Use Only)



**CUYAHOGA COUNTY
 TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Public Works - Engineer

PROPOSAL DUE DATE: March 27, 2014

RFP TITLE: FPE & OSE Purchasing Consultant

Number of Proposals Sent/Returned: 12 / 5
 RFP #: CE - 14 - 30137 SBE: 0%

TO BE COMPLETED BY OPD		TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER						USER DEPT.
VENDOR NAME & ADDRESS	IG/ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	AWARD Y/N	
Benjamin West 2655 Crescent Drive Suite A Lafayette, CO 80026	NEP VC-OK						N	
Bray Whaler International 7936 East Arapahoe Court Suite 1000 Centennial, CO 80112	NEP VC-OK						Y FFPE	
Carver & Associates 4177 Northeast Expressway Atlanta, GA 30340	NEP VC-OK 21684-YES						N	
Hilton Supply Management 7926 Jones Branch Drive Suite 400 McLean, VA 22102	NEP VC-OK 21684-NA(15)	SBE WAIVED						N
Neil Locke & Associates Locke Hospitality Procurement, LLC 550 East Devon Avenue, Suite 130 Itasca, IL 60143	NEP VC-OK 21684-YES						N	

JAWAK KUSANI PE
 Department Director Name
 RfpTab - Updated 10/15/2013

Department Director Signature of Approval: _____
 Date: 4/9/14



Initial Proposal Evaluation Form

Project Name FFE and OSE Purchasing Consultant for Convention Center Hotel (RFP 30137)
Project Type Consultant
Submission Date March 27, 2014
Selection Meeting Date April 2, 2014
Facilitator Nichole English

Committee Members: Bonita Teeuwen
Stanley Kosilesky
Ellis Katz (PMC)
Bob Neal (Cooper Carry)
Jason Rhodebeck (Turner)
Dale Cheek (HDC)
Pam Anderson (Anderson Miller)

EVALUATION CRITERIA	Max Points	Benjamin West	Bray Whaler	Carver	Hilton Supply Management	Neil Locke and Associates								
Minimum Qualifications														
Non-Collusion Affidavit	Yes/No	Y	Y	Y	Y	Y								
Vendor Compliance Form	Yes/No	N	Y	Y	Y	Y								
Cooperative Purchasing	Yes/No	N	Y	Y	Y	Y								
Project Understanding/Methodology	30	NS	25	20	10	NS								
Project Management	20	NS	18	14	13	NS								
Qualifications & Experience	25	NS	23	16	19	NS								
Pricing	25	NS				NS								
TOTAL	100	0	66	50	42	0								

*Pricing not evaluated at this time. Will be scored during final evaluation

Notes:

Initial Selection FFE Purchasing Consultant for Convention Center Hotel (RFQ 30137)

	Bray Whaler	Carver	Hilton Supply Management
Project Understanding/Methodology	<ul style="list-style-type: none">-Good discussion on each topic asked-Project specific, dated schedule presented-Very specific approach to the project-Cost discussion was good-Thorough section	<ul style="list-style-type: none">-Addressed all questions in acceptable fashion-Gave month by month schedule	<ul style="list-style-type: none">-Lacks detail, weak section-Did not answer all questions we asked for in this section-No schedule presented
Project Management	<ul style="list-style-type: none">-Good examples, very thorough section-Addressed our needs, clearly presented team that will be working on our project-Clear, project specific management approach	<ul style="list-style-type: none">-Generic project management approach-Addressed our requirements	<ul style="list-style-type: none">-Generic project management approach-Did not answer all questions presented in RFP
Qualifications/Experience	<ul style="list-style-type: none">-Very detailed on project descriptions-Projects shown are similar to ours in type and size-Organized section, good information presented in charts-Bios are very detailed and clear-Smaller operation, need to ensure they can handle our project with others-Performing similar work at Cleveland Westin, so they are working in our market now	<ul style="list-style-type: none">-Lacks details, brief-Some older projects listed, would like to see more recent similar work-Smaller operation, can they handle this project?	<ul style="list-style-type: none">-Did Not give detailed experience of staff-Weak response to this section-Have similar projects to ours in size and type-Have buying power, strong team with ability-Who is actually doing the work on this project is unclear, lacking details-Company has depth to do the project

Notes:

Benjamin West did not complete required forms, therefore were eliminated and not scored
Neil Locke and Associates did not follow the required format, therefore were eliminated and not scored.
Pricing section will be evaluated after interviews.



Final Proposal Evaluation Form

Project Name FFE and OSE Purchasing Consultant for Convention Center Hotel (RFP 30137)
Project Type Consultant
Submission Date March 27, 2014
Selection Meeting Date April 2, 2014
Facilitator Nichole English

Committee Members: Bonita Teeuwen
Stanley Kosilesky
Ellis Katz (PMC)
Bob Neal (Cooper Carry)
Jason Rhodebeck (Turner)
Dale Cheek (HDC)
Pam Anderson (Anderson Miller)

EVALUATION CRITERIA	Max Points	Benjamin West	Bray Whaler	Carver	Hilton Supply Management	Neil Locke and Associates								
Minimum Qualifications														
Non-Collusion Affidavit	Yes/No	Y	Y	Y	Y	Y								
Vendor Compliance Form	Yes/No	N	Y	Y	Y	Y								
Cooperative Purchasing	Yes/No	N	Y	Y	Y	Y								
Project Understanding/Methodology	30	NS	24	18	20	NS								
Project Management	20	NS	16	12	16	NS								
Qualifications & Experience	25	NS	23	16	22	NS								
Pricing	25	NS	25	17	23	NS								
TOTAL	100	0	88	63	81	0								

Notes:

Final Selection FFE Purchasing Consultant for Convention Center Hotel (RFQ 30137)

	Bray Whaler	Carver	Hilton Supply Management
Project Understanding/Methodology	-Showed most documented approach	-Did not show as much in interview as RFP response -Samples were not shown	-Improved based on process, rigidity -Strong sourcing approach -Team could complete the project
Project Management	-Focused on Jennifer, did not provide much detail on other team members -Less information on support staff	-Did not bring key staff -Not clear who we will be dealing with on a day-to-day basis -Our project would be a big job for them	-Still somewhat confused on organization of team -Showed more experience and staff in presentation
Qualifications/Experience	-Showed similar experience, recently completed two Omnis of similar size and scope -Confirmed they can successfully complete the project	-Did not add to their qualifications in presentation	-Lacking government experience -Fee structure not preferred -Completed 3,000 room hotel recently -Have purchasing power of Hilton behind them, quickest delivery on OSE -Understand their own requirements for OSE best -Buying at greatest quantities, should get best pricing on OSE especially

Notes:

Items shown above were insights gained from presentations, above and beyond what was shown in RFP responses.

Decision made to split contract into two parts and award FFE contract to Bray Whaler and OSE to Hilton Supply Management

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0232

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for the Jane Edna Hunter and Emergency Men’s Shelter Roof Renovation Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for roof renovation project at Jane Edna Hunter Building and Emergency Men’s Shelter; and

WHEREAS, the primary goal of the project to removal of existing roofing and insulation; installation of new insulation and roofing systems; removal of skylight systems; and installation of new skylights systems; and

WHEREAS, this project is located at the Jane Edna Hunter Building located at 3955 Euclid Avenue, Cleveland and Emergency Men’s Shelter located at 2100 Lakeside Avenue, Cleveland, located in Council District; and

WHEREAS, this project is funded 100% through Capital Project Bond Issue; and

WHEREAS, construction is scheduled to begin 10/20/2014 and scheduled to be completed 5/28/2015; 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 award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for roof renovation and replacement at Jane Edna Hunter Building and Emergency Men’s Shelter.

_____, 20__



(OPD USE Only) Date Sent to Dept: 9/9/2014

Date Received from Dept: _____

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

BID DUE DATE: Public Works
 REQUISITION NUMBER: 31509
 REQUISITIONING DEPT.: _____
Jane Edna Hunter & Emergency
Men's Shelter Roof Renovation
 COMMODITY DESCRIPTION _____

CONTRACT PERIOD _____ N/A
 NUMBER OF ITB'S SENT/RETURNED 8/2
 ESTIMATE \$2,788,643.00 #2,928,952.00
make 9-9-2014
 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	SBE SUBCONTRACTOR NAME	CCBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
Cold Harbor Building Company 115 Industrial Parkway Charon, OH 44024	100% Fidelity and Deposit Company of Maryland	N/A	P: Yes <u>code</u> IG# 12-3047 VCF = Inc* NCA = ok PH= yes 2% match = n/a D-YES SB. 9/11	\$3,147,600.00	<u>WF Total Roofing \$910,000.00 58.9%</u> <u>WF Imperial Mechanical \$50,000.00 1.6%</u>	N	N	30.5%	Y	<u>dmk</u> <u>mm 9/9/14</u> <u>mm 9/9/14</u>
John G. Johnson Construction 8360 East Washington St. Chagrin Falls, OH 44023	100% Fidelity and Deposit Company of Maryland	N/A	P: Yes <u>code</u> IG# 12-3691 VCF = ok NCA = ok PH= yes 2% match = no D-YES SB. 9/11	\$3,183,621.00	<u>WF Miller Plumbing \$21,900.00 0.7%</u> <u>WF Fran K Novakson \$15,500.00 .49%</u>	N		1.18%	N	<u>dmk</u> <u>SBE 2 Forms not signed (2)</u> <u>Requested a partial waiver stating that another company not competitive</u> <u>mm 9/9/14</u> <u>mm 9/9/14</u>

*If vendor is awarded the Contract N/A item #12 must be initialed on the Mandatory Vendor Compliance Form.

CCBB: Low Non-CCBB Bid: \$ 3,147,600.00 +2% \$ 62,952.00 = \$ 3,210,552.00

Does CCBB apply? : Y / N

(*Note: CCBB must meet all bid requirements)

* LOWEST BID REC'D \$ 3,147,600.00 RANGE OF LOWEST BID REC'D \$ 220,332.00

PRICE PREF % & \$ LIMIT: 7% up to 250,000.00 MAX SBE PRICE PREF \$ 3,367,932.00

OBM APPROVAL
(If actual bid exceeds estimate)

DATE

DEPARTMENT DIRECTOR
SIGNATURE
DEPARTMENT DIRECTOR
NAME

LOW BIDDER NOTIFIED
 No Yes Date: _____
(Date Signed)

Tab sheet with SBE
Updated 04/19/2013

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0233

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution authorizing a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 5; 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/Division of County Engineer recommends approval of a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 5; and

WHEREAS, the Village of Highland Hills desires to retain Cuyahoga County to perform certain services for the Village of Highland Hills to aid with the maintenance and repair of sanitary sewers, storm sewers and water lines located in Sewer District No. 5; and

WHEREAS, pursuant to R.C. §307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and

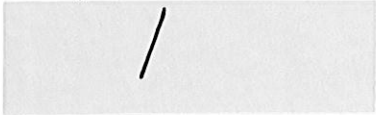
WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the Village of Highland Hills' sewer system.

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

SECTION 1. That the Cuyahoga County Council hereby approves the revenue generating utility agreement with the Village of Highland Hills for the maintenance and repair of sanitary sewers, storm sewers and water lines located in Cuyahoga County Sewer District No. 5.

SECTION 2. That the County Executive is authorized to execute the agreement 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 and the reasons set forth in the preamble.



Item Details:

Agency/Dept. Name:	County Engineer/Sanitary Engineering Division	Agency/Dept. Head Name:	Jamal Husani
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Type of Request: Agreement/Amendment

Request Prepared by:	Paul Wilson	Telephone No.	216-348-3984
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SUMMARY OF REQUESTED ACTION:

A. SCOPE OF WORK SUMMARY

1. Department of Public Works requesting the approval of an agreement with the Village of Highland Hills for Storm and Sanitary Sewer Maintenance. This is a revenue generating contract. There is no cost associated with this specific contract. The agreement is effective immediately upon approval with the anticipated date of November 1, 2014, **declaring the necessity that this Resolution become immediately effective.**

2. The primary goal of this Agreement is to set forth the responsibilities of the respective parties under the Agreement as well as establish a rate which the County will charge the Village of Highland Hills for services.

3. Under the provision of the Ohio Revised Code Section 6117.02, this County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements.

B. PROCUREMENT

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

C. CONTRACTOR AND PROJECT INFORMATION

1a. The address for contact is:

Village of Highland Hills
3700 Northfield Road
Highland Hills, OH 44122

2. The owner is the Village of Highland Hills.

3a. N/A

3b. The Village of Highland Hills is located in Council District 9.

D. PROJECT STATUS AND PLANNING

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

E. FUNDING

- 1. As noted, there is no cost associated with this specific contract with the Village of Highland Hills.
- 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:

Total Amount Requested:

\$

ATTACHMENTS:

Click to download

[Agreement](#)

History

Time

Who

Department of Law

Approval



County Council of Cuyahoga County, Ohio

Resolution No. R2014-0234

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and Councilmember Miller</p>	<p>A Resolution authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; 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.</p>
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WHEREAS, on July 22, 2014, Cuyahoga County Council enacted Ordinance No. O2014-0018, which authorized the County to enter into Pay For Success contracts and created the “Social Impact Financing Fund” to be held on the books of the County to be administered by the County’s Fiscal Office and be used to make payments under the Pay For Success contracts; and

WHEREAS, the County Executive/Department of Health and Human Services/Division of Children and Family Services has submitted a Pay For Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services for children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; and

WHEREAS, the Pay For Success contract provides a mechanism to bring financial support from the private and non-profit sectors to innovative social programs with the goal of better social outcomes for the targeted populations, and savings to the County through a reduction in the amount of expenses tied to the targeted populations; and

WHEREAS, the County agrees to appropriate \$1,000,000.00 each year of the Pay for Success contract to be deposited in the Social Impact Financing Fund and to make success payments according to the terms of the Pay for Success contract; and

WHEREAS, the County shall make success payments in an amount not-to-exceed \$5,000,000.00 only in the event the intervention program contemplated under the Pay For Success contract results in the reduction of the length of stay of children in foster care within the target population, as determined by an independent evaluator, and according to the terms of the Pay For Success contract; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020.

SECTION 2. That the County Executive is authorized to execute the 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 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:
Committee(s) Assigned:

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Administrator's Office	Agency/Dept. Head Name:	Matt Carroll
Type of Request:	Contract/Amendment		
Request Prepared by:	David Merriman	Telephone No.	263-4606
SUMMARY OF REQUESTED ACTION:			
<p>Cuyahoga Pay for Success Contract A. Scope of Work Summary 1. County Executive Office, submitting a Pay for Success contract with Mental Health Services for Homeless Persons Inc. dba Frontline Services and Cuyahoga PFS, LLC for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 to 12/15/2020 in the amount not-to-exceed \$5,000,000.00 2. The primary goals of the project are: • provides a mechanism to bring financial support from the private and non-profit sectors to innovative social programs • Improve social outcomes for the targeted populations, • generate savings to the County through a reduction in the amount of expenses tied to the targeted populations; B. Procurement 1. The procurement method for this project was an alternative procurement. The administration completed an REQUEST FOR RESPONSES (RQ# 25663), which identified each of the contract partners. 2.The RFR was open from approximately October 30, 2012 through December 14, 2012. C. Contractor and Project Information 1. FrontLine Service 1744 Payne Avenue Cleveland, Ohio 44114 Susan Neth, Executive Director Enterprise Community Partners, Inc. 1360 East 9th Street, Suite 510 Cleveland, Ohio 44114 Mark McDermott, Vice President D. Project Status and Planning 1. The project will run for 5 years beginning in 2015. 2.The project's term has not begun. E. Funding 1. The project is funded 100% by the HHS Levy. 2. The schedule of payments will be determined by the contract.</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Explanation for late submittal:			

Contract/Agreement Information:

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<p>Procurement Method: Other</p> <p>Explanation for Increase/Decrease in \$ Amount for current request:</p>

Financial Information:

<p>Funding source: Other</p> <p>Total Amount Requested: \$5,000,000</p>	<p>Explanation: Health and Human Services Levy</p>
---	---

ATTACHMENTS:

Click to download

- [Justification](#)
- [Pay for Success Contract](#)
- [Legislation](#)
- [SIF Fund legislation](#)

History
Time

Who

Approval



County Council of Cuyahoga County, Ohio

Resolution No. R2014-0235

<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 authorizing an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
---	--

WHEREAS, the County Executive/Department of Human Resources has recommended approval of an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; and

WHEREAS, the goals of this project are: 1) to provide out-of-school time services including after school and summer programming for children and teenagers; 2) to provide professional development for youth workers; 3) to implement data collection processes; 4) to provide tutoring programs; 5) to provide Kindergarten readiness services; and 6) to provide college access programming for high school juniors and seniors; and

WHEREAS, this Contract will be funded 100% by the Health and Human Services Levy Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby amends Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting

Journal _____
_____, 20__



4

Item Details:

Agency/Dept. Name: Administrator's Office/Family and Children First Council **Agency/Dept.Head Name:** Robin R. Martin

Type of Request: Agreement/Amendment

Request Prepared by: Robin R. Martin **Telephone No.** 216-443-7239

SUMMARY OF REQUESTED ACTION:

Submitting an amendment with Child Care and Resource Center of Cuyahoga County (Starting Point) in the amount not-to-exceed \$1,400,000.00 for Out-of-School Time and Transition Services for the period October 1, 2014 to September 30, 2015.

Title: Family and Children First Council, 2014, Child Care and Resource Center of Cuyahoga County, Contract, Countywide Out-of-School Time.

A. Scope of Work Summary:

1. Family and Children First Council, requesting approval of a contract with Child Care and Resource Center of Cuyahoga County (Starting Point) for the anticipated additional cost of \$1,400,000.00. The anticipated start-completion dates are 9/01/2013-09/30/2015. **2.** The primary goals of the project are:

1. Provide out-of-school services, which includes after-school and summer programming for children and teenagers
2. Professional development for youth serving workers
3. Tutoring services
4. Kindergarten readiness services
5. Scenarios USA
6. Data collection
7. College access programming for high school junior and seniors
8. Closing the Achievement Gap

B. Procurement

1. The procurement method for this project an exemption request because Starting Point is the agency designated by the Ohio Department of Jobs and Family Services (ODJFS) to serve as the child care and out-of-school time resource and referral agency in Cuyahoga County.**C. Contractor and Project Information**

1. The address of the vendor is:

Starting Point

4600 Euclid Avenue, Suite 500

Cleveland, Ohio 441032. The Executive Director for vendor is Billie Osborne-Fears.

3. The project is County wide. Starting Point released an RFP to select 28 communities in 2012 - 11 City of Cleveland neighborhoods, 11 inner-ring suburban communities, and 6 outer ring suburban communities. With the approval of the FCFC office, Starting Point has the option to re-release an RFP to fill service gaps that still exist. Starting Point will offer OST services to the Closing the Achievement Gap communities.

D. Project Status and Planning

1. The project reoccurs annually.

E. Funding

1. The project is funded 100% by the Health and Human Services Levy.

2. The schedule of payments is by invoice.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Competitive Bid

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

Decrease due to budget cuts.

Financial Information:

Funding source: Explanation:

Other HHS Levy funding

Total Amount Requested:

\$1,400,000.00

ATTACHMENTS:

Click to download

- [SP Approved Justification](#)
- [SP vendor info](#)
- [SP State Award Letter](#)
- [SP Auditor's Finding](#)
- [SP Auditor's Finding](#)
- [Certificate of Liability Insurance](#)
- [SOS Business Filing Certificate](#)
- [SOS Corporate Details 1](#)

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

Contractor: Child Care and Resource Center of Cuyahoga County (Starting Point)

Contract/Agreement No.: CE1300435 Time Period: 9/1/2013-9/30/14

Service Description: Out-of-School Time and Transition Services

Original Contract/Agreement Amount: \$1,600,000.00

Prior Amendment(s) Amount(s):

Performance Indicators: Providing out-of-school time programming for 28 communities, implementing the Youth Program Quality Assessment (YPQA) and Social Solutions Efforts-to-Outcome data collection process, providing professional development for youth workers, tutoring programs that support academic improvement, transition services that include supporting a child's transition into kindergarten and college access services and Scenarios USA.

Actual performance versus performance indicators (include statistics): See attached

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: All contract deliverables were met. OST services expanded countywide. The outcome database and YPQA were launched countywide. We are ready to begin analyzing the data from 2012-2013

Robin R. Martin

August 6, 2013

User Department

Date

s: evaluation

Family and Children First Council -Evaluation Overview-

Out of School Time

Out of School Time

- Technical Assistance
 - Program Matrix and Cohorts for Instrumentation
 - Data Sources: Developmental Asset Profile (DAP), Youth Program Quality Assessment (YPQA), Satisfaction Survey, Efforts To Outcome (ETO) database
- Analysis
 - Summary of current programs w/contacts & hours recorded in ETO, DAP pre-post outcomes, and aggregate YPQA baseline findings
- Reporting Timeframe
 - 10/1/2012 to 2/28/2014

Neighborhoods and Agencies

Neighborhood	Agencies
Bedford	Bedford Hts, Community Life Dept.
Bellaire-Puritas	America SCORES, Bellaire-Puritas Development Corp, Mt. Calvary Baptist Church
Brooklyn	Ridgewood Family YMCA
Central	CMHA- Outhwaite, Friendly Inn Settlement, St. Vincent Charity Medical Center
Clark Fulton	Esperanza
Cleveland Hts	Open Doors Academy
Cudell	Westside Community House
East Cleveland	David's Challenge Incorporated, East Cleveland Neighborhood Center
Euclid	Shore Cultural Center, YMCA of Greater Cleveland
Fairfax	Karamu House
Glenville	St. Martin de Porres
Hough	Cleveland UMADAOP, Fatima Family Center
Lee-Harvard	Harvard Community Services Center
Mt. Pleasant	Boys & Girls Clubs, Mt. Pleasant Community Zone, Peace in the Hood
N. Olmsted	Horizon Education Centers
Ohio City	Lutheran Metropolitan Ministries
Parma	Parma City School District
Richmond Hts	Richmond Hts Academy
Shaker Hts	IMPACT Youth Enrichment, Shaker Heights Public Library
Slavic Village	America SCORES, Boys & Girls Clubs, CCPL, Jones Road Family Dev. Corp, Univ. Settlement
Tremont	Merrick House, The Music Settlement, Tremont West Development Corporation
Union-Miles	Open Doors Academy
Warrensville Hts	Center for Arts-Inspired Learning, The Literacy Cooperative
Woodland Hills	National Youth Sports Program

Out-of-School Time Program Foci

Program Area	Specific Examples
Academic Achievement	<ul style="list-style-type: none"> • Skills-Based Literacy • Skills-Based Homework Help • Content-based tutoring
Arts and Culture	<ul style="list-style-type: none"> • Visual Painting • Performance Drama • Performance Choral Music
Enrichment and Exposure	<ul style="list-style-type: none"> • Free Play • Day travel Museums • Gaming Board
Life Skills	<ul style="list-style-type: none"> • Character Education • Leadership Development Advisory Council • Social Skills Etiquette
Post-Secondary Access	<ul style="list-style-type: none"> • Financial Aid/Planning Workshops • College Tours Day Travel • Admissions Workshops
Social Support	<ul style="list-style-type: none"> • Peer-to-Peer • Adult Mentoring • Community Service
Wellness	<ul style="list-style-type: none"> • Substance Use Prevention • Emotional Health/Self-Esteem • Athletics
Workforce Development	<ul style="list-style-type: none"> • Entrepreneurship • Job Readiness • Job Search/Placement

OST Hours for Youth Served

Number of Youth Participating in OST Programming by Outcome Category and Neighborhood (10-1-12 thru 12-31-13)

Neighborhood	Academic Achievement	Arts & Culture	Enrichment & Exposure	Life Skills	Post-Secondary Access	Social Support	Wellness	Workforce Development	TOTAL
Bedford	109	107	99	106	0	0	211	0	632
Bellaire-Puritas	116	179	0	48	0	0	22	6	371
Brooklyn	69	71	65	5	0	7	59	57	333
Central	239	107	35	53	40	67	8	47	596
Clark-Fulton	24	0	0	0	0	0	25	0	49
Cleveland Hts.	63	60	14	62	0	21	0	26	246
Cudell	74	73	54	64	33	53	68	38	457
East Cleveland	104	0	93	59	3	38	75	0	372
Euclid	0	67	0	0	0	0	17	11	95
Fairfax	90	114	0	92	0	21	22	0	339
Glenville	94	21	96	0	28	66	76	0	381
Hough	128	226	246	0	17	56	71	18	762
Lee-Harvard	55	34	62	0	0	0	3	0	154
Mt. Pleasant	0	44	20	38	19	33	34	58	246
North Olmsted	52	0	0	0	0	0	0	0	52
Ohio City	0	46	0	0	0	0	0	0	46
Parma	105	50	84	45	0	92	70	0	446
Richmond Hts.	20	0	0	0	0	0	0	0	20
Shaker Hts.	121	38	22	9	8	33	0	30	261
Slavic Village	322	112	102	43	0	14	105	46	744
St. Clair-Superior	118	104	60	21	0	53	51	15	422
Tremont	11	14	0	38	0	0	160	0	223
Union Miles	48	33	34	48	0	35	31	0	229
Warrensville Hts.	29	43	0	0	0	0	0	0	72
Woodland Hills	69	35	51	78	16	37	64	0	350
TOTAL	2060	1578	1137	809	164	626	1172	352	7898

Developmental Asset Profile (DAP) Administration

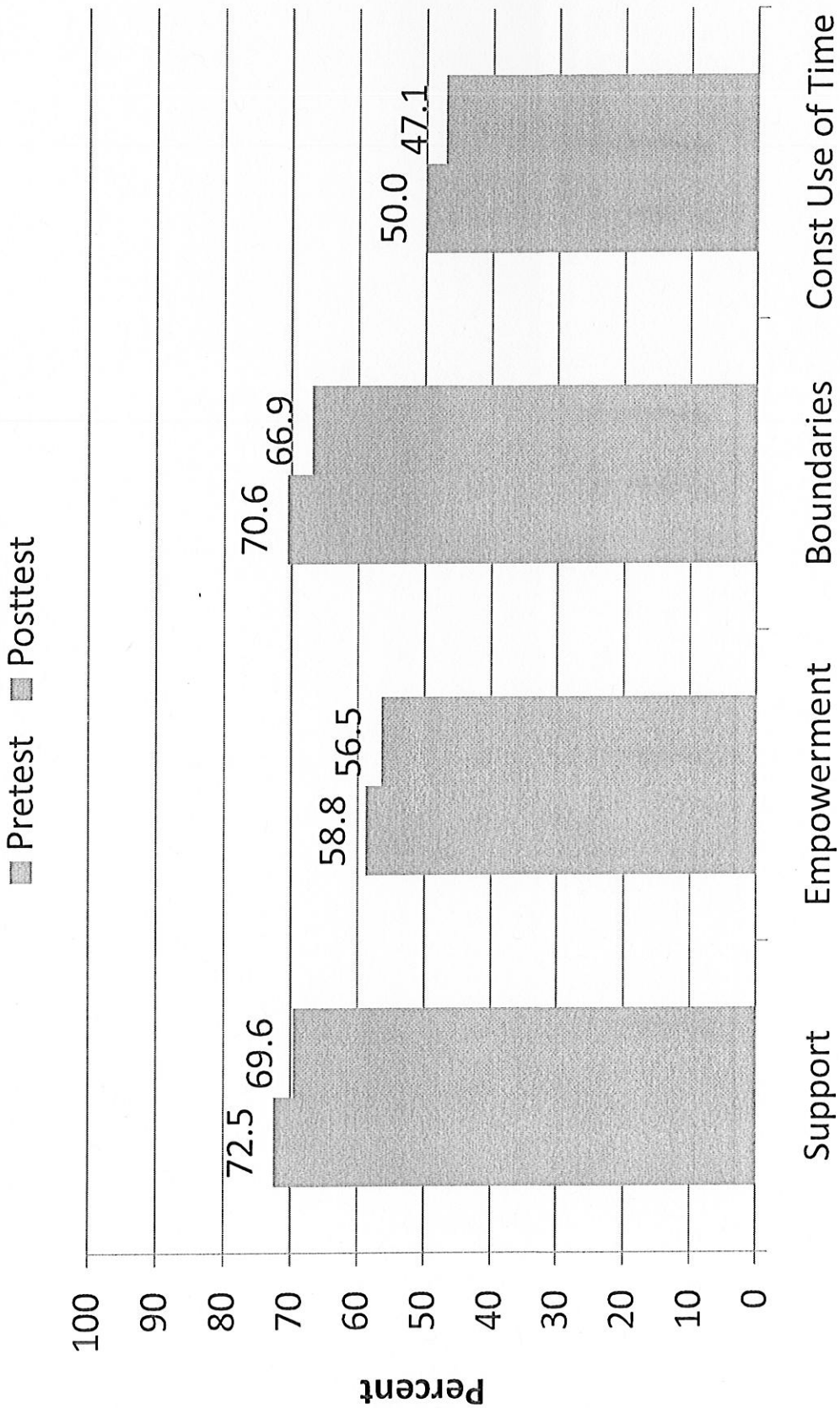
- 1,254 Cuyahoga County Youth have been administered the DAP at least once (includes youth with dates between 10-1-2012 through 2-28-14).

Of these 1,254 youth...

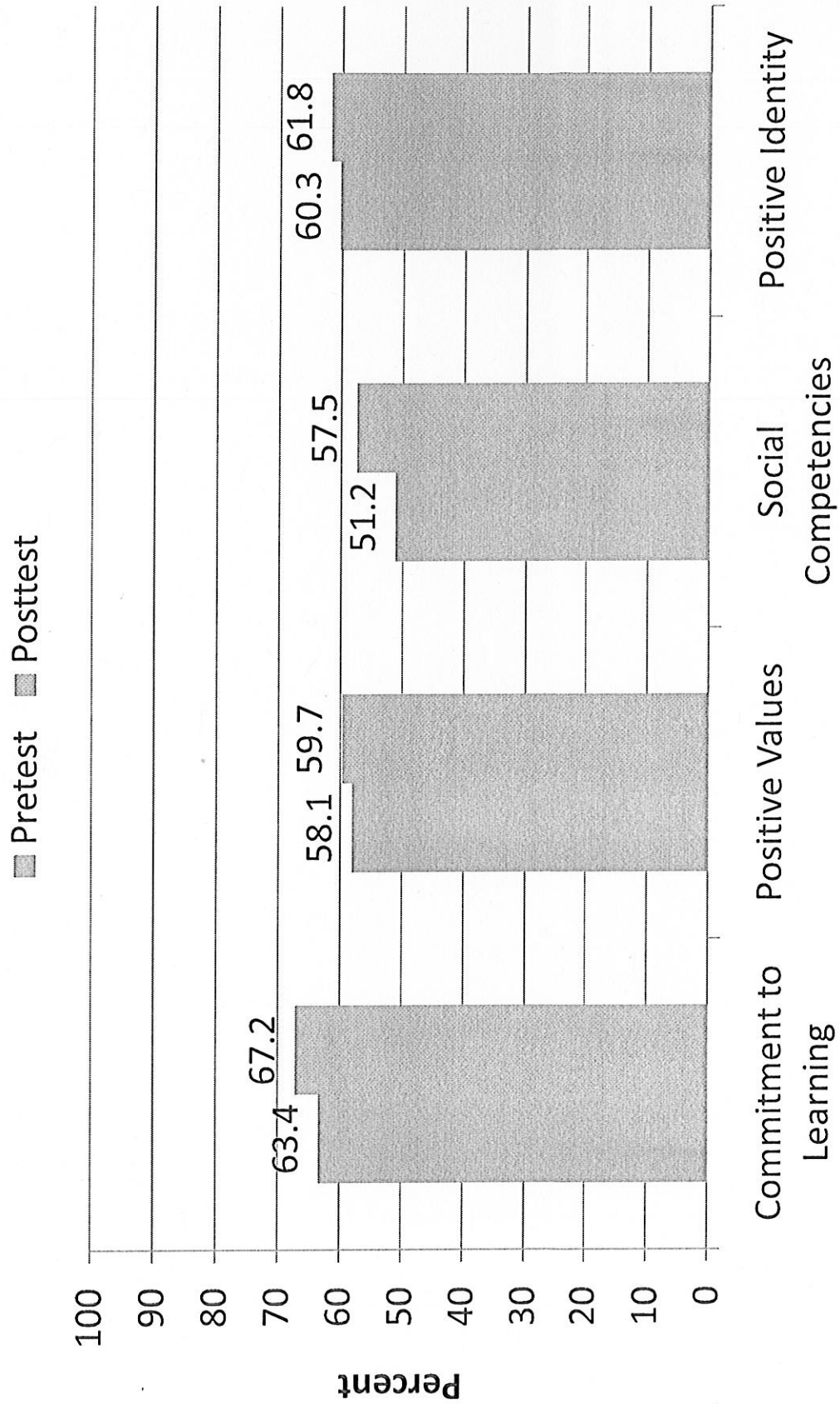
- 62% (n=762) percent have a baseline DAP gathered during the 2012-2013 project period (10-1-2012 through 9-30-2013).
- 38% percent (n=492) have a DAP baseline for time period 10-1-2013 through 2-25-2-14.
- Of the 762 youth with a DAP baseline administered 10-1-2012 through 9-30-2013, 161 (21%) have taken a follow-up DAP between 10-1-2013 and 2-28-2014.

- *NOTE: These data are included from the first 2 data transfers received from Starting Point. We expect that the recent implementation of new agency data collection protocols at Starting Point will result in a significant increase in the amount of DAP data available to us for upcoming data transfers.*

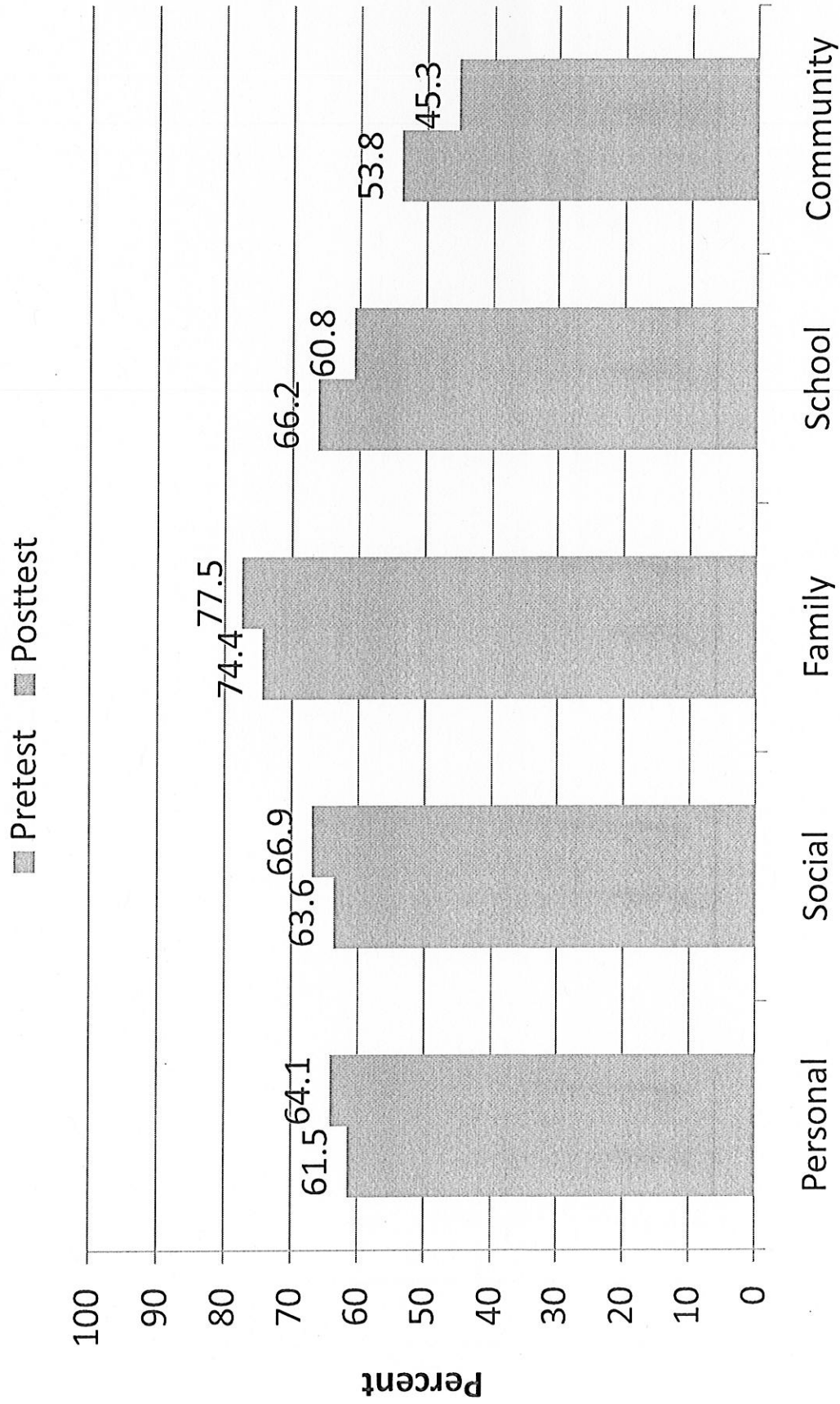
Pre/Posttest DAP for Youth in OST Programs (N=161)
Percent in Good or Excellent Range for External Assets



Pre/Posttest DAP for Youth in OST Programs (N=161) Percent in Good or Excellent Range for Internal Assets



Pre/Posttest DAP for Youth in OST Programs (N=161) Percent in Good or Excellent Range for DAP Content Areas



Youth and School Age Program Quality Assessment Instrument: Domains and Timeline for Data Collection 2014

Youth and School Age Program Quality Assessment Domains

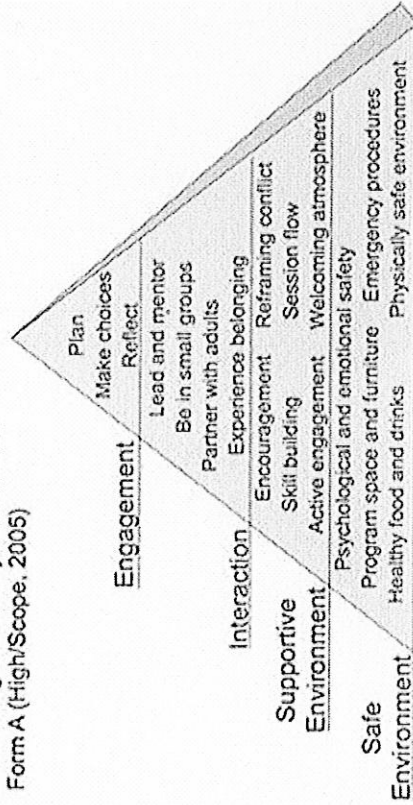
Safe Environment

*Youth Program Quality Assessment
Form A (High/Scope, 2005)*

Supportive Environment

Peer Interaction

Youth Engagement



Data Collection 2014: March-May 2014

- YPQA External Assessments conducted. Feedback is given directly to programs.
- YPQA Self-Assessments conducted. Grantee Site teams have scoring meeting(s) to discuss observations and achieve consensus.
- Q-Team (youth assessors) meet with grantees to observe two (2) YPQA Domains. Q-Team conduct feedback session with grantees.

Youth Program Quality Assessment (YPQA)

Mean Values for Grades 4 - 12

YPQA Domain (1-5 scale, 5 = "best practice")	Self- Assessment 2012 (n=29)	Self- Assessment 2013 (n=29)	External Assessment 2013 (n=11)	BENCHMARK External National Norms (n=1263)
I. Safe Environment	4.59	4.44	4.39	4.34
II. Supportive Environment	4.52	4.39	3.86	3.84
III. Peer Interaction	3.94	3.77	2.64	3.06
IV. Youth Engagement	3.30	3.51	1.98	2.63

FINDINGS

- Safe and Supportive Environment were self-assessed as higher than national norms.
- Safe and Supportive Environment are the foundations for assuring successful implementation of youth programming
- Youth Engagement and Peer Interaction was self-assessed as higher than the national norm, although still below "best practice"
- Strengthening engagement and interaction translates into program goals of increasing opportunities for youth choices in activities, youth reflection, and youth setting goals.

School Age Program Quality Assessment 2013: Self Assessment vs. External and National Norms Mean Values for K-6th grades

YPQA Domain (1-5 scale, 5 = "best practice")	Self-Assessment 2013 (n=2)	External Assessment 2013 (n=7)	BENCHMARK External National Norms (n=205)
I. Safe Environment	4.49	4.42	4.70
II. Supportive Environment	4.35	3.59	4.10
III. Peer Interaction	4.25	2.97	3.89
IV. Youth Engagement	3.46	1.79	3.31

FINDINGS

- Self-Assessment rated Safe Environment, Supportive Environment, and Peer Interaction as nearing "best practices".
- Safe and Supportive Environment are the foundations for assuring successful implementation of youth programming
- Safe Environment was rated the highest by external assessment in 2013. External assessment of Supportive Environment, Peer Interaction, and Youth Engagement were lower than externally assessed national norms
- Opportunities exist to significantly strengthen Peer Interaction and Youth Engagement

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0236

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has authorized a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; and

WHEREAS, the PRE4CLE program provides high quality pre-school services to all 4 year olds residing in the City of Cleveland; and

WHEREAS, the primary goals of this project are to: 1) work with existing child care providers to fund additional high quality child care slots; and 2) conduct an evaluation of the PRE4CLE program; and

WHEREAS, this project is funded 100% by the Health and Human Services levy fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016.



3

Item Details:

Agency/Dept. Name:	Administrator's Office/Office of Early Childhood	Agency/Dept. Head Name:	Dr. Rebekah L. Dorman
Type of Request:	Contract/Amendment		
Request Prepared by:	Marcos Cortes	Telephone No.	216-698-2586
SUMMARY OF REQUESTED ACTION:			
Title:			
Approved in Matrix Civil by Joe Boatwright Office of Early Childhood/Invest in Children 2014 Educational Service Center of Cuyahoga County Contract for the PRE4CLE Program RQ #EC-14-31565			
A. Scope of Work Summary			
1. Office of Early Childhood/Invest in Children requesting approval of a Contract with Educational Service Center for the PRE4CLE program for the anticipated cost of \$519,976.00. The anticipated start-completion dates are (08/01/2014- 07/31/2016).			
2. The primary goals of the project are: The ESC will be required to provide services for the PRE4CLE program. PRE4CLE is a program that will offer high quality pre-school to all 4 year olds in the City of Cleveland beginning in the fall of 2014. Specifically, the ESC will be required to:			
1) work with existing child care providers serving children living in the City of Cleveland to fund additional high quality child care slots; and			
2) conduct an evaluation of the PRE4CLE program.			
B. Procurement			
1. The procurement method for this project was Governmental Purchase. The Educational Service Center is a political subdivision of the State of Ohio. The total value of the contract is \$519,976.00.			
3. The proposed contract received a governmental purchase exemption on August 6, 2014.			
C. Contractor and Project Information			
1. The address(es) of all vendors and/or contractors is:			

Educational Service Center
6393 Oak Tree Blvd., Suite 300
Independence, Ohio 44131
Council District (6)

2. The executive director for the contractor/vendor is Dr. Robert Mengerink, Superintendent.

D. Project Status and Planning

- 1. The project is new to the County.
- 4. The project's term has already begun. The reason there was a delay in this request is the contract approval took some time in review in the County's Law Department.

E. Funding

- 1. The project is funded 100% by HHS levy dollars in the amount of \$519,976.00.
- 2. The schedule of payments is by invoice

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Purpose:

Founded in 1914, the Educational Service Center (ESC) of Cuyahoga County is a political subdivision of the State of Ohio that provides a range of services and supports to public school districts within Cuyahoga County and the Northeast Ohio region. These range from payroll and human resources to data hosting and analysis. The mission of the ESC is to serve the needs of the students and educational community by: 1) Supporting, collaborating and partnering with local, regional, state and national agencies and 2) Providing quality leadership, products, programs and professional services.

For this contract, the ESC will be required to provide services for the PRE4CLE program of the Cleveland Metropolitan School District (CMSD). PRE4CLE is a program that will offer high quality pre-school to all 4 year olds in the City of Cleveland beginning in the fall of 2014. Specifically, the ESC will be required to: 1) work with existing child care providers serving children living in the City of Cleveland to create additional high quality child care slots; and 2) conduct an evaluation of the PRE4CLE program. The ESC was chosen by the CMSD to be the administrative entity for PRE4CLE through a competitive RFP process held in May of this year.

PRINCIPAL OWNER:

The Educational Service Center of Cuyahoga County is a political subdivision of the State of Ohio
Robert Mengerink, Superintendent
6393 Oak Tree Boulevard
Independence, Ohio 44131
(216) 524-3000

Explanation for late submittal:

Contract was held up in review at the County's Law Department

Contract/Agreement Information:

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

Financial Information:

Funding source: Other	Explanation: 100% Health and Human Services Levy
Total Amount Requested: \$519,976.00	

ATTACHMENTS:

- Click to download
- [ESC Contract Cover](#)
 - [ESC Signed Contract](#)
 - [Certificate of Insurance](#)
 - [ESC Auditor's Findings](#)
 - [ESC Principal Ownership Form](#)
 - [ESC W-9](#)
 - [Law Department Review by Joe Boatwright](#)
 - [Department acknowledgement form](#)

History	Who	Approval
Time	Department of Law	



County Council of Cuyahoga County, Ohio

Resolution No. R2014-0212

<p>Sponsored by: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System</p>	<p>A Resolution authorizing an agreement with City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System has submitted an agreement with the City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; and

WHEREAS, the primary goal of this project is for the City of Cleveland to take responsibility for answering 9-1-1 cellular calls originating from the Cuyahoga Emergency Communications System (CECOMS); and

WHEREAS, the County will support the City of Cleveland's increased responsibility with funding made available through the 9-1-1 Wireless Government Assistance Fund; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes an agreement with the City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015.

SECTION 2. That the County Executive is authorized to execute the agreement 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: August 26, 2014
Committee(s) Assigned: Public Safety & Justice Affairs

Committee Report/Second Reading: September 23, 2014

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0215

Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing an amendment to Contract No. CE1300411-01 with ResCare Workforce Services for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,449,279.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services has recommended an amendment to Contract No. CE1300411-01 with ResCare Workforce Services for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,449,279.00; and

WHEREAS, the primary goal of this project is to continue existing programs that will offer participants a high quality, competency-based, results-oriented work experience that will enhance the participant's employability and competitiveness in the job market; and

WHEREAS, this project is funded 100% by the federal TANF funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1300411-01 with ResCare Workforce Services for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,449,279.00.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0220

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on December 10, 2013, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2014/2015 (Resolution No. R2013-0229) establishing the 2014/2015 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2014 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 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following additional appropriation increases and decreases:

Fund Nos./Budget Accounts

Journal Nos.

A.	20A804 – Public Defender – Cleveland Municipal Division	BA1400740
	PD141028 – Public Defender – Cleveland Municipal Division	
	Personal Services	\$ 95,000.00
	Other Expenses	\$ 5,000.00

Funding Source: The funding to pay for these services comes from the City of Cleveland and reimbursed by the State of Ohio’s Public Defender Commission to the City of Cleveland at the rate of 35% less a 3% administrative fee assessed by the County.

B.	21A165 – TASC FY2015	BA1400491
	CO754648 – Treatment Alternative Street Crime	
	Personal Services	\$ 483,849.00
	Other Expenses	\$ 13,381.00

Funding Source: Grant award from the Ohio Department of Mental Health and Addiction Services (ODMHAS) passed through the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board of Cuyahoga County.

C.	21A182 - TASC Drug Court	BA1400492
	CO754663 – Drug Court FY2015	
	Personal Services	\$ 219,411.00
	Other Expenses	\$ 1,089.00

Funding Source: Grant award from the Ohio Department of Mental Health and Addiction Services (ODMHAS) passed through the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board of Cuyahoga County.

D.	24A641 – PA Homeless Services	BA1400234
	HS158097– PA Homeless Services	
	Other Expenses	\$ 80,000.00

Funding Source: The funding source is the Health and Human Services Levy Fund.

E1.	20A303 – Children Services Fund	BA1400703
	CF134023 – Adoption Services	
	Other Expenses	\$ (356,803.00)

E2.	20A303 – Children Services Fund	
	CF134049 – Purchased Congregate & Foster Care	
	Other Expenses	\$ (168,635.88)

Funding Source: The funding source is primarily the Health and Human Services levies.

F.	24A435 – Cuyahoga Tapestry System of Care	BA1400720
	CF135004 – Cuyahoga Tapestry System of Care	
	Other Expenses	\$ (10.41)

Funding Source: The funding source is primarily the Health and Human Services levies.

G.	29A391 – Health and Human Services Levy 4.8 SU515296 – Social Impact Fin Fund Subsidy Other Expenses	\$ 1,000,000.00	BA1400705
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Funding Source: The funding source is the Health and Human Services Levy Fund.

H.	21A022 – Sisters of Charity Foun. Of N.E.S.T. Program EC720946 – Sisters of Charity Foun. N.E.S.T. Program Other Expenses	\$ (50,000.00)	BA1400706
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Funding Source: The funding source is the Sisters of Charity Foundation.

I.	24A301 – Children and Family Services CF135509 – Direct Services Personal Services	\$ (18,000.00)	BA1400707
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Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.(See corresponding increase, item J, below.)

J.	24A435 – Cuyahoga Tapestry System of Care CF135004 – Cuyahoga Tapestry System of Care Personal Services	\$ 18,000.00	BA1400708
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Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund. (See corresponding decrease, item I, above.)

K.	20A303 – Children Services Fund CF134023 – Adoption Services Other Expenses	\$ (550,000.00)	BA1400712
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Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund. (See corresponding increase appropriation, items L1 and L2, below.)

L1.	24A301 – Children and Family Services CF135467 – Administrative Services Other Expenses	\$ 250,000.00	BA1400719
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L2.	24A301 – Children and Family Services CF135491 – Information Services Other Expenses	\$ 300,000.00	
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Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund. (See corresponding decrease appropriation, item K, on page 3.)

M.	22A284- SHP Zelma George HS758383 –SHP Zelma George '13 Other Expenses	\$ 174,731.00	BA1400239
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Funding Source: An award from the United States Department of Housing & Urban Development in connection with the Zelma George Link Program for Homeless Assistance programs.

N.	24A640- FCFC Public Assistance FC451492 – Family and Children First Council PA Other Expenses	\$ 85,700.00	BA1400240
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Funding Source: Health and Human Services Levy.

O.	01A001 – General Fund CN017004 – County Council Capital Outlays	\$ (6,155.06)	BA1400681
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Funding Source: The General Fund.

P.	21A869 – Cuyahoga Emergency Communications System CECOMS – Emergency Communications Center CE757658 - CECOMS – Emergency Communications Center Capital Outlays	\$ 35,000.00	BA1400679
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Funding Source: The source of funding is a rebate from the State Ohio Department of Transportation for GIS programs.

Q1.	68A100 – Hospitalization Self-Insurance Fund CC499004 – Hospitalization Self-Insurance Fund Other Expenses	\$ 6,681,381.00	BA1400682
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Q2.	20A195 – Self-Insurance Regionalization CC499509 – Self-Insurance Regionalization Other Expenses	\$ 2,150,419.00	
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Funding Source: The source of funding for the Hospitalization Self-Insurance Fund is agency and employee contributions to health plans.

R.	61A607 – Centralized Custodial Services CT577411 – Buildings and Grounds – Other Services Other Expenses	\$ 1,600,000.00	BA1400684
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Funding Source: The Custodial Fund receives funding from charges to user agencies for space maintenance (see related appropriation transfer, item E on page 12).

S.	21A342 – Northeast Ohio Regional Fusion Center-FY09 (NEORFC) JA767996 – Northeast Ohio Regional Fusion Center-FY09 (SHSPLE) Personal Services Other Expenses	\$ 53,646.50 \$ 54,853.50	BA1400372
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Funding Source: Funding is from the United States Department of Homeland Security covering the period September 1, 2011 through March 15, 2015.

T.	01A001 – General Fund		BA1400464
	MT805432 – Municipal Judicial Costs		
	Other Expenses	\$	583,040.00

Funding Source: Funding is from the General Fund covering the period January 1, 2014 through December 31, 2014.

U.	01A001 – General Fund		BA1400465
	MI512657 – Miscellaneous Obligations		
	Other Expenses	\$	603,835.00

Funding Source: Funding is from the General Fund covering the period January 1, 2014 through December 31, 2014.

V.	20A814 – Wireless 911		BA1400467
	JA106773 – Wireless 911 CECOMS		
	Other Expenses	\$	3,000,000.00

Funding Source: Funding is from cell phone charges covering the period January 1, 2014 through December 31, 2014. Sufficient funds exists in the account for the request.

W.	22A105 – HUD Section 108		BA1400468
	DV711606-HUD Section 108		
	Other Expenses	\$	507,137.51

Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2014 through December 31, 2014.

X.	21A837 – State Homeland Security (SHSG)		BA1400487
	JA763532-SHSP 13 Sustainment Teams and Regional Capabilities 13/15		
	Personal Services	\$	12,865.50
	Capital Outlays	\$	244,387.50

Funding Source: A grant award from the United States Department of Homeland Security covers the period September 1, 2013 through May 30, 2015.

Y.	21A837 – State Homeland Security (SHSG)		BA1400488
	JA763516-SHSP 13 Specialty Team Sustainment 13/15		
	Personal Services	\$	3,750.00
	Other Expenses	\$	15,000.00
	Capital Outlays	\$	60,000.00

Funding Source: A grant award from the United States Department of Homeland Security covers the period September 1, 2013 through May 30, 2015.

Z. 21A837 – State Homeland Security (SHSG) **BA1400489**
 JA763524-SHSP 13 Region 2 Training and Exercise 13/15
 Personal Services \$ 10,132.50
 Other Expenses \$ 187,517.50
 Capital Outlays \$ 5,000.00

Funding Source: A grant award from the United States Department of Homeland Security covers the period September 1, 2013 through May 30, 2015.

AA. 21A837 – State Homeland Security (SHSG) **BA1400490**
 JA763540-SHSP 13 Special Response Water Rescue Team
 Sustainment 13/15
 Personal Services \$ 4,307.30
 Capital Outlays \$ 86,146.00

Funding Source: A grant award from the United States Department of Homeland Security covers the period September 1, 2013 through May 30, 2015.

AB. 20A600 – Cuyahoga Support Enforcement Agency **BA1400351**
 SE496000– Child Support Enforcement Agency
 Other Expenses \$ (10,000.00)

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

AC. 20A606 – Fatherhood Initiative **BA1400358**
 SE507152– Fatherhood Initiative
 Other Expenses \$ 10,000.00

Funding Source: The funding source is primarily the Health and Human Services Levy Fund.

AD. 24A510 – Work and Training Admin **BA1400713**
 WT137109– Admin Services-General Manager
 Other Expenses \$ (390,000.00)

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

AE. 24A430 – Executive Office of HHS **BA1400714**
 HS157289– Executive Office H&HS
 Other Expenses \$ 390,000.00

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

AF. 24A510 – Work & Training Admin **BA1400729**
 WT137141– Client Support Services
 Other Expenses \$ 400,000.00

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

AG.	24A510 – Work and Training WT137315 – Work First Services Other Expenses	\$ 42,927.00	BA1400729
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Funding Source: HHS Job and Family Services is funded by Federal, State, and HHS Levy Fund resources.

AH1.	24A530 – Children With Medical Handicap WT137935 – Children With Medical Handicaps Other Expenses	\$ 380,000.00	BA1400743
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AH2.	29A391 – Health & Human Services Levy 4.8 SU514323 – Children With Medical Handicaps Other Expenses	\$ 380,000.00	BA1400744
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Funding Source: The funding source is Health and Human Services Levy fund.

AI.	40A069 – Capital Project Future Debt Issuance IT768341 – Sun Replacement Capital Outlays	\$ 300.00	BA1400495
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Funding Source: Funding for the new servers will come from future debt issuance.

AJ.	40A069 – Capital Project Future Debt Issuance CC768564 – Sheriff’s Shooting Range Personal Services Other Expenses Capital Outlays	\$ 105,000.00 \$ 321,929.50 \$ 1,973,070.50	BA1400742
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Funding Source: Funding for the Sheriff’s Shooting Range Project will come from future debt issuance. This is a temporary use of General Fund reserves.

AK1.	40A069 – Capital Projects Future Debt Issuance IT768549 – Blade Server Refresh Capital Outlay	\$ 275,000.00	BA1400493
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AK2.	40A069 – Capital Projects Future Debt Issuance IT768556 – VoIP Refresh Capital Outlay	\$ 110,750.00	BA1400493
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Funding Source: Funding for the Blade Server Refresh and the VoIP Refresh will come from future debt issuance. This is a temporary use of General Fund reserves.

AL.	64A601 – Fiscal – County Supplies FS109751 – Fiscal – County Supplies Other Expenses	\$ (153,820.79)	BA1400325
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Funding Source: The source of funding is from charges to user agencies for supplies purchases.

AM.	01A001 – Financial Reporting FS109637 – Financial Reporting Other Expenses	\$ (92,368.91)	BA1400326
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Funding Source: The source of funding is general fund.

SECTION 2. That the 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM:	BA1400739
01A001 – General Fund	
PD140053 – Public Defender	
Personal Services	\$ 200,000.00
TO:	
01A001 – General Fund	
PD140053 – Public Defender	
Other Expenses	\$ 200,000.00

Funding Source: Funding comes from the General Fund.

B. FROM:	BA1400709
24A301 – Children and Family Services	
CF135509 – Direct Services	
Personal Services	\$ 349,000.00
TO:	
24A301 – Children and Family Services	
CF135442 – Caregiver Parent Recruitment	
Personal Expenses	\$ 29,000.00
24A301 – Children and Family Services	
CF135525 – Supportive Services	
Personal Services	\$ 83,000.00
24A301 – Children and Family Services	
CF135541 – Multi – Systemic (MST) Unit	
Personal Services	\$ 66,000.00
24A301 – Children and Family Services	
CF135582 – Permanent Custody Adoptions	
Personal Services	\$ 96,000.00
24A301 – Children and Family Services	
CF135608 – Contracted Placements	
Personal Services	\$ 75,000.00

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

C. FROM:	24A301 – Children and Family Services CF135467 – Administrative Services Other Expenses	\$ 92,000.00	BA1400710
TO:	24A301 – Children and Family Services CF135483 – Training Other Expenses	\$ 17,000.00	
TO:	24A301 – Children and Family Services CF135509 – Direct Services Other Expenses	\$ 16,000.00	
TO:	24A301 – Children and Family Services CF135525 – Supportive Services Other Expenses	\$ 44,000.00	
TO:	24A301 – Children and Family Services CF135582 – Permanent Custody Adoptions Other Expenses	\$ 8,000.00	
TO:	24A301 – Children and Family Services CF135608 – Contracted Placements Other Expenses	\$ 1,000.00	
TO:	24A301 – Children and Family Services CF135616 – CFS Foster Homes/Resource Management Other Expenses	\$ 6,000.00	

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

D. FROM:	20A303 – Children Services Fund CF134023 – Adoption Services Other Expenses	\$ 175,000.00	BA1400711
TO:	20A303 – Children Services Fund CF134015 – Client Supportive Services Other Expenses	\$ 65,000.00	
TO:	20A303 – Children Services Fund CF134031 – CFS Foster Care Other Expenses	\$ 110,000.00	

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

E. FROM:	01A001 – General Fund HR018010 – Human Resources Administration Personal Services Other Expenses	\$ 150,000.00 \$ 50,000.00	BA1400683
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TO: 01A001 – General Fund
 HR018010 – Human Resources Administration
 Capital Outlays \$ 200,000.00

Funding Source: Funding comes from the General Fund.

F. FROM: 61A607 – Centralized Custodial Fund **BA1400685**
 CT577379 – Buildings and Grounds – Custodial Services
 Personal Services \$ 200,000.00
 Other Expenses \$ 100,000.00

TO: 61A607 – Centralized Custodial Fund
 CT577395 – Buildings and Grounds – Trades Services
 Personal Services \$ 300,000.00

Funding Source: The Custodial Fund receives funding from charges to user agencies for space maintenance (see related additional appropriation, item R, on page 5).

G. FROM: 22A960 – CDBG Year 39 2013 **BA1400483**
 DV714154 –CDBG Economic Development Operating 2013
 Personal Services \$ 24,395.96

TO: 22A960– Community Development Block Grant Year 39 2013
 DV714154 –CDBG Economic Development Operating 2013
 Other Operating \$ 24,395.96

Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2014.

H. FROM: 22A040 – Lead Hazard Reduction Grant **BA1400499**
 DV708974 –Lead Hazard Reduction Grant 11-14
 Other Expenses \$ 6,061.30

TO: 22A040– Lead Hazard Reduction Grant
 DV708974 –Lead Hazard Reduction Grant 11-14
 Capital Outlays \$ 6,061.30

Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2011 through December 31, 2014.

I. FROM: 24A601 – Senior and Adult Services **BA1400354**
 SA138479 –Protective Services
 Personal Services \$ 30,000.00

TO: 24A601 – Senior and Adult Services
 SA138479 – Protective Services
 Other Expenses \$ 30,000.00

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

J. FROM: 24A510 – Work & Training Admin **BA1400361**
 WT137109 –Admin Services-General Manager
 Other Expenses \$ 30,000.00

TO: 24A510 – Work & Training Admin
 WT137315 – Work First Services
 Other Expenses \$ 30,000.00

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

K. FROM: 01A001 – Communications Services **BA1400322**
 IT601161 – Communications Services
 Other Expenses \$ 153,589.00

TO: 01A001 – Security and Disaster Recovery
 IT601088 – Security and Disaster Recovery
 Capital Outlays \$ 153,589.00

Funding Source: The source of funding is General Fund.

L. FROM: 01A001 – Engineering Services **BA1400323**
 IT601096 – Engineering Services
 Other Expenses \$ 100,000.00

TO: 01A001 – Operations Support
 IT601104 – Operations Support
 Other Expenses \$ 100,000.00

Funding Source: The source of funding is general fund.

M. FROM: 01A001 – Information Technology Administration **BA1400324**
 IT601021 – Information Technology Administration
 Other Expenses \$ 6,000.00

TO: 01A001 – Information Technology Administration
 IT601021 – Information Technology Administration
 Capital Outlays \$ 6,000.00

Funding Source: The source of funding is General Fund.

N. FROM: 20A301 – Board of Revision – Assessment Fund **BA1400327**
 BR420067 – Board of Revision – Assessment Fund
 Personal Services \$ 200,000.00
 Other Expenses \$ 400,000.00

TO: 20A301 – Fiscal Operation – Tax Assessments
 FS109702 – Fiscal Operation – Tax Assessments
 Other Expenses \$ 600,000.00

Funding Source: The source of funding is real estate assessment fund.

O. FROM: 01A001 – Personnel Review Commission **BA1400328**
 HC019018 – Personnel Review Commission
 Personal Services \$ 25,000.00

TO: 01A001 – Personnel Review Commission
 HC019018 – Personnel Review Commission
 Capital Outlays \$ 25,000.00

Funding Source: The source of funding is General Fund.

P. FROM: 01A001 – Fiscal Operations – Contractual Services **BA1400329**
 FS109652 – Fiscal Operations – Contractual Services
 Other Expenses \$ 92,727.00

TO: 01A001 – Fiscal Operations – Records/Licenses/Outreach
 FS109645 – Fiscal Operations – Records/Licenses/Outreach
 Other Expenses \$ 92,727.00

Funding Source: The source of funding is General Fund.

Q. FROM: 20N306 – Soil and Water Conservation District **BA1400686**
 SW500058 – Soil and Water Conservation District
 Other Expenses \$ 1,000.00

TO: 20N306 – Soil and Water Conservation District
 SW500058 – Soil and Water Conservation District
 Capital Outlays \$ 1,000.00

Funding Source: The District receives funding from municipalities for pollution prevention technical services and education, from a County General Fund subsidy of \$75,000 for a portion of the personnel expenses, and a match of local funding from the Ohio Department of Natural Resources.

SECTION 3. That the 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following cash transfers between County funds:

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

A. FROM: 29A391 – Health and Human Services Levy 4.8 **JT1400023**
 SU514596 - Alcohol Drug Addiction Mental Health 4.8
 Transfer Out \$ 4,920,457.00

29A392 – Health and Human Services Levy 3.9
 SU514729– Alcohol Drug Addiction Mental Health 3.9
 Transfer Out \$ 4,920,457.00

TO: 20A317 – ADAMHSBCC
 MH431056 – BH - Administrative Oper Budget
 Revenue Transfer \$ 9,840,914.00

Funding Source: The source of funding is the Health and Human Services Levy Fund.

B. FROM:	20A301 – Real Estate Assessment Fund	JT1400043
	FS109702 – Fiscal Operations – Tax Assessments	
	Transfer Out	\$ 690,787.00
TO:	26A601 – General Gas and License Fees	
	CE835025 – County Engineer Administration	
	Revenue Transfer	\$ 690,787.00

Funding Source: Funding comes from fees on real estate taxes.

C. FROM:	20A301 – Real Estate Assessment Fund	JT1400044
	FS109702 – Fiscal Operations – Tax Assessments	
	Transfer Out	\$ 694,523.00
TO:	20A819 – Geographic Information System	
	IT470591 – Geographic Information System	
	Revenue Transfer	\$ 694,523.00

Funding Source: Funding comes from fees on real estate taxes.

D. FROM:	20A814–Wireless 9-1-1 Government Assistance	JT1400032
	JA106773– Wireless 9-1-1 Government Assistance	
	Transfer Out	\$ 3,000,000.00
TO:	40A067 –Emergency Operations Center Capital Project	
	CC768192 –Emergency Operations Center Capital Project	
	Revenue Transfer	\$ 3,000,000.00

Funding Source: Funding is from cell phone charges in the Wireless 9-1-1 account covering the period January 1, 2014 through December 31, 2014 (See related additional appropriation, item V on page 6).

E. FROM:	21A243–Ohio Second Chance	JT1400033
	JA748889– Ohio Second Chance	
	Transfer Out	\$ 251,142.53
TO:	01A001 –General Fund	
	JA302224 –Public Safety Grants Administration	
	Revenue Transfer	\$ 251,142.53

Funding Source: Funding was from the Ohio Department of Alcohol and Drug Addiction Services covering the period May 1, 2006 through April 30, 2008.

F. FROM:	29A391 – Health & Human Services Levy 4.8	JT1400050
	SU514323 – Children With Medical Handicaps	
	Transfer Out	\$ 380,000.00

TO: 24A530 – Children With Medical Handicap
 WT137935 – Children With Medical Handicap
 Revenue Transfer \$ 380,000.00

Funding Source: The Health and Human Services Levy Fund is supported by property taxes.

G1. FROM: 29A391 – Health and Human Services Levy 4.8 **JT1400024**
 SU514299 – Children & Family Services Subsidy
 Transfer Out \$ 8,232,386.00

FROM: 29A392 – Health and Human Services Levy 3.9
 SU515098 – Children & Family Services Subsidy
 Transfer Out \$ 8,232,386.00

TO: 24A301 – Public Assistance Children and Family Services
 CF135467 – Administrative Services - CFS
 Revenue Transfer \$ 16,464,772.00

G2. FROM: 29A391 – Health and Human Services Levy 4.8
 SU514315 – Children’s Services Fund Subsidy
 Transfer Out \$ 10,403,542.75

FROM: 29A392 – Health and Human Services Levy 3.9
 SU514620 – Children’s Services Fund Subsidy
 Transfer Out \$ 10,403,542.75

TO: 20A303 – Children’s Services Fund
 CF134049 – Children’s Services Fund
 Revenue Transfer \$ 20,807,085.50

G3. FROM: 29A391 – Health and Human Services Levy 4.8 **JT1400041**
 SU514414 – Senior and Adult Services Subsidy
 Transfer Out \$ 3,728,997.50

FROM: 29A392 – Health and Human Services Levy 3.9
 SU514638 – Senior and Adult Subsidy 3.9
 Transfer Out \$ 3,728,997.50

TO: 24A601 – Public Assistance - Senior and Adult Services
 SA138321 – Administrative Services - SAS
 Revenue Transfer \$ 7,457,995.00

Funding Source: The Health and Human Services Levy Fund is funded by general property taxes.

H1. FROM: 29A392 – Health and Human Services Levy 3.9 **JT1400040**
 SU514737 – Employment and Family Subsidy 3.9
 Transfer Out \$ 515,912.90

TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$ 515,912.90
H2. FROM:	29A392 – Health and Human Services Levy 3.9 SU514737 – Employment and Family Subsidy 3.9 Transfer Out	\$ 134,150.07
TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$ 134,150.07
H3. FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Employment and Family Subsidy 4.8 Transfer Out	\$ 841,752.62
TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$ 841,752.62
H4. FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Employment and Family Subsidy 4.8 Transfer Out	\$ 218,876.43
TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$ 218,876.43

Funding Source: The funding source is the Health and Human Services Levy.

I. FROM:	20A658 – Fiscal Operations – Title Bureau FS109694 – Fiscal Operations – Title Bureau Transfer Out	\$ 500,000.00	JT1400045
TO:	01A001 – Fiscal Office Administration FS109611 – Fiscal Office Administration Revenue Transfer	\$ 500,000.00	

Funding Source: Funding is generated from fees associated with Auto Titles.

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

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0221

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution approving amendments to Amended and Restated Lease Agreement and Amended and Restated Sublease and Operating Agreement with Cuyahoga County Convention Facilities Development Corporation in connection with the Cleveland Convention Center and the Global Center for Health Innovation; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, in December 2013 the County of Cuyahoga, Ohio (“County”) terminated its relationships with Merchandise Mart Properties, Inc., MMPI Cleveland Development LLC, and Cleveland MMCC LLC (together, the MMPI Parties”) and entered into various agreements related to operation and management of the Cleveland Convention Center and the Global Center for Health Innovation (together, the “Facility”) with the Cuyahoga County Convention Facilities Development Corporation (the “Corporation”); and

WHEREAS, the County and the Corporation have determined that it is in the best interest of the County to further amend the Amended and Restated Lease and the Amended and Restated Sublease and Operating Agreement by and between the County and the Corporation to maximize cash flows to the County by amending the definitions of “Monthly Base Rental Payment,” “Net Monthly Base Rent Payment,” and “Supplemental Payment.”

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

SECTION 1. That the County Council hereby approves the Amendment to Amended and Restated Lease and the Amendment to Amended and Restated Sublease and Operating Agreement substantially in the form of that currently on file with the Clerk of Council (together, the “Amendments”).

SECTION 2. That the County Executive, or his authorized designee, is authorized to (a) execute the Amendments and all documents and instruments necessary or desirable to facilitate and/or consummate the transactions

Clerk of Council

Date

First Reading/Referred to Committee: September 9, 2014

Committee(s) Assigned: Committee of the Whole

Journal CC015

September 23, 2014

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0222

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution authorizing a revenue generating Utility Agreement with City of Highland Heights for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 3; 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/Division of County Engineer recommends approval of a revenue generating utility agreement with the City of Highland Heights for the maintenance and repair of sanitary sewers, storm sewers and waterlines in Sewer District No. 3; and

WHEREAS, the City of Highland Heights desires to retain Cuyahoga County to perform certain services for the City of Highland Heights to aid with the maintenance and repair of sanitary sewers, storm sewers and waterlines located in Sewer District No. 3; and

WHEREAS, pursuant to R.C. §307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the City of Highland Heights' sewer system.

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

SECTION 1. That the Cuyahoga County Council hereby approves the revenue generating utility agreement with the City of Highland Heights for the maintenance and repair of sanitary sewers, storm sewers and waterlines located in Cuyahoga County Sewer District No. 3.

SECTION 2. That the County Executive is authorized to execute the agreement 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 and the reasons set forth in the preamble.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0223

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 23rd of September, 2014; 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, 2015; 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	3.90
Board of Developmental Disabilities	0	3.90
Health & Welfare	0	4.80
County Library	0	2.50
	1.45	15.10

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.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0211

Sponsored by: County Executive FitzGerald/Department of Information Technology	A Resolution making an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016; 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 Information Technology has recommended an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016; and

WHEREAS, County Council has determined that awarding RQ27440 to MCPc, Inc. is in the best interest of the County; and

WHEREAS, the purpose of this project is to perform professional Wireless Service for Cuyahoga County; and

WHEREAS, this project is funded 100% from Capital Campaign Fund under WAN & Telecom; 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 RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016.

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: August 26, 2014

Committee(s) Assigned: Finance & Budgeting

Committee Report/Second Reading: September 9, 2014

Journal CC015
September 23, 2014

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0073

Sponsored by: County Executive FitzGerald/County Sheriff	A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 11/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6 th Floor, Cleveland; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
Co-sponsored by: Councilmember Hairston	

WHEREAS, the County Executive on behalf of the Cuyahoga County Sheriff's Department has authorized a revenue generating underlying agreement with The City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City of Cleveland prisoners; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor, Cleveland; and

WHEREAS, the primary goals of this project are for the City of Cleveland to turn operation of its prisoners over to the County Sheriff and for the County Sheriff to provide the City of Cleveland with prisoner booking, housing, and other related jail services; and

WHEREAS, the funding for the agreement is 100% from the revenue generating agreement with the City of Cleveland; and

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

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

SECTION 1. The Cuyahoga County Council authorizes a revenue generating underlying agreement with The City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City of Cleveland prisoners; authorizing a Lease in connection with said agreement in the amount not-to-exceed

First Reading/Referred to Committee: March 11, 2014
Committee(s) Assigned: Public Safety & Justice Affairs

Additional Sponsorship Requested: July 8, 2014

Committee Report/Second Reading/Referred to Committee: August 26, 2014
Committee(s) Assigned: Public Safety & Justice Affairs

Committee Report/Third Reading/Referred to Committee: September 23, 2014
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 20__