



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, MARCH 10, 2015
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY 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) February 24, 2015 Committee of the Whole Meeting (See Page 8)
 - b) February 24, 2015 Regular Meeting (See Page 10)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
 - a) **COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**
 - 1) R2015-0037: A Resolution approving the reappointment of Thomas L. Colaluca to serve on the Cuyahoga County

Personnel Review Commission for the term 3/8/2015 - 3/7/2021, and declaring the necessity that this Resolution become immediately effective. (See Page 20)

Sponsors: Councilmembers Conwell and Hairston

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

- 2) R2015-0038: A Resolution supporting the application of The Chesler Group, Inc. to Ohio Development Services Agency for Ohio Historic Preservation Tax Credits for restoration of Stager-Beckwith Mansion, located at 3813 Euclid Avenue, Cleveland; and declaring the necessity that this Resolution become immediately effective. (See Page 30)

Sponsor: Councilmember Conwell

Committee Assignment and Chair: Community Development – Hairston

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

- 1) O2015-0007: An Ordinance amending Section 208.01 of the Cuyahoga County Code to change the number of members serving on the Citizens' Advisory Council on Equity from fifteen to a range of nine to fifteen. (See Page 33)

Sponsors: Councilmembers Conwell and Miller

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

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

- 1) O2015-0002: An Ordinance amending Section 206.06 of the Cuyahoga County Code to update the operating rules of the Charter Review Commission. (See Page 35)

Sponsors: Councilmembers Miller and Conwell

10. LEGISLATION INTRODUCED BY EXECUTIVE

a) CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

- 1) R2015-0044: A Resolution amending the 2014/2015 Biennial Operating Budget for 2015 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 49)

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

- 2) R2015-0045: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 70 employees in various classifications in the Department of Public Works for the period 1/1/2013 - 12/31/2015 to modify language in Article 32: Wages; directing that funds necessary to implement the amendment be budgeted and appropriated; 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 64)

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

- 3) R2015-0046: A Resolution accepting/rejecting the report containing findings and recommendations of Fact-finder Thomas J. Nowel regarding negotiations between Cuyahoga County and Ohio Patrolmen's Benevolent Association for a collective bargaining agreement representing approximately 126 employees in the classification of Protective Services Officer, and declaring the necessity that this Resolution become immediately effective. (See Page 67)

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

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

- 1) R2015-0047: A Resolution confirming the County Executive's appointment of Clifford E. Pinkney, upon his taking the oath of office, as Cuyahoga County Sheriff; and declaring the necessity that this Resolution become immediately effective. (See Page 70)

Sponsor: County Executive Budish

- 2) R2015-0048: A Resolution making an award on RQ32756 to The Triad Engineering and Contracting Co. in the amount not-to-exceed \$694,765.00 for replacement of Warrensville Center Road Culvert No. 05.13 in the City of Shaker Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$555,812.00 to fund said contract; and declaring the necessity that this Resolution become immediately effective. (See Page 98)

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

- 3) R2015-0049: A Resolution authorizing the issuance and sale of County sales tax revenue bonds, in an aggregate principal amount not-to-exceed \$13,000,000.00, for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating and improving permanent improvements to publicly owned park space known as Public Square, together with all necessary appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; authorizing the execution of one or more agreements in cooperation with other parties and in furtherance of the project, authorizing the preparation and use of a preliminary official statement; authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a trust indenture and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective. (See Page 106)

Sponsor: County Executive Budish/Department of Development

- 4) R2015-0050: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Beachwood on behalf of Eastside Departments Group Enforcement in the amount not-to-exceed \$1,968,000.00 for Public Safety Answering Point consolidation support for the period 2/1/2015 - 1/31/2016; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 119)

Sponsors: County Executive Budish/Department of Public Safety and Justice Services/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee

- 5) R2015-0051: A Resolution authorizing an agreement with Cuyahoga County Treasurer's Office in the amount not-to-exceed \$42,307.74 for child support services for the period 1/1/2015 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 125)

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

- 6) R2015-0052: A Resolution authorizing agreements with various providers in the total amount not-to-exceed \$7,587,891.68 for child support services for the period 1/1/2015 - 12/31/2015; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 128)
- i) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$2,555,608.80.
 - ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$2,640,800.60.

- iii) Cuyahoga County Prosecuting Attorney's Office in the amount not-to-exceed \$2,391,482.28.

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

- 7) R2015-0053: A Resolution authorizing an amendment to Contract No. CE1300099-01 with Lutheran Metropolitan Ministry for emergency shelter services for homeless men, located at 2100 Lakeside Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,701,638.00; 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 131)

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

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

- 1) R2015-0022: A Resolution confirming the County Executive's appointment of Edward H. Kraus, upon his taking the oath of office, as Cuyahoga County Director of Regional Collaboration; and declaring the necessity that this Resolution become immediately effective. (See Page 139)

Sponsor: County Executive Budish

Committee Assignment and Chair: Committee of the Whole – Brady

- 2) R2015-0043: A Resolution authorizing an amendment to Contract No. CE1300098-01 with MHS, Inc. for emergency shelter services for homeless women and families at the Norma Herr Women's Center, located at 2227 Payne Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,119,034.00; 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 143)

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

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

- 11. MISCELLANEOUS COMMITTEE REPORTS
- 12. MISCELLANEOUS BUSINESS
- 13. PUBLIC COMMENT UNRELATED TO AGENDA
- 14. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE/CONFIRMATION

HEARING:

TUESDAY, MARCH 24, 2015
2:30 PM / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, MARCH 24, 2015
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.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 24, 2015
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
2:30 PM

1. CALL TO ORDER

Council President Brady called the meeting to order at 2:31 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given related to the agenda.

4. ITEMS REFERRED TO COMMITTEE / CONFIRMATION HEARINGS:

- a) R2015-0022: A Resolution confirming the County Executive's appointment of Edward H. Kraus, upon his taking the oath of office, as Cuyahoga County Director of Regional Collaboration; and declaring the necessity that this Resolution become immediately effective.

Council President Brady made a brief statement regarding the confirmation hearing process.

Mr. Edward Kraus, County Executive Budish's nominee for the position of Director of Regional Collaboration, was then called upon to deliver an opening statement. Mr. Kraus provided background into his education, experience and qualifications for the position.

Councilmembers asked questions of Mr. Kraus pertaining to his experience and expertise, which he answered accordingly.

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2015-0022 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2015-0030: A Resolution confirming the County Executive's appointment of Michael Foley, upon his taking the oath of office, as Director of the Department of Sustainability; and declaring the necessity that this Resolution become immediately effective.

Mr. Michael Foley, County Executive Budish's nominee for the position of Director of the Department of Sustainability, was then called upon to deliver an opening statement. Mr. Foley provided background into his education, experience and qualifications for the position.

Councilmembers asked questions of Mr. Foley pertaining to his experience and expertise, which he answered accordingly.

On a motion by Mr. Brady with a second by Ms. Simon, Resolution No. R2015-0030 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.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Brady with a second by Ms. Brown, the meeting was adjourned at 4:54 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 24, 2015
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting order at 5:04 p.m.

2. ROLL CALL

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

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

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

4. SILENT MEDITATION

Council President Brady requested a moment of silent meditation be dedicated for personal reflections.

5. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given related to the agenda.

6. APPROVAL OF MINUTES

- a) February 10, 2015 Committee of the Whole Meeting
- b) February 10, 2015 Regular Meeting

A motion was made by Mr. Hairston seconded by Mr. Brady and approved by unanimous vote to approve the minutes of the February 10, 2015 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **Thanked the Greater Cleveland Partnership and Destination Cleveland for helping to ensure that the City of Cleveland will host the Mid-American Conference (MAC) through 2023. This event will bring about \$14 million dollars annually to the region;**
- b) **Met with Mayor Frank Jackson to officially kick-off the Harvest for Hunger Campaign; and**
- c) **Announced that the grand opening of Heinen's will take place on Wednesday, February 25, 2015 at the historic Ameritrust building.**

9. LEGISLATION INTRODUCED BY COUNCIL

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2015-0036.

- 1) R2015-0036: A Resolution authorizing submission of a collaborative application for funding under the Local Government Innovation Fund Program available through Ohio Development Services Agency, in partnership with Cleveland State University's Center for Leadership Development and the Northeast Ohio City Council Association, for a feasibility study and design of a Cuyahoga County Public Officials Training Program promoting professional education of local elected

and appointed officials in Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Greenspan

Mr. Kahlil Seren, Research and Policy Analyst, addressed Council regarding Resolution No. R2015-0036. Discussion ensued.

Councilmembers asked questions of Mr. Seren pertaining to the item, which he answered accordingly.

On a motion by Mr. Greenspan with a second by Mr. Hairston, Resolution No. R2015-0036 was considered and adopted by unanimous vote.

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

- 1) R2015-0037: A Resolution approving the reappointment of Thomas L. Colaluca to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 - 3/7/2021, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Conwell

Council President Brady referred Resolution No. R2015-0037 to the Human Resources, Appointments & Equity Committee.

- 2) R2015-0038: A Resolution supporting the application of The Chesler Group, Inc. to Ohio Development Services Agency for Ohio Historic Preservation Tax Credits for restoration of Stager-Beckwith Mansion, located at 3813 Euclid Avenue, Cleveland; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Conwell

Council President Brady referred Resolution No. R2015-0038 to the Community Development Committee.

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

- 1) O2015-0006: An Ordinance enacting the Board of Control Consolidation Act, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Brady

Council President Brady referred Ordinance No. O2015-0006 to the Public Works, Procurement & Contracting Committee.

- 2) O2015-0007: An Ordinance amending Section 208.01 of the Cuyahoga County Code to reduce from fifteen to nine the number of members serving on the Citizens' Advisory Council on Equity.

Sponsors: Councilmembers Conwell **and Miller**

Council President Brady referred Ordinance No. O2015-0007 to the Human Resources, Appointments & Equity Committee.

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

- 1) O2015-0002: An Ordinance amending Section 206.06 of the Cuyahoga County Code to update the operating rules of the Charter Review Commission.

Sponsors: Councilmembers Miller and Conwell

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

Clerk Schmotzer read Ordinance No. O2015-0002 into the record.

This item will move to the March 10, 2015 Council meeting agenda for consideration for third reading adoption.

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2015-0039.

- 1) R2015-0039: A Resolution amending the 2014/2015 Biennial Operating Budget for 2015 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 Budish/Fiscal Officer/Office of Budget & Management

On a motion by Mr. Greenspan with a second by Mr. Gallagher, Resolution No. R2015-0039 was considered and adopted by unanimous vote.

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

- 1) R2015-0040: A Resolution confirming the County Executive's appointment of George J. Taylor, upon his taking the oath of office, as Director of Public Safety and Justice Services; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2015-0040 to the Committee of the Whole.

- 2) R2015-0041: A Resolution authorizing a contract with Manatron, Inc. in the amount not-to-exceed \$1,016,573.00 for annual maintenance and support services for the Manatron Visual Property Tax System and SIGMA CAMA software system for the period 1/1/2015 - 12/31/2016; 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.

Sponsor: County Executive Budish/Fiscal Officer

Council President Brady referred Resolution No. R2015-0041 to the Finance & Budgeting Committee.

- 3) R2015-0042: A Resolution making an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$579,571.20 for Wide

Area Network monitoring services for the period 2/1/2015 - 1/31/2020; 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 Budish/Department of Information Technology

Council President Brady referred Resolution No. R2015-0042 to the Finance & Budgeting Committee.

- 4) R2015-0043: A Resolution authorizing an amendment to Contract No. CE1300098-01 with MHS, Inc. for emergency shelter services for homeless women and families at the Norma Herr Women's Center, located at 2227 Payne Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,119,034.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2015-0043 to the Health, Human Services & Aging Committee.

- c) 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. R2015-0021, R2015-0031, R2015-0032, R2015-0033, R2015-0034 and R2015-0035.

- 1) R2015-0021: A Resolution confirming the County Executive's appointment of Nailah K. Byrd, upon her taking the oath of office, as Clerk of Courts of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Committee Assignment and Chair: Committee of the Whole –
Brady

On a motion by Mr. Brady with a second by Mr. Jones, Resolution No. R2015-0021 was considered and adopted by unanimous vote.

[Clerk’s Note: Immediately after passage of Resolution No. R2015-0021, County Executive Budish administered the oath of office to Nailah Byrd.]

- 2) R2015-0031: A Resolution making an award on RQ32491 to ReliaStar Life Insurance Company dba Voya Financial, Inc. in the amount not-to-exceed \$2,485,909.00 for stop loss insurance services for County employees and their eligible dependents for the period 1/1/2015 - 12/31/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Human Resources

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

On a motion by Mr. Gallagher with a second by Mr. Miller, Resolution No. R2015-0031 was considered and adopted by unanimous vote.

- 3) R2015-0032: A Resolution making an award on RQ32408 to Joshen Paper & Packaging Co. in the amount not-to-exceed \$1,435,000.00 for furnishing and delivery of reprographic paper for various County departments for the period 3/1/2015 - 2/28/2018; 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 Budish/Office of Procurement & Diversity on behalf of Department of Public Works

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

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2015-0032 was considered and adopted by unanimous vote.

- 4) R2015-0033: A Resolution making an additional Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Bedford Heights on behalf of Southeast Council of Governments in the amount not-to-exceed \$393,447.00 for Public Safety Answering Point consolidation support; authorizing an amendment to Agreement No. AG1300195-01 with City of Bedford Heights for the period 11/1/2013 - 12/31/2014 to extend the time period to 12/31/2015 and for additional funds in the amount not-to-exceed said award; authorizing the County Executive to execute the amendment and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Safety and Justice Services/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee **and Councilmember Brown**

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

On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2015-0033 was considered and adopted by unanimous vote.

- 5) R2015-0034: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Parma on behalf of Parma Emergency Regional Dispatch Center in the amount not-to-exceed \$971,911.00 for Public Safety Answering Point consolidation support for the period 2/1/2015 - 1/31/2016; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Safety and Justice Services/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee and Councilmember Germana

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

On a motion by Mr. Germana with a second by Mr. Gallagher, Resolution No. R2015-0034 was considered and adopted by unanimous vote.

- 6) R2015-0035: A Resolution authorizing an agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2015 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

Mr. Rick Werner, Director of the Department of Health and Human Services, addressed Council regarding Resolution No. R2015-0035. Discussion ensued.

Councilmembers asked questions of Mr. Werner pertaining to the item, which he answered accordingly.

On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2015-0035 was considered and adopted by unanimous vote.

d) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2015-0023: A Resolution making an award on RQ32046 to Johnson Controls, Inc. in the amount not-to-exceed \$1,103,352.00 for preventative maintenance services for Metasys and Heating, Ventilation and Air Conditioning Systems at the Justice Center Complex, including Jails I and II and the Juvenile Justice Center, for the period 4/1/2015 - 3/31/2018; 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 Budish/Department of Public Works

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2015-0023 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Finance & Budgeting Committee will meet on Monday, March 16, 2015 at 1:00 p.m.

Mr. Germana reported that the Public Works, Procurement and Contracting Committee will meet on Wednesday, March 4, 2015 at 10:00 a.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, March 4, 2015 at 1:00 p.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, March 11, 2015 at 11:00 a.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given unrelated to the agenda.

14. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Germana, the meeting was adjourned at 5:37 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0037

Sponsored by: Councilmember Conwell	A Resolution approving the reappointment of Thomas L. Colaluca to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 - 3/7/2021, and declaring the necessity that this Resolution become immediately effective.
Co-sponsored by: Councilmember Hairston	

WHEREAS, Article IX, Section 9.01 of the Cuyahoga County Charter, entitled Personnel Review Commission, creates the Cuyahoga County Personnel Review Commission which 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;” and,

WHEREAS, the Cuyahoga County Charter Section 9.01, states that the County “Council shall appoint the members of the 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 that, “no more than two of the three members of the Personnel Review Commission shall be members of the same political party;” and,

WHEREAS, the term of office of each member of the Personnel Review Commission shall be six years, and the terms shall be staggered so that no term expires within less than two years of the expiration of any other term; and,

WHEREAS, the County Council recommends that Thomas L. Colaluca be reappointed to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 – 3/7/2021; 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 Commission.

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

SECTION 1. That the Council of Cuyahoga County hereby approves the reappointment of Thomas L. Colaluca to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 – 3/7/2021.

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

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

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

Yeas:

Nays:

County Council President Date

Clerk of Council Date

First Reading/Referred to Committee: February 24, 2015
Committee(s) Assigned: Human Resources, Appointments & Equity

Additional Sponsorship Requested: March 3, 2015

Journal CC017
March 10, 2015

[PROPOSED SUBSTITUTE]

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0037

Sponsored by: Councilmember Conwell	A Resolution approving the reappointment of reappointing Thomas L. Colaluca to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 - 3/7/2021, and declaring the necessity that this Resolution become immediately effective.
Co-sponsored by: Councilmember Hairston	

WHEREAS, Article IX, Section 9.01 of the Cuyahoga County Charter, entitled Personnel Review Commission, creates the Cuyahoga County Personnel Review Commission which 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;” and,

WHEREAS, the Cuyahoga County Charter Section 9.01, states that the County “Council shall appoint the members of the 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 that, “no more than two of the three members of the Personnel Review Commission shall be members of the same political party;” and,

WHEREAS, the term of office of each member of the Personnel Review Commission shall be six years, and the terms shall be staggered so that no term expires within less than two years of the expiration of any other term; and,

WHEREAS, the County Council ~~recommends that~~has determined to reappoint Thomas L. Colaluca ~~be reappointed~~ to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 – 3/7/2021; 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 Commission.

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

SECTION 1. That the Council of Cuyahoga County hereby ~~approves the reappointment of~~reappoints Thomas L. Colaluca to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2015 – 3/7/2021.

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

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

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

Yeas:

Nays:

_____ Date _____
County Council President

_____ Date _____
Clerk of Council

First Reading/Referred to Committee: February 24, 2015

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

Additional Sponsorship Requested: March 3, 2015

Journal CC017
 , March 10, 2015



**THOMAS L. COLALUCA
1400 WEST SIXTH STREET
SUITE 300
CLEVELAND, OHIO 44113**

LEGAL EXPERIENCE:

June 2010 to Present

The Colaluca Law Firm LLC

**Of Counsel Thrasher, Dinsmore, &
Dolan**

My practice focuses in the areas of labor, employment, business, health care, gaming, and environmental law and complex litigation with special emphasis on employment law and traditional labor representation involving union matters and collective bargaining in both the private and public sectors.

I represent startup companies, distributorships, receivers, established businesses and their principals throughout all stages of the business life cycle. I serve as general counsel to many closely held and family owned businesses and routinely counsels clients on a wide range of corporate and transactional matters including entity selection and formation, ownership agreements, family business succession planning, corporate governance, employment agreements, mergers and acquisitions, raising capital and intellectual property protection.

I have a wide range of experience that includes representing clients in the gaming chemical, manufacturing, transportation, waste recycling and environmental industries and the health care field, as well as clients in the public sector.

November 2009 to June 2010

Bonezzi, Switzer, Murphy, Polito & Hupp

Shareholder

My practice focused in the areas of labor, employment, business and environmental law and complex litigation with special emphasis on employment law and traditional labor representation involving union matters and collective bargaining in both the private and public sectors.

I represented startup companies, established businesses and their principals throughout all stages of the business life cycle. I serve as general counsel to many closely held and family owned businesses and routinely counsels clients on a wide range of corporate and transactional matters including entity selection and formation, ownership agreements, family business succession planning, corporate governance, employment agreements, mergers and acquisitions, raising capital and intellectual property protection.

January 2008 to November 2009

Roetzel & Andress LPA

Partner

Represented employers throughout Ohio and Florida in both state and federal courts. Practice focused in the areas of labor, employment, business and complex litigation with special emphasis on traditional labor matters in both the public and private sectors that involve union and employment matters and collective bargaining and representation before various administrative agencies such as the National Labor Relations Board. As a result of this representation, I have:

1. negotiated collective bargaining contracts in the private and public sectors;
2. conducted certification and decertification elections; arbitration; fact-finding; and grievance hearings;
3. appeared before the NLRB and the State Employee Representation Board ("SERB");
4. advised clients on substance abuse and testing; and union avoidance; ,
5. advised employers regarding discipline and discharge

6. represented employers in federal and state courts in matters arising from various state and federal employment laws such as discrimination; retaliation; wrongful discharge; and, whistleblower claims;
7. litigated and negotiated employment agreements; covenants not-to-compete; and trade secret provisions;
8. developed leases and interfaced with various regulatory agencies including but not limited to EPA;
9. negotiated RCRA and CERCLA clean ups;
10. developed plans to comply with wetland mitigation;
11. negotiated asset and stock purchase agreement.

2003 - 2007 Johnson & Colaluca, L.L.C.

Member

**1992 - 2003 Johnson & Angelo - Cleveland, Ohio
Thomas L. Colaluca - Miami, Fla.**

Specialized in business law and representation in the areas of municipal law, commercial law, environmental law, complex litigation and labor/employment that include representing management in collective bargaining, arbitrations, before the NLRB and other regulatory agencies and in employment lawsuits that include sexual harassment, discrimination and contract disputes.

My representation has also afforded me the ability to garner considerable trial experience both in the state and federal courts. I have defended private and public employers in discrimination, whistleblower and retaliation claims. For example, I was chief legal counsel in the following cases:

1. NOPEC v. SVA Communications, Inc.
An illegal termination dispute between a counsel of government ("COG") entity and third party.
2. Garner, et al. v. Cuyahoga County Juvenile Court, et al.
A suit by 16 plaintiffs involving 16 individual and factually different discrimination claims that were dismissed by the District Court with its

granting the 16 Motions for Summary Judgment filed by our client. Said dismissals were affirmed by the Sixth Circuit Court of Appeals.

3. Glending v. City of Cleveland
A suit by a fire fighter claiming, among other things, reverse discrimination and retaliation which was dismissed by the District Court on summary judgment.
4. Buddie v. Cuyahoga Community College
A suit by a contractor alleging that the school's MBE program was not based upon a predicate disparity study.

As part of my municipal representation practice, I have also provided counsel to public entities in developing industrial parks to maximize the local dwindling tax base with an emphasis on wetland mitigation and brownfield redevelopment that necessitated negotiations with the Army Corp of Engineers as well as the state and federal EPAs. I have managed various political campaigns, which range from fund raising to voter analysis that have enabled me to establish personal and working relationships not only with the elected officials but also with their various staff members, which in turn, has benefited my clients.

1991 - 1992 Peeples, Earl & Blank - Miami, Florida

Attorney in charge of supervising Firm's associates, paralegals and litigation support staff.

Managed the litigation support staff for the Firm's involvement in U.S. v. South Florida Water Management District, that dealt with the water pollution of the Florida Everglades.

Managed the Firm's computerized litigation support, referral and resource center which is comprised of over 10,000 legal documents, scientific publications, transcripts and news articles.

Directed the discovery in a complex litigation matter involving AIDS and blood transfusions.

Defended an environmental engineering firm in an action involving the design and construction of an injection well.

1982 - 1991

**Climaco, Climaco, Seminatore, Lewfkowitz & Garofoli
Co., L.P.A., Cleveland, Ohio**

Partner in charge of recruiting, training and placement and Chairman of the Environmental and General Practice Sections. Recruited, supervised and trained associates in litigation. Supervised, developed and marketed Firm's Environmental and Litigation Practices.

Represented largest landfill and solid refuse hauler in Northeast Ohio in all aspects of its business which included labor relations, litigation, public bid contracts, environmental counseling, disposal financing, management, and state and federal regulatory compliance.

Experience in various areas of litigation including labor/employment, toxic tort, environmental nuisance, CERCLA, RCRA and products liability. Specialization in governmental contracts, personnel matters, litigation and labor/employment matters.

Represented private and public sector unions in collective bargaining, arbitrations, before the NLRB and other regulatory agencies.

1978 - 1982

**Climaco, Climaco, Seminatore, Lefkowitz
Garofoli Co., L.P.A, Cleveland, Ohio**

Experience in litigation, family law and public and private sector labor law.

LECTURER:

Lake Erie College - Business law.

Cuyahoga Community College – American Government

EDUCATION:

1978 J.D., Cleveland-Marshall College of Law, Cleveland State University,
Graduated Cum Laude

1972 M.A., Government/Georgetown University,

University Fellowship

1969 B.A., Philosophy/St. Bonaventure University,
Graduated Cum Laude

PUBLICATIONS - SEMINARS

Thomas L. Colaluca, Gina A. Kuhlman and Jack P. DeSario - Future of Affirmative Action: The Legal Imperative Nationally and the Ohio Experience – Cleveland State Law Review

Presenter- Employment Law & Workers' Compensation Legal Update 2008
Living With Unions

Presenter- SANE0
Withdrawal Liability In The Construction Industry

ADMITTED TO PRACTICE:

State of Ohio

State of Florida

District of Columbia

United States Supreme Court

United States Court, Northern District of Ohio

United States Court of Appeals - Sixth Circuit

United States Court of Appeals - Ninth Circuit

COMMISSIONS:

2014 to Present Member Personnel Review Commission
Currently serving as the Chairman

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0038

Sponsored by: Councilmember Conwell	A Resolution supporting the application of The Chesler Group, Inc. to Ohio Development Services Agency for Ohio Historic Preservation Tax Credits for restoration of Stager-Beckwith Mansion, located at 3813 Euclid Avenue, Cleveland; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, each year the State of Ohio through the Ohio Development Services Agency allocates Ohio Historic Preservation Tax Credits to encourage private investment in historically significant buildings throughout Ohio using a competitive proposal process; and

WHEREAS, the Cuyahoga County Council has recognized the need to maintain historic buildings Cuyahoga County, and desires to have the Stager-Beckwith Mansion, a prominent, historic, architecturally significant landmark, restored by The Chesler Group, Inc. who specializes in historic restoration; and

WHEREAS, located along Cleveland’s historic “Euclid Avenue Millionaire’s Row,” the Stager-Beckwith Mansion at 3813 Euclid Avenue is one of the few remaining grand Row mansions that are still standing today; and

WHEREAS, after completion of the originally 10,000 square foot masonry residence in 1868, Euclid Avenue became internationally known for its wealthy residents and unparalleled architecture, and the early yet significant example of Second French Empire and Italianate style mansion, sold in 1913 to Cleveland’s prominent University Club that expanded its footprint to 66,000 square feet; became an important focus of Cleveland’s social life and greatly contributed to Euclid Avenue’s prestigious status and reputation; and

WHEREAS, in 1978, the Stager-Beckwith Mansion became one of the first buildings in Cleveland to be placed on the National Register of Historic Places, highlighting its importance as a major contributor to the history and character of Cleveland; and

WHEREAS, the building has been vacant since 2009; and

WHEREAS, The Chesler Group, Inc. now plans to perform a complete historic restoration of the interior and exterior of the Stager-Beckwith Mansion in compliance

with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings to be used for the Cleveland Children's Museum and office space; and

WHEREAS, restoration of this highly significant structure will ensure the Mansion's continued existence as one of the greatest, and last, architectural testaments to this period of Cleveland's history; and

WHEREAS, the completion of this project will set a strong example of the continued importance of the revitalization of Cuyahoga County's neighborhoods, will positively stimulate the local economy with skilled construction jobs and local investment, and preserve a local landmark that has received broad-based support from the community at large; and

WHEREAS, Cuyahoga County Council supports The Chesler Group, Inc.'s proposal for restoring the Stager-Beckwith Mansion as a high priority initiative for future development in the community for the benefit of the citizens of Cuyahoga County.

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

SECTION 1. That Cuyahoga County Council hereby declares its support for the application of The Chesler Group, Inc. to the Ohio Development Services Agency for Ohio Historic Preservation Tax Credits for the restoration of the Stager-Beckwith Mansion located at 3813 Euclid Avenue, Cleveland.

SECTION 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to Michael Chesler, President, The Chesler Group, Inc.

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: February 24, 2015

Committee(s) Assigned: Community Development

Journal CC017

March 10, 2015

County Council of Cuyahoga County, Ohio

Ordinance No. O2015-0007

Sponsored by: Councilmember Conwell	An Ordinance amending Section 208.01 of the Cuyahoga County Code to change the number of members serving on the Citizens' Advisory Council on Equity from fifteen to a range of nine to fifteen.
Co-sponsored by: Councilmember Miller	

WHEREAS, the County's Equity plan, including the establishment of the Citizens' Advisory Council on Equity, was originally enacted pursuant to Ordinance No. 2012-0014; and,

WHEREAS, the Citizens' Advisory Council on Equity is tasked with providing recommendations and input to the County Executive and County Council regarding the development of equity goals, strategies, and programs of Cuyahoga County; and,

WHEREAS, the Citizens' Advisory Council on Equity is further tasked with engaging in community outreach and public participation in the development of equity goals; and,

WHEREAS, the Citizens' Advisory Council on Equity was originally composed of fifteen citizens appointed by the Executive and confirmed by Council, of which not more than three may be employees of Cuyahoga County; and,

WHEREAS, the County Council now determines that changing the number of members serving on the Citizens' Advisory Council on Equity from fifteen to a range of nine to fifteen will ensure those serving members will remain engaged in the development of equity goals, strategies, and programs; and,

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

SECTION 1. Section 208.01 (A) of the Cuyahoga County Code is hereby amended to read as follows (additions bolded and underlined, deletions stricken):

- A. Composition: The Citizens' Advisory Council on Equity shall be composed of **nine (9)** to fifteen (15) citizens, appointed by the Executive, and confirmed by Council, of which not more than three (3) may be employees of Cuyahoga County. The County Executive and the Council shall use good faith efforts to reflect the diversity of the people of the County in appointing the members of the Citizens' Advisory Council on Equity. Members will serve without compensation, except for actual expenses.

County Council of Cuyahoga County, Ohio

Ordinance No. O2015-0002

Sponsored by: Councilmember Miller	An Ordinance amending Section 206.06 of the Cuyahoga County Code to update the operating rules of the Charter Review Commission.
Co-sponsored by: Councilmember Conwell	

WHEREAS, Article XII, Section 12.09 of the Charter provides that in 2017, and at intervals of ten years thereafter, the County Executive shall, before the first day of June, appoint a Charter Review Commission to formulate and propose charter amendments to the Council as it shall deem appropriate; and

WHEREAS, Article XII, Section 12.09 of the Charter states that “Council shall establish rules and procedures for the operation of the Charter Review Commission and the County Executive shall provide the commission necessary staff services;” and,

WHEREAS, in 2012 Council established rules for the initial Charter Review Commission by enacting Ordinance No. O2012-0003, now codified as Chapter 206.06 of the Cuyahoga County Code; and,

WHEREAS, in 2013 the initial Charter Review Commission was dissolved after making its recommendations to County Council in 2013; and,

WHEREAS, In November 2014, the voters of Cuyahoga County approved an amendment to Article XII, Section 12.09 of the Charter to accelerate the timeline of appointment and confirmation of the Charter Review Commission; and,

WHEREAS, the Council has determined to amend the rules of the Charter Review Commission to comply with the Charter requirements adopted in 2014, and to provide greater flexibility in how the Charter Review Commission conducts its business; and

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

SECTION 1. Section 206.06 of the Cuyahoga County Code is hereby amended as follows (additions are marked in bold and underline, deletions are struck-through):

Section 206.06: Charter Review Commission

Pursuant to Article 12, Section ~~12.09~~ of the Cuyahoga County Charter, the rules and

procedures for the operation of the Charter Review Commission in Cuyahoga County are established as follows:

ARTICLE 1: STAFF SUPPORT

Rule 1A: Designation of Clerk

No later than September ~~15th~~1st of each year in which a Charter Review Commission is appointed, the County Executive shall designate a County employee to serve as Clerk to the Charter Review Commission.

Rule 1B: Duties of the Clerk

The duties of the Clerk of the Charter Review Commission shall be as follows:

- A. Attend all meetings of the Charter Review Commission and its committees, determine quorums, keep minutes of all meetings, record the votes of all members, and send copies of the minutes of all meetings to all members of the Commission;
- B. Assist the Chairperson in the preparation of the Agenda for Commission Meetings;
- C. Provide required notices of meetings;
- D. Ensure that a page is created and maintained on the County's website for the Charter Review Commission, which shall include the notice and agenda of each meeting of the Commission or any of its committees, the minutes of all meetings of the Commission and its committees, a copy of all proposed Charter amendments, draft reports and final reports of the Commission and its committees; a copy of these rules, and any other items that the Chairperson, the Clerk, or the Commission deem appropriate;
- E. Serve as the Public Records Manager for the Commission until the Commission completes its work;
- F. Transmit the final report of the Charter Review Commission to the County Council;
- G. Perform any other duties that are prescribed in these rules or that the Chairperson or the Commission determines are necessary for the performance of the Commission's duties.

Rule 1C: Additional Staff Services

The County Executive shall provide the Charter Review Commission sufficient additional staff services needed to effectively perform its duties, including, but not limited to working space, office supplies, and information technology support.

In the absence of the Clerk, the County Executive shall designate a Clerk Pro-Tem to perform the duties of the Clerk.

ARTICLE 2: ORGANIZATION; OFFICERS

Rule 2A: Vacancy

If a resignation or vacancy occurs within the Commission, a new appointment shall be made and confirmed as soon as is practical, using the appointment process provided for in Article 12, Section 9, of the Cuyahoga County Charter.

Rule 2B: Officers of the Commission; Terms

The officers of the Charter Review Commission shall consist of the Chairperson and Vice Chairperson, who shall serve terms equal to the duration of the current Charter Review Commission.

Rule 2C: Organizational Meeting

No later than ~~October~~September 15th of each year in which a Charter Review Commission is appointed, the Clerk shall call an Organizational Meeting of the Charter Review Commission, at which time the Commission shall elect one of its members as Chairperson and one other member as Vice Chairperson. The Commission may, by parliamentary motion, add additional items to the agenda for the Organizational Meeting.

Rule 2D: Clerk's Role at Organizational Meeting

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

Rule 2E: Election of Officers

The Chairperson and Vice Chairperson shall be elected at the Organizational Meeting. The election for Chairperson shall take place first, followed by the election for Vice Chairperson. A minimum of five (5) votes shall be required for election to either position.

Rule 2F: Duties of the Chairperson of the Charter Review Commission

The Chairperson shall preside at all meetings of the Commission, appoint the officers and members of all committees, set the agenda for meetings of the Commission, ~~design~~ and implement the public participation process, and perform all other duties, consistent with the Cuyahoga County Charter and these rules, that are necessary to lead the Commission in completing its duties.

Rule 2G: Duties of the Vice Chairperson of the Charter Review Commission

The Vice Chairperson shall preside in the absence or disability of the Chairperson at all meetings of the Charter Review Commission, shall perform all the duties of the Chairperson during such absence or disability, and shall perform all other duties, consistent with the Cuyahoga County Charter and these rules, that are necessary to assist the Chairperson in the performance of his/her duties. The Vice Chairperson shall make best efforts to attend all meetings of the Commission in order to be available to perform his/her duties.

Rule 2H: Officer Vacancy

If a vacancy occurs in the office of Chairperson, the Vice Chairperson shall become Chairperson. If a vacancy occurs in the office of Vice Chairperson, either by succession to Chairperson or for any other reason, the Chairperson shall conduct an election for Vice Chairperson at the next meeting of the Commission, using the procedure set forth in Rule 2E.

Rule 2I: Absence or Disability of Chairperson and Vice Chairperson

In the absence or disability of both the ~~President~~ **Chairperson** and the ~~Vice-President~~ **Vice Chairperson**, the Clerk shall conduct an election for Chairperson Pro-Tem, using the procedure set forth in Rule 3D, except that a majority of those voting shall be sufficient for election.

Rule 2J: Commission Officers Entitled to Vote

The Chairperson and the Vice Chairperson shall be entitled to vote on all matters.

ARTICLE 3: QUORUM

Rule 3A: Quorum Defined

A quorum of the Charter Review Commission shall consist of five (5) members, and a quorum of a committee shall consist of a majority of its members.

Rule 3B: Clerk to Determine Quorum

The Clerk shall determine the presence of a quorum by roll call at the beginning of each meeting of the Commission or a committee, shall announce when a quorum is present, and shall keep a record of members present.

Rule 3C: Absence of Quorum

Whenever a quorum is not present, the Commission or a committee may not conduct any business until a quorum is restored, except to adjourn, to adjourn to a future date and time, or take any other action permitted in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

ARTICLE 4: MEETINGS

Rule 4A: Commission to Meet at Least Monthly

The Commission shall meet at least once every calendar month until its final report is presented to County Council.

Rule 4B: Regular Meetings

Prior to the conclusion of the Organizational Meeting, **the Chairperson, with the assistance of the Commission, shall determine and announce the date, place, and time of Regular Meetings of the Commission to be held in September or October, providing at least three (3) days' notice before the first meeting. Starting in October, the Chairperson, with the assistance of the Commission, shall, during any meeting before the end of that month, determine and announce the date, place, and time of Regular Meetings of the Commission to be held during the following month, providing at least three (3) days' notice before the first meeting.** and each Regular Meeting, the Chairperson shall announce the date, place, and time of the next Regular Meeting of the Commission, providing at least seven (7) days' notice. As soon as is practical after ~~this~~**each** such announcement is made, the Clerk shall post the same information regarding the meetings on the Commission's webpage and disseminate it to the local news media, and the Clerk of County Council shall post it on the County Council's webpage. The agenda for ~~the~~**each** meeting shall be included in the original posting, if available, but may be posted and disseminated later, provided that at least twenty-four (24) hours' notice is given.

Rule 4C: Change in Time or Place of Regular Meeting

If compelling circumstances require such action, the Chairperson may change the date, time, and/or place of any Regular Meeting, provided that at least three (3) days' notice is given, using the same notification processes provided for in Rule 4B.

Rule 4D: Special Meeting

The Chairperson or any four (4) members of the Commission may call a Special Meeting of the Commission, provided that the date, place, time, and agenda of the meeting are posted and disseminated as provided for in Rule 4B with at least three (3) days' notice. Only items on the agenda may be discussed at a Special Meeting.

Rule 4E: Notice Required for Meeting to be Continued at a Later Time

The Commission may adjourn any meeting of the Commission to a designated day, time, and place. Notice of the day, time, and place at which the meeting is to be continued shall be given to all members and posted and disseminated as provided for in Rule 4B with at least three (3) days' notice, unless the meeting is to be continued at a time sooner than three (3) days, in which case notice shall be given as soon as is practical after the announcement.

Rule 4F: Agenda for Commission Meetings

The Chairperson, with the assistance of the Clerk, shall set the agenda for all meetings of the Commission.

Rule 4G: Digital Record

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

ARTICLE 5: ORDER OF BUSINESS

Rule 5A: Order of Business

The Commission may use the following as the regular order of business for Commission meetings or may adopt its own:

- A. Call to Order
- B. Roll Call
- C. Public Comment
- D. Approval of Minutes
- E. Introduction of Proposed Charter Amendments
- F. Committee Reports
- G. Old Business
- H. New Business
- I. Announcements & Miscellaneous Business
- J. Adjourn

ARTICLE 6: COMMISSION WORK PRODUCT

Rule 6A: Final Report; Deadline for Submission

The final report of the Commission shall include all proposed amendments to the Cuyahoga County Charter, a discussion of the rationale for the proposed amendments, and a summary of the Commission's activities, and may include procedural recommendations relating to matters such as the timing of submission of proposed amendments. The final report shall be submitted to County Council as a single document no later than the first day of July following appointment of the Commission. The Commission may, at its discretion, submit preliminary

reports prior to the final report and/or submit addendums or revisions to the final report subsequent to its submission.

Rule 6B: Form of Submission of Proposed Charter Amendments

Proposed amendments to the County Charter shall relate only to one subject, but may affect more than one section of the Charter. All proposed amendments shall be submitted in the following form:

- A. General subject of the amendment
- B. Section(s) of the County Charter affected
- C. Current language of sections affected
- D. Intended effect and rationale of amendment
- E. Exact language of the amendment, showing what language, if any, is to be deleted and what language, if any, is to be added.

Rule 6C: Vote Required for Approval of Charter Amendments

A proposed Charter amendment must be voted upon separately and receive the affirmative vote of at least five (5) members of the Commission to be included in the main body of the final report.

Rule 6D: Minority Reports

The final report shall provide an appendix of minority reports, presenting proposed Charter amendments supported by less than a majority of the Commission. A proposed Charter amendment not approved to be included in the main body of the report shall be included in the appendix for minority reports if any two or more members sign a statement supporting the amendment and requesting its inclusion as a minority report. The supporters of a minority report may include a brief discussion of the rationale for the proposed amendment. The discussion may be edited for accuracy by the full Commission.

~~Rule 6E: Issues Related to Indigent Defense and the Public Defender to be Considered~~

~~In accordance with Article 12, Section 9 of the County Charter, the Commission shall include in its deliberations consideration of changes in this Charter for the purpose of providing more effective representation of indigent defendants, for adequate funding and support for the operation of the Office of the County Public Defender, and for the appropriate method for selection of the County Public Defender. The Commission shall include a report on these deliberations within the summary of the Commission's activities in the final report.~~

ARTICLE 7: PARLIAMENTARY PROCEDURE

Rule 7A: Procedural Rules Apply to Commission and its Committees

The procedural rules provided for in this article apply both to the Commission and to any of its committees, unless otherwise specified.

Rule 7B: Parliamentary Procedure Manual

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

Rule 7C: Chairperson to Direct Meetings

All discussion in the Commission and any of its committees shall go through the Chairperson of the Commission or of the committee, respectively. The Chairperson shall control the order of speakers and shall put motions offered by members before the Commission or the committee for consideration and action.

Rule 7D: Parliamentary Motions

Parliamentary motions shall be used as provided in Rules 9E, 9F, 9G, and 9I of the Rules of Cuyahoga County Council.

Rule 7E: Vote Required for Approval

A motion to approve the Commission's final report, a proposed committee report, or a proposed amendment to the County Charter shall require a minimum of five (5) votes in the full Commission and a majority of all members of a committee. All other motions shall require a majority of those present and voting, provided that a quorum is present, unless otherwise specified in these rules.

Rule 7F: Voting Procedure

A motion to approve the Commission's final report, a committee's report, or a proposed amendment to the County Charter shall be done by roll call vote. Voting on all other matters may be done by voice vote, but the Chairperson shall insure that the Clerk is able to record the vote of every member on all matters.

Rule 7G: Amendments

All proposed amendments to a proposed charter amendment or a Commission or committee report shall be in written form, except that the Chairperson of the Commission or a committee may accept a verbal amendment that is clear, unambiguous, and may be presented in a single sentence or a few words. An amendment to a proposed charter amendment that is approved in committee does not need to be approved again by the full Commission.

Rule 7H: Duty to Vote; Recusal

Members shall vote on every question in the Commission or in committee, except when the member has recused him/herself, **and except that a member may abstain from voting on a question related to the approval of 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 matter under consideration or when voting on the matter could for any reason violate state or county ethics law.

Rule 7I: Change of Vote

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

ARTICLE 8: COMMITTEES

Rule 8A: Committee Structure

~~The Commission shall create four (4) committees of three (3) or more members each as follows:~~ **The commission may use a committee structure such as the following, with proposals to create new Articles in the County Charter referred to the most appropriate committee, as determined by the Chairperson of the Commission:**

- A. Governmental, covering the Preamble and Articles 1 through 3 of the County Charter.
- B. Administrative/Judicial, covering Articles 4 through 6 of the County Charter
- C. Policy, covering Articles 7 through 10 of the County Charter
- D. General Provisions, covering Articles 11 through ~~13~~**14** and the Appendix of the County Charter

~~The Administrative/Judicial Committee shall also consider issues related to indigent defense and the selection of the Public Defender and adequate support and funding for the operation of the office of the Public Defender.~~

~~Proposals to create new Articles in the County Charter shall be considered in whichever committee most closely covers the subject(s) of the proposed new Articles, as determined by the Chairperson.~~

~~The Commission may amend the above committee structure as provided in Rule 10A, except that confirmation by County Council is not required.~~

The Commission may also adopt a different committee structure or operate without committees, but any committee created shall be comprised of at least three (3) members.

~~Rule 8B: Chairperson of the Commission to Appoint Officers and Members of Committees~~

~~No later than two (2) weeks after the Organizational Meeting, the Chairperson of the Commission shall appoint the Chairperson, Vice Chairperson, and members of each committee.~~

The Chairperson of the Commission shall appoint the Chairperson, Vice Chairperson, and members of each committee, but any subsequent changes to the leadership or composition of a committee shall require the approval of a majority of all members of the Commission.

~~Rule 8C: Committee Work Product~~

~~The Work Product of each committee shall consist of a single document, providing a draft of the Commission's final report pertaining to the sections of the County Charter under the committee's jurisdiction, prepared in the form provided for in Article 6 of these rules. To be included in the main body of the committee's report, a proposed charter amendment must be voted upon separately by the committee and receive the affirmative vote of a majority of all members of the committee.~~

~~Rule 8D: Deadline for Submission of Committee Reports~~

~~Each committee shall submit its report to the Commission at a meeting of the Commission held no later than the first day of April following formation of the Charter Review Commission.~~

~~Rule 8E: 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, only members appointed to a committee may offer motions or vote on questions before that committee.~~

~~Rule 8F: Public Notice of Committee Meetings~~

~~Rules 4B through 4F shall also apply to committee meetings, except that the minimum notice for regular committee meetings shall be three (3) days, and that the Chairperson of each committee shall set the committee's agenda and have the sole authority to call a special meeting of the committee.~~

Rule 8GE: Work Sessions

The Commission or a committee may conduct work sessions, following the process provided for in Rule 13 of the Rules of Cuyahoga County Council.

ARTICLE 9: OPEN MEETINGS PROCEDURE

Rule 9A: Open Meetings, Public Comment

All meetings of the Commission or any of its committees shall be open to the public, be conducted only after prior public notice, include time for public comment, and comply with all other provisions of Article 12, Section 5 of the County Charter, Chapter 105 of the Cuyahoga County Code, and Ohio Revised Code Section 121.22 regarding the open public meetings.

Rule 9B: Minutes

The Clerk shall keep minutes of all meetings of the Commission and any of its committees and shall post the draft minutes on the Commission's webpage, subject to Commission or committee approval, as soon as is practical following each meeting, but in no case later than seven (7) days after the meeting. The Commission and each committee shall consider at each meeting the question of the approval of minutes from the previous meeting.

Rule 9C: Availability of Public Records

All records of the Commission or any of its committees that relate to public business shall be available to the public as public records as required in Article 12, Section 6 of the County Charter, Chapter 106 of the Cuyahoga County Code, and Ohio Revised Code Section 149.43. The Clerk shall serve as Public Records Manager for the duration of the Commission, after which the Clerk of County Council shall perform this role.

Rule 9D: Filming, Taping, and Recording

Any person may film, tape, or record any meeting of the Commission or any of its committees, provided that the filming, taping, or recording is done in a manner that does not significantly interfere with the conduct of the meeting. Anyone who wishes to film, tape, or record any meeting of the Commission or any of its committees is requested to **notify the Clerk prior to the start of the meeting.** ~~register in advance with the Clerk on a form to be provided for this purpose. The Clerk shall set up a process for those who wish to film, tape, or record on a regular basis to provide a single registration, which shall be effective for the duration of the Commission.~~

Rule 9E: Decorum

The Chairperson, with the approval of the Commission, may establish rules to insure decorum at meetings, including but not limited to rules relating to the respectful presence of the public and the use of audible communication devices.

Rule 9F: Public Participation Process

Not later than the 15th day of ~~November~~**October** following formation of the Charter Review Commission, the Chairperson shall prepare and begin implementation of a comprehensive public participation plan, including, but not limited to the following:

- A. Public hearings held at various locations throughout the county, conducted as part of both the committee phase and the full Commission's consideration of the committee reports;
- B. Widest possible dissemination of proposed Charter amendments and draft reports in both written and electronic form combined with processes for receiving public input concerning them; and
- C. Regularly updated availability on the Commission's webpage of the current form of all proposed Charter amendments and draft Commission and committee reports.

Rule 9G: Charter Amendment Proposals to be Available on Website

The Clerk shall ensure that the Commission's page on the County's website contains all proposed Charter amendments that have been submitted to the Commission. A proposed amendment shall be in the form provided for in Rule 6B to be included on the website. If a proposed amendment is substantively changed, both the original and revised versions shall be included.

Proposed Charter amendments may be submitted to the Commission by any member of the Commission at any Commission meeting or at any committee meeting which covers the subject of the proposed amendment.

Proposed amendments may also be submitted to the Commission by any member of the public by letter to the Clerk or by presentation at any meeting of the Commission or of the committee which covers the subject of the proposed amendment.

ARTICLE 10: AMENDMENT AND SUSPENSION OF RULES

Rule 10A: Amendment of Rules

~~Except as provided in Rule 8A, t~~**These** rules may be amended with the approval of five (5) or more members of the Commission and confirmation by majority vote of County Council. A proposed amendment to these rules may be voted on at the same meeting of the Commission at which it is introduced only if the text of

First Reading/Referred to Committee: January 13, 2015
Committee(s) Assigned: Council Operations & Intergovernmental Relations

Additional Sponsorship Requested: January 9, 2015

Committee Report/Second Reading: February 24, 2015

Journal CC017
March 10, 2015

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0044

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget & Management	A Resolution amending the 2014/2015 Biennial Operating Budget for 2015 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 9, 2014, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2015 (Resolution No. R2014-0267) establishing the 2015 biennial budget update for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2015 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 2015 be amended to provide for the following additional appropriation increases and decreases:

Fund Nos./Budget Accounts

Journal Nos.

A. 20A059 – Veterans Services Fund **BA1500131**
VF491001- Veterans Services Fund
Other Expenses \$ 40,466.80

Funding Source: Funding is from the General Fund subsidy covering the period January 1, 2015 through December 31, 2015 resulting from unused 2013 appropriations in the Veterans Services Commission. Permanent use of reserves.

B. 01A001 – General Fund **BA1500132**
SU513416- Veterans Services Fund Subsidy
Other Expenses \$ 40,466.80

Funding Source: Funding is from the General Fund covering the period January 1, 2014 through December 31, 2015.

C. 22A120 –Mold and Moisture Grant **BA1500135**
DV709071- Mold and Moisture Grant
Personal Services \$ (53,824.89)
Other Expenses \$ (20,692.01)
Capital Outlays \$ (32.00)

Funding Source: Funding is from the United States Department of Housing and Urban Development, Office of Health Homes covering the period January 17, 2000 through October 29, 2004.

D. 20AA05 – Law Enforcement CPT **BA1500136**
SH456616- Law Enforcement CPT
Other Expenses \$ 15,621.46

Funding Source: Funding is from the Ohio Attorney General’s Office covering the period January 1, 2015 through December 31, 2015.

E. 21A579 – VAWA Administration Grant **BA1500137**
JA754978- FY2014 VAWA Administration Fund CY2015
Personal Services \$ 18,676.40
Other Expenses \$ 2,732.84

Funding Source: Funding for the grant is from the United States Department of Justice, Office on Violence Against Women passed through the Ohio Office of Criminal Justice Services covering the period January 1, 2015 through December 31, 2015. The grant award was accepted on February 2, 2015 Contract and Purchasing Board #2015-62.

F. 22A685 – CDBG Year 38 2012 **BA1500139**
DV713909- Rehabilitation Operations FY2012
Personal Services \$ (19,184.39)

Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2012 through December 31, 2012.

G.	22A960 – CDBG Year 39 2013 DV714162- CDBG Community Development Operating 2013 Personal Services	\$ (104,915.61)	BA1500140
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Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2013.

H.	22A910 – CDBG Year 40 2014 DV714386- CDBG Non-Administration Operations 2014 Personal Services	\$ 124,100.00	BA1500141
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Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2013.

I.	21A702 – Operation Stonegarden (OPSG) SH754952 – Operation Stonegarden (OPSG) FY14 Personal Services Other Expenses	\$ 18,173.60 \$ 41,858.40	BA1500142
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Funding Source: Funding is from the United States Department of Homeland Security, Federal Emergency Management Agency covering the period September 1, 2014 through July 30, 2016. The grant award was approved by the Contracts and Purchasing Board February 13, 2015, CPB2015-73. No cash match is required.

J.	01A001 – General Fund PD140053 – Public Defender Capital Outlay	\$ 45,361.00	BA1500160
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Funding Source: Funding comes from the General Fund.

K.	40A069 – Cap. Project Future Debt Issue IT768440 – New Desktops/Laptops/Tablets Capital Outlay	\$ (45,361.00)	BA1500161
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Funding Source: Funding comes from future debt issuance and for smaller projects like this, a General Fund subsidy.

L.	40A069 – Capital Project Future Debt Issuance CC768622 - Airport Runway Overlay Project Personal Services Other Expenses Capital Outlays	\$ 30,000.00 \$ 670,000.00 \$ 7,991,905.00	BA1500016
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Funding Source: Funding is provided from the Federal Aviation Administration at \$5,504,000 (63%) and the General Fund at \$3,187,905 (37%). The General Fund portion will require a one-time use of reserves.

SECTION 2. That the 2014/2015 Biennial Operating Budget for 2015 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
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A. FROM:	21A702 –Operation Stonegarden	
	SH754887 –Operation Stonegarden FY13	BA1500133
	Personal Services	\$ 58,539.25
TO:	21A702–Operation Stonegarden	
	SH754887 –Operation Stonegarden FY13	
	Other Expenses	\$ 58,539.25

Funding Source: Funding is from the Ohio Emergency Management Agency covering the period September 2013 through July 30, 2015.

B. FROM:	01A001 – General Fund	
	FS109652 – Fiscal Operations – Contractual Services	BA1500017
	Other Expenses	\$ 79,026.66
TO:	01A001 – General Fund	
	FS109645 – Fiscal Operations – Records/Licenses/Outreach	
	Other Expenses	\$ 79,026.66

Funding Source: Funding is from the General Fund.

SECTION 3. That the 2014/2015 Biennial Operating Budget for 2015 be amended to provide for the following cash transfers between County funds:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
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A. FROM:	01A001– General Fund	
	SU513416 – Veterans Services Fund Subsidy	JT1500012
	Transfer Out	\$ 40,466.80
TO:	20A059 –Veterans Services Fund	
	VF491001 – Veterans Services Fund	
	Revenue Transfer	\$ 40,466.80

Funding Source: Funding is from a General Fund Subsidy and covers the period January 1, 2014 through December 31, 2014.

B. FROM:	21A500– Urban Area Security Initiative	
	JA741520 – FY11 Urban Area Security Initiative	JT1500013
	Transfer Out	\$ 86,544.48
TO:	21A900 –Regional Collaboration Project	
	JA753822 – Regional Collaboration Project 2011/2014	
	Revenue Transfer	\$ 86,544.48

Funding Source: Funding is from the United States Department of Homeland Security covering the period September 1, 2011 through April 30, 2014.

C. FROM:	01A001– General Fund	JT1500014
	JA302224 – Public Safety Grants Management	
	Transfer Out	\$ 5,352.31
TO:	21A579 –VAWA Administration Grant	
	JA754978 – FY2014 VAWA Administration Fund CY2015	
	Revenue Transfer	\$ 5,352.31

Funding Source: Funding is from the General Fund covering the period January 1, 2015 through December 31, 2015.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC017
March 10, 2015



ARMOND BUDISH
Cuyahoga County Executive

March 4, 2015

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 March 10, 2015, 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
Veterans Services Fund – Additional appropriation to comply with funding established under Council Ordinance O2012-2013 with specific amount identified under R2014-0264. Funding is from a General Fund subsidy. This is a permanent use of reserves. (Item A.)	\$40,466.80
TOTAL	\$40,466.80

General Fund/Health & Human Services	Amount
Veterans Services Fund Subsidy - Additional appropriation to comply with funding established under Council Ordinance O2012-2013 with specific amount identified under R2014-0264. Funding is from a General Fund subsidy. (Item B.)	\$40,466.80
Public Defender – An increase in appropriation to cover the purchase of computers which would become eligible for 40% reimbursement from the Ohio Public Defender’s Office. Funding is from the General Fund. (Item K.)	\$45,361.00
Information Technology – Decreasing appropriation in the New Desktops/Laptops/Tablets fund to allow an increase of appropriation in the Public Defender’s Office fund to purchase computers which would become eligible for a 40% reimbursement from the Ohio Public Defender’s Office. Funding is from a General Fund Subsidy. (Item L.)	-\$45,361.00
TOTAL	\$40,466.80

Grants/Projects	Amount
Development – Decreasing appropriation in the Mold and Moisture grant in preparation of grant closure. Funding is from the U.S. Department of Housing and Urban Development, Office of Health Homes. (Item C.)	-\$74,548.90
Sheriff – To establish appropriation in the Law Enforcement Continuing Professional Training (CPT) fund from the Ohio Attorney General. (Item D.)	\$15,621.46
Public Safety and Justice Services/Violence Against Women Act Administration Fund – To establish	\$21,409.24

appropriation in the FY2014 Violence Against Women Act Administration Fund. Funding is from the U.S. Department of Justice, Office on Violence Women. A 25% cash match is required (\$5,352.31). (Item E.)	
Development – Decreasing appropriation in the Community Development Block Grant (CDBG) Rehabilitation Operations FY2012 grant (\$19,184.39) and the CDBG Operating FY2013 (\$104,915.61) to comply with federal guidelines to advance unused awards to the following years. A corresponding increase to the CDBG Operations FY2014 (\$124,100.00). (Items F, G and H.)	\$0.00
Sheriff – To establish appropriation for Operation Stonegarden FY2014 grant from the U.S. Department of Homeland Security, Federal Emergency Management Agency. No cash match is required. (Item J.)	\$60,032.00
Capital Project/Airport Runway Overlay Project – Additional appropriation to cover the airport runway/overlay project. Funding is from the Federal Aviation Administration as well as the General Fund. (Item M.)	\$8,691,905
TOTAL	\$8,714,418.80

Total Additional Appropriations - All Funds	\$8,795,352.40
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The following represents the overall changes made to the Annual Appropriation Measure for 2015 since its adoption on December 9, 2014 Resolution R2014-0267. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

APPROPRIATION STATUS SUMMARY:

	Proposed 03/10/2015	Year-To-Date Amendments	R2014-0267*	Adjusted Annual Appropriation
General Fund Impact	\$ 80,933.60	\$ 2,518,340.83	\$ 386,926,872.00	\$ 389,445,212.83
HHS Levy Impact	\$ 0.00	\$ 1,216,900.00	\$ 234,988,318.00	\$ 236,205,218.00
Other Fund Impact	\$ <u>8,714,418.80</u>	\$ <u>37,165,091.15</u>	\$ <u>711,691,293.00</u>	\$ <u>748,856,384.15</u>
Total Impact	\$ 8,795,352.40	\$ 40,900,331.98	\$ 1,333,606,483.00	\$ 1,374,506,814.98

* 2015 Budget Update appropriation levels adopted by resolution R2014-0267 on December 9, 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.

General Fund/Health & Human Services	Amount
Fiscal Office – Realigning appropriation to cover the lease extension for the Microfilm center at the Southgate location due to the renovation of the new space at the Halle building will take several months. Funding is from the General Fund. Item B.	\$79,026.66
TOTAL	\$79,026.66

Grants/Projects	Amount
Sheriff – Realigning appropriation within the FY2013 Operation Stonegarden grant for proper disbursement to task force partners. Funding is from the Ohio Emergency Management Agency. Item A.	\$58,539.25
TOTAL	\$58,539.25

Total Appropriation Transfers - All Funds	\$137,565.91
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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.

General Fund/Health & Human Services	Amount
Veterans Services Fund – A cash transfer of the General Fund Subsidy. Item A.	\$40,466.80
Public Safety and Justice Services – A cash transfer of the required cash match for to the FY2014 Violence Against Women Act Administration grant the from the Public Safety Grants Management fund. Funding is from the General Fund. (Item C.)	\$5,352.31
TOTAL	\$45,819.11

Grants/Projects	Amount
Public Safety and Justice Services – A cash transfer from the Urban Area Security Initiative fund to the Regional Collaboration Project for reimbursement of reported expenditures from May through July 2014. Funding is from the U.S. Department of Homeland Security. (Item B.)	\$86,544.48
TOTAL	\$86,544.48

Total Cash Transfers - All Funds	\$132,363.59
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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



ARMOND BUDISH
Cuyahoga County Executive

MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

FROM: W. Christopher Murray, II, Interim Director, Office of Budget & Management

DATE: March 4, 2015

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 March 10, 2015. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A.	20A059 – Veterans Services Fund		BA1500131
	VF491001- Veterans Services Fund		
	Other Expenses	\$	40,466.80

To provide appropriation in the Veterans Services Fund originally established under County Council Ordinance 2012-0013 and identified various providers under the County Council Resolution R2014-0264 passed on December 9, 2014 covering the period January 1, 2015 through December 31, 2015 in the amount of \$282,334.00, of which appropriation was provided by County Council on December 18, 2014, through Resolution R2014-0304 in the amount of \$241,867.20.

The resulting balance of \$40,466.80 designated payments to Cuyahoga Community College and Cleveland State University for workforce development programs to assist veterans with the costs of post-secondary education as stipulated under Resolution No. R2014-0204.

Funding is from the General Fund subsidy covering the period January 1, 2015 through December 31, 2015 resulting from unused 2013 appropriations in the Veterans Services Commission. Permanent use of reserves.

B.	01A001 – General Fund		BA1500132
	SU513416- Veterans Services Fund Subsidy		
	Other Expenses	\$	40,466.80

Establish appropriation in the newly created Veterans Services Fund Subsidy to comply with funding the Veterans Services Fund established under County Council Ordinance O2012-0013 with the specific amount identified under Resolution R2014-0264 for eight (8) specific activities. Funding is from the General Fund covering the period January 1, 2014 through December 31, 2015.

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

C.	22A120 –Mold and Moisture Grant		BA1500135
	DV709071- Mold and Moisture Grant		
	Personal Services	\$	(53,824.89)
	Other Expenses	\$	(20,692.01)
	Capital Outlays	\$	(32.00)

Reduce appropriation in the Department of Development’s Mold and Moisture grant in preparation for closure. The grant revenues are on a reimbursement basis and the appropriation reduction represents 2.4% of the original grant award of \$3.1 million. Funding is from the United States Department of Housing and Urban Development, Office of Health Homes covering the period January 17, 2000 through October 29, 2004.

D.	20AA05 – Law Enforcement CPT		BA1500136
	SH456616- Law Enforcement CPT		
	Other Expenses	\$	15,621.46

Establish appropriation in the Sheriff’s Law Enforcement Continuing Professional Training (CPT) special revenue fund. Appropriation is based on revenues received from the Ohio Attorney General’s Office to defray costs of continuing professional training programs for the Deputy Sheriff’s. Funding is from the Ohio Attorney General’s Office covering the period January 1, 2015 through December 31, 2015.

E.	21A579 – VAWA Administration Grant		BA1500137
	JA754978- FY2014 VAWA Administration Fund CY2015		
	Personal Services	\$	18,676.40
	Other Expenses	\$	2,732.84

Establish appropriation in the FY2014 Violence Against Women Act Administration Fund. The total amount consists of a grant award of \$16,056.93 with a required 25% cash match of \$5,352.31 for a total project cost of \$21,409.24. Funding for the cash match (see operating transfer document JT1500014, fiscal item C, on page 6) was included in the General Fund budget for the Department of Public Safety and Justice Services, Grants Management unit. Funding for the grant is from the United States Department of Justice, Office on Violence Against Women passed through the Ohio Office of Criminal Justice Services covering the period January 1, 2015 through December 31, 2015. The grant award was accepted on February 2, 2015 Contract and Purchasing Board #2015-62.

F.	22A685 – CDBG Year 38 2012		BA1500139
	DV713909- Rehabilitation Operations FY2012		
	Personal Services	\$	(19,184.39)

Reducing appropriation in the Community Development Block Grant Rehabilitation Operations FY2012 grant to increase the Community Development Block Grant non-Administrative Operations 2014 grant (document BA1500141, fiscal item H). Per federal guidelines unused awards are to be advanced to the following years. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2012 through December 31, 2012.

G.	22A960 – CDBG Year 39 2013		BA1500140
	DV714162- CDBG Community Development Operating 2013		
	Personal Services	\$	(104,915.61)

Reducing appropriation in the Community Development Block Grant Operating FY2013 grant to increase the Community Development Block Grant non-Administrative Operations 2014 grant (document BA1500141, fiscal item H). Per federal guidelines unused awards are to be advanced to the following year(s). Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2013.

H.	22A910 – CDBG Year 40 2014		BA1500141
	DV714386- CDBG Non-Administration Operations 2014		
	Personal Services	\$	124,100.00

Increasing appropriation in the Community Development Block Grant Operations FY2014 grant with corresponding decreases in the Community Development Block Grant FY2012 (document BA1500139, item F) and YR2014 (document BA1500140, item G). Per federal guidelines unused awards are to be advanced to the following year(s). Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2013.

I.	21A702 – Operation Stonegarden (OPSG)		BA1500142
	SH754952 – Operation Stonegarden (OPSG) FY14		
	Personal Services	\$	18,173.60
	Other Expenses	\$	41,858.40

Establish appropriation for the newly awarded Sheriff Department Operation Stonegarden (OPSG) FY2014 grant to enhance maritime domain awareness through patrolling of waters connecting from the shores of Cuyahoga County to the international waters with Canada through public safety marine patrols. Funding is from the United States Department of Homeland Security, Federal Emergency Management Agency passed through the Ohio Emergency Management Agency covering the period September 1, 2014 through July 30, 2016. The grant award was approved by the Contracts and Purchasing Board February 13, 2015, CPB2015-73. No cash match is required.

J.	01A001 – General Fund		BA1500160
	PD140053 – Public Defender		
	Capital Outlay	\$	45,361.00

The appropriation would allow the Public Defender to purchase computers. This purchase was approved by the Contracts and Purchasing Board on February 23, 2015. This expense was originally appropriated in a capital project fund, but by purchasing the computers in the Public Defender operating budget, the expense become eligible for forty percent reimbursement from the Ohio Public Defender. There is a commensurate decrease in the capital projects fund budget in BA1500161 on the same fiscal agenda. Funding comes from the General Fund.

K.	40A069 – Cap. Project Future Debt Issue		BA1500161
	IT768440 – New Desktops/Laptops/Tablets		
	Capital Outlay	\$	(45,361.00)

The purchase for computers for the Public Defender’s Office was originally appropriated in this budget. However, expenses in the Public Defender’s operating budget are eligible for forty percent reimbursement from the Ohio Public Defender. This decrease and equal increase in the Public Defender’s operating budget would make this purchase eligible for reimbursement. Funding comes from future debt issuance and for smaller projects like this, a General Fund subsidy.

L.	40A069 – Capital Project Future Debt Issuance		BA1500016
	CC768622 - Airport Runway Overlay Project		
	Personal Services	\$	30,000.00
	Other Expenses	\$	670,000.00
	Capital Outlays	\$	7,991,905.00

Appropriation is requested to pay for the airport runway/overlay project, which consists of resurfacing approximately 4,000 feet of runway by milling and replacing three inches of asphalt, as well as adding an additional 12 inches of asphalt overlay pavement. Funding is provided from the Federal Aviation Administration at \$5,504,000 (63%) and the General Fund at \$3,187,905 (37%). The General Fund portion will require a one-time use of reserves.

Resolution: Appropriation Transfers:

A.	FROM:	21A702 –Operation Stonegarden		BA1500133
		SH754887 –Operation Stonegarden FY13		
		Personal Services	\$	58,539.25
	TO:	21A702–Operation Stonegarden		
		SH754887 –Operation Stonegarden FY13		
		Other Expenses	\$	58,539.25

Transfer appropriation within the FY2013 Operation Stonegarden grant for proper disbursement tor task force partners. Funding is from the Ohio Emergency Management Agency covering the period September 2013 through July 30, 2015.

B.	FROM:	01A001 – General Fund		BA1500017
		FS109652 – Fiscal Operations – Contractual Services		
		Other Expenses	\$	79,026.66
	TO:	01A001 – General Fund		
		FS109645 – Fiscal Operations – Records/Licenses/Outreach		
		Other Expenses	\$	79,026.66

A transfer is requested to cover expenses for the lease extension for the Microfilm center at the Southgate location. The budget provided for lease of the new Processing Center at the Halle warehouse building in downtown Cleveland starting in March. However, there will be a renovation to the Halle space that necessitates a lease extension at Southgate. The Contractual Services budget included new tax system implementation expenses, but that implementation has been put on hold. Therefore the request is to repurpose appropriation for the tax system to be used for the lease extension.

Resolution: Cash Transfers:

A.	FROM:	01A001– General Fund		JT1500012
		SU513416 – Veterans Services Fund Subsidy		
		Transfer Out	\$	40,466.80
	TO:	20A059 –Veterans Services Fund		
		VF491001 – Veterans Services Fund		
		Revenue Transfer	\$	40,466.80

To transfer cash from the Veterans Services Fund Subsidy (General Fund subsidy) to the Veterans Services Fund to comply with County Council Ordinance O2012-0013 with the specific additional amount identified under Resolution R2014-0264 passed on December 9, 2014. Funding from the Veterans Services Fund Subsidy covers the period January 1, 2014 through December 31, 2014.

B.	FROM:	21A500– Urban Area Security Initiative		JT1500013
		JA741520 – FY11 Urban Area Security Initiative		
		Transfer Out	\$	86,544.48
	TO:	21A900 –Regional Collaboration Project		
		JA753822 – Regional Collaboration Project 2011/2014		
		Revenue Transfer	\$	86,544.48

The operating transfer is for reimbursement of expenditures to the Regional Collaboration Project for as reported in May through July 2014. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency management Agency covering the period September 1, 2011 through April 30, 2014.

C.	FROM:	01A001– General Fund		JT1500014
		JA302224 – Public Safety Grants Management		
		Transfer Out	\$	5,352.31
	TO:	21A579 –VAWA Administration Grant		
		JA754978 – FY2014 VAWA Administration Fund CY2015		
		Revenue Transfer	\$	5,352.31

The operating transfer is to provide the necessary cash match for the Violence Against Women Act (VAWA) Administration Grant as seen on document BA1500137, fiscal item E, on page 2. Funding for the cash match is from the Department of Public Safety and Justice Services, Public Safety Grants Management unit. This amount was included in the 2015 budget. Funding is from the General Fund covering the period January 1, 2015 through December 31, 2015.

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0045

Sponsored by: County Executive Budish/Departments of Law and Public Works	A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 70 employees in various classifications in the Department of Public Works for the period 1/1/2013 - 12/31/2015 to modify language in Article 32: Wages; directing that funds necessary to implement the amendment be budgeted and appropriated; 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.
--	---

WHEREAS, the Cuyahoga County Department of Law has been engaged in negotiations with Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, in an effort to negotiate a wage re-opener for the 2015 calendar year, pursuant to the terms of the current Collective Bargaining Agreement for the period 1/1/2013 – 12/31/2015. This Union represents approximately 70 employees in various classifications in the Cuyahoga County Department of Public Works (Sewer Section); and

WHEREAS, the parties have met in a consolidated effort to negotiate wage terms for the 2015 calendar year and have reached a tentative agreement on this single issue; and

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

WHEREAS, O.R.C. 4117.10(B) further states that the legislative body must approve or reject the submission as a whole, and the submission is deemed approved if the legislative body fails to act within thirty days after the public employer submits the agreement; and

WHEREAS, the Department of Law and the County Executive are recommending that Council approve the proposed amendment to a Collective Bargaining Agreement between Cuyahoga County and Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 70 employees in various classifications in the Department of Public Works for the period 1/1/2013 - 12/31/2015 to modify language in Article 32: Wages; and,

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

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

SECTION 1. The Cuyahoga County Council hereby approves an amendment to a Collective Bargaining Agreement between Cuyahoga County and Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 70 employees in various classifications in the Department of Public Works for the period 1/1/2013 - 12/31/2015 to modify language in Article 32: Wages, and authorizes the County Executive to execute all documents consistent with this Resolution.

SECTION 2. Funds necessary to implement the CBA between the County and Teamsters Local 436 shall be budgeted and appropriated.

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

Journal CC017
March 10, 2015

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0046

Sponsored by: County Executive Budish/Department of Law and County Sheriff	A Resolution <u>accepting/rejecting</u> the report containing findings and recommendations of Fact-finder Thomas J. Nowel regarding negotiations between Cuyahoga County and Ohio Patrolmen’s Benevolent Association for a collective bargaining agreement representing approximately 126 employees in the classification of Protective Services Officer, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, Cuyahoga County (“County”) has been engaged in negotiations with Ohio Patrolmen’s Benevolent Association for a collective bargaining agreement that would represent approximately 126 employees in the classification of Protective Services Officer at the Sheriff’s Department; and

WHEREAS, O.R.C. 4117.14(C)(3) of the Public Employees Collective Bargaining Act (“CBA”) expressly authorizes parties who are engaged in collective bargaining negotiations to request fact-finding, an impasse resolution procedure, and the appointment of a fact-finding panel to assist the parties to resolve an impasse in contract negotiations; and

WHEREAS, the parties reached impasse in contract negotiations and submitted their unresolved issues to fact-finding pursuant to the CBA and O.R.C. 4117.14 (C), and a fact-finding hearing was conducted before Thomas J. Nowel; and

WHEREAS, O.R.C. 4117.14(C)(6)(a) requires that not later than seven days after the findings and recommendations are sent, the legislative body, by a three-fifths vote of its membership, may reject the recommendations, and if the recommendations are not rejected, the recommendations shall be deemed agreed upon as the final resolution of the issues submitted and a collective bargaining agreement shall be executed between the parties, including the fact-finding panel’s recommendations, except as otherwise modified by the parties by mutual agreement; and

WHEREAS, Pursuant to the CBA and O.R.C. 4117.14(D), if the fact-finding report is rejected by either party, the next step for this bargaining unit of Protective Services Officers will be to advance all open issues to binding conciliation, a final offer settlement procedure, pursuant to a board order that is required to be issued forthwith to the parties by the State Employment Relations Board; and

WHEREAS, Fact-finder Thomas J. Nowel sent his findings and recommendations on March 6, 2015, and the County Executive and Sheriff are recommending that the Fact-finding report be accepted/rejected; and

Clerk of Council

Date

Legislation Amended on the Floor: March 10, 2015

Journal CC017
March 10, 2015

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0047

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of Clifford E. Pinkney, upon his taking the oath of office, as Cuyahoga County Sheriff; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Article V, Section 5.01 of the Charter of Cuyahoga County, each of the offices provided for in Article V shall be appointed by the County Executive, subject to confirmation by Council; and

WHEREAS, Article V, Section 5.08 of the Charter provides for the office of the Sheriff of Cuyahoga County; and

WHEREAS, the County Executive has nominated Clifford E. Pinkney for the appointment to the position of Sheriff of Cuyahoga County; and,

WHEREAS, the Council has undergone review and scheduled a Confirmation Hearing which was noticed to the public and held in an open meeting on _____, 2015.

WHEREAS, the Council elects to confirm the County Executive's appointment of Clifford E. Pinkney to the position of Sheriff; and

WHEREAS, 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 County government.

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 Clifford E. Pinkney to serve as the Sheriff of Cuyahoga County upon his taking the oath of office.

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 eight members of Council, this Resolution shall become immediately effective.

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__



ARMOND BUDISH
Cuyahoga County Executive

MAR 02 2015

Cuyahoga County Council

February 13, 2015

Dan Brady, President
Cuyahoga County Council
Cuyahoga County Administration Building
2079 East 9th Street, 8th Floor
Cleveland, OH 44115

Re: Cuyahoga County Sheriff

Dear President Brady:

Pursuant to Article V, Section 5.08 of the Cuyahoga County Charter, I am pleased to nominate **Clifford Pinkney** to serve as the Cuyahoga County Sheriff. A copy of his resume is attached hereto which details his relevant work history and background. Mr. Pinkney has several decades of relevant law enforcement experience, federally and locally, which address the mandated qualifications per County Charter. Of note, Mr. Pinkney has served as Chief Deputy Sheriff, as of May 2013 to Sheriff Frank Bova, where he leads the local task force examining the needed reforms focusing on community outreach and diversity to local law enforcement in the wake of the Tamir Rice case.

Mr. Pinkney has served Cuyahoga County for nearly 25 years in the Sheriff's Department working his way up to Chief Deputy Sheriff, where he has supervisory and administrative responsibility over the day-to-day operations of a \$96 million budget and 1,100 employees. In this role, Mr. Pinkney has developed extensive relationships with local, state, and federal law enforcement partners, and has been involved with the FBI Gang Task Force, US Marshal's Violent Fugitive Task Force, DEA, HIDTA, Narcotic Bureau, Detective Bureau, Sex Offender Unit and Patrol Unit. In addition, Mr. Pinkney is an Army Veteran where, as Corporal, he led a team in the Louisiana.

I am honored to nominate Mr. Clifford Pinkney for the position of Sheriff, and becoming the first African-American in this position in our County's history. Mr. Pinkney has been a strong positive influence on the Sheriff's Office and our community, and his background and demeanor are well suited to address the new challenges and opportunities of this office. I ask that this nomination be addressed as soon as Council's schedule allows. Should you or any of your colleagues have any questions, please feel free to contact my Executive Assistant, Laura Roche at 216-443-7181.

Sincerely,

Armond Budish
Cuyahoga County Executive



THE COURT OF COMMON PLEAS

COUNTY OF CUYAHOGA

JUSTICE CENTER

1200 ONTARIO STREET

CLEVELAND, OHIO 44113

JOHN J. RUSSO
Presiding Judge
(216) 443-8676

Administrative Judge
General Division

February 23, 2015

Ohio Bureau of Criminal Identification and Investigation
1560 State Route 56
London, OH 43140

To Whom It May Concern:

Pursuant to O.R.C. 311.01(B)(6), you are hereby requested to conduct a local, state and federal criminal record search based on these fingerprints which are being submitted to you for Clifford C. Pinkney.

Please immediately return to me the results of your investigation. They may be faxed to (216) 348-4038 or e-mailed to cpjrl@cuyahogacounty.us with a copy to Court Administrator Gregory Popovich at cpgxp@cuyahogacounty.us.

Thank you.

Very truly yours,

A handwritten signature in black ink that reads "John J. Russo". The signature is stylized and cursive.

John J. Russo
Presiding and Administrative Judge

JJR: pam



February 25, 2015

████████████████████
 STRONGSVILLE, OH 44136

NO FBI RECORD ON FILE
AUTHENTICATION NO. CS00228152PB2407
ICN: E201505600000131301

The Federal Bureau of Investigation (FBI) has completed a criminal history record check on the applicant listed below. Based upon the information furnished by your agency, the FBI has **NO CRIMINAL HISTORY RECORD** on file for:

Name:	PINKNEY, CLIFFORD
SSN:	██████████
FBI Completion Date:	February 25, 2015
Reason Fingerprinted:	LAW
Agency ID:	3VI609

This "No Record" verification is valid for one year from the record check completion date. This letter may be photocopied by the prospective employer and retained by the applicant.

Thomas J. Stickrath
 Superintendent, Ohio Bureau of Criminal
 Identification & Investigation



Ohio Bureau of Criminal Identification and Investigation

P.O.Box 365
 London, OH 43140
 Telephone: (740) 845-2000
 Facsimile: (740) 845-2020



An Internationally Certified Law Enforcement Agency

www.ag.state.oh.us

Clifford Earl Pinkney

PROFILE

Currently, I am employed with the Cuyahoga County Sheriff's Department as Chief Deputy. My extensive experience includes supervisory and administrative responsibility over the day to day operations of a \$96 Million budget and 1100 employees. My immediate responsibilities have given me experience in the FBI Gang Task Force, US Marshal's Violent Fugitive Task Force, DEA, HIDTA, Narcotic Bureau, Detective Bureau, Sex Offender Unit, Patrol, payroll, employee evaluations, disciplinary hearings, as well as many other administrative duties. Report writing, transportation of prisoners, courtroom security in criminal, civil, probate, domestic relations, and the Court of Appeals. Investigations in long and short term criminal activities, also working with local and community leaders as well as Local, State, and Federal agencies.

EMPLOYMENT

1991- Present Cuyahoga County Sheriff's Department Cleveland, Oh
1988-1990 Lab Assistant Tiernay Metals Redondo Beach, Ca.
1987-1988 Legal Researcher Now Attorney Service Los Angeles, Ca.
1984-1987 Corporal/B-Team Leader U.S. Army Fort Polk, La.

EDUCATION

FBI National Academy Graduate 2012
U.S. Marshal Fugitive Training Graduate (FLETC) 2010
Cuyahoga Community College 2008
El Camino College 1988
The Ohio State University 1980

Should my experience and credentials meet with the interest of your department, I welcome a call from you to arrange a meeting. When we have the opportunity to meet, I'll elaborate on my work experience which might compliment your needs and supply you with strong references. I can be contacted by phone at [REDACTED]

I'm looking forward to discussing the position with you.

ORGANIZATIONS

FBI National Academy Association (FBINAA)
International Association Chief's Police (IACP)
Ohio Association Chief's Police (OACP)
Cuyahoga County Police Chief's Association (CCPCA)
National Organization of Black Law Enforcement Executives (NOBLE)
Ohio Investigators Association (OIA)
National Association Advancement of Colored People (NAACP)
Deputy Sergeants Union Director
Vice President USA Boxing Lake Erie Association
Volunteer Youth Basketball Coach

CERTIFICATES/TRAINING

FBINA Session 249 Graduate
FBI Recognition Award (x2)
FBI Hostage Negotiator training
U.S. Marshal Fugitive training
U.S. Marshal's Service Certificate of Appreciation Award (x3)
Ohio HIDTA Certificate of Achievement Award
Buckeye Sheriff's Association Commendation Award (x4)
Cuyahoga County Sheriff's Office Certificate of Appreciation Award (x4)
U.S. Army Achievement Medal
U.S. Army Honorable Discharge



February 23, 2015

To whom it may concern:

This letter will verify that Clifford Pinkney, birth date 4/19/62 was enrolled here at Cleveland Heights High School and graduated 6/8/1980.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Sherelle Rozier".

Sherelle Rozier
Main Office Registrar
Cleveland Heights High School
13263 Cedar Road
Cleveland Heights OH 44118
S_Rozier@chuh.org
216-320-3076

A handwritten signature in cursive script that reads "Zoraba Ross".

Zoraba Ross
Administrative Principal
Z_Ross@chuh.org
216-320-3001

VOTER INFORMATION REPORT

CLIFFORD E PINKNEY

PRINTED ON: 2/17/2015

VOTER ID: 1750802
NAME: CLIFFORD E PINKNEY
RESIDENCE: [REDACTED]
CITY/STATE/ZIP: STRONGSVILLE, OH 44136

CARE OF:
STREET/BX:
MAIL CITY:
MAIL STATE/ZIP:
COUNTRY:

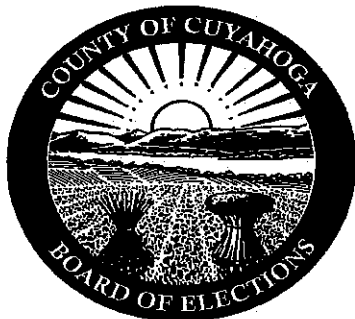
PHONE NUMBER:

STATUS: ACTIVE
PARTY: DEMOCRAT
REG DATE: 04/24/2014
ORIG REG DATE: 08/28/1998
PRECINCT: STRNG021.01
PRECINCT NAME: STRONGSVILLE -02-1

POLLING PLACE: ST. JOHN NEUMANN ROMAN CATHOLIC CH
16271 PEARL ROAD

SIGNATURE: *Clifford E. Pinkney*

I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.



Election Official: *Derry Grant Edwards*
Title: *REGISTRATION MANAGER*
Date: *2/17/15*
Signature: *Derry Grant Edwards*

VOTER INFORMATION REPORT

CLIFFORD E PINKNEY

PRINTED ON: 2/17/2015

VOTER'S DISTRICT INVENTORY

<u>GROUP</u>	<u>NAME</u>	
ALL	COUNTY WIDE DISTRICT	DISTRITO A NIVEL DE CONDADO
CCD	COUNTY COUNCIL DISTRICT 05	Consejo del Condado Distrito 05
CONG	CONGRESSIONAL DISTRICT 16	DISTRITO DEL CONGRESO 16
COURT	8TH DISTRICT COURT OF APPEALS	8 ° Distrito Tribunal de Apelaciones
HSE	HOUSE DISTRICT 07	CÁMARA DE DISTRITO 07
JUD	BEREA MUNICIPAL COURT DISTRICT	BEREA DISTRITO DEL TRIBUNAL MUNI
LIB	CUYAHOGA COUNTY LIBRARY DISTRICT	Distrito de la Biblioteca deL CONDADO
MUN	STRONGSVILLE	Ciudad de Strongsville
PARK	METROPARKS DISTRICT	
PCTDT	STRONGSVILLE-02- I	
SBOE	STATE BOARD OF EDU DISTRICT 05	Junta Estatal de Educación Distrito 05
SCSD	STRONGSVILLE CSD - TAX ID # 1830	
SEN	STATE SENATE DISTRICT 24	DISTRITO DEL SENADO ESTATAL 24
SJVSD	POLARIS JVSD	
WARD	STRONGSVILLE WARD 2	STRONGSVILLE Distrito 2

CLIFFORD PINKNEY (0101517344)	
Voter Details Properties Flags/Misc Notices	
County Info State Info (S)	
Voter ID: 1790812	Name: <input type="text"/> Prior Name: <input type="text"/> Alternate Name: <input type="text"/>
Status: ACTIVE	Name Prefix: CLIFFORD
Reason: 77 - AGENCY DUPLICATE	Name First: PINKNEY
Affidavit: CHM15117344	Name Middle:
Sig: 3578303	Name Last:
DMV Lic:	Birth Date: 1982
Auto Sig: <input type="checkbox"/>	SSN:
Residence:	Mailing:
House#: <input type="text"/> Prec: <input type="text"/>	Care of: <input type="text"/>
Street: <input type="text"/> Dir: <input type="text"/>	Street/Bx: <input type="text"/>
Post Dir: <input type="text"/> Type: <input type="text"/>	Mail City: <input type="text"/>
City: STRONGSVILLE	Mail ST: <input type="text"/>
Zip: 44136	MZip: <input type="text"/>
Precinct: STRNGH02101	Country: <input type="text"/>
Addr1: Res. Address	Addr1: Mail Address
<input type="button" value="Delete"/>	<input type="button" value="Print"/>
<input type="button" value="Ok"/>	<input type="button" value="Cancel"/>

1. Are you a U.S. citizen? Yes No
 2. Will you be at least 18 years of age on or before the next general election?
 If you answered NO to either of the questions, do not complete this form. Yes No

3. Last Name: PINKNEY
 First Name: CLIFFORD
 Middle Name or Initial: E
 Jr., II, etc.

4. House Number and Street (Enter new address if changed): [REDACTED]
 Apt or Lot #: [REDACTED]
 5. City or Post Office: STRONGSVILLE
 6. Zip Code: 44138-7333

7. Additional Rural or Mailing Address (if necessary): [REDACTED]
 County where you live: CUYAHOGA

9. Birthdate (MO-DAY-YR): [REDACTED]
 10. Ohio driver's license No. OR last 4 digits of Social Security No. (required): [REDACTED]
 11. Phone No. (voluntary): [REDACTED]

FOR BOARD USE ONLY
 SEC4010 (Rev. 8/08)
 City, Village, Twp.
 Ward
 Precinct
 School Dist.
 Cong. Dist.
 Senate Dist.
 House Dist.

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION
 Previous House Number and Street: [REDACTED]
 Previous City or Post Office: STRONGSVILLE
 County: CUYAHOGA
 State: OHIO

13. CHANGE OF NAME ONLY
 Former Legal Name: [REDACTED]
 Former Signature: [REDACTED]

I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and I will be at least 18 years of age at the time of the general election.

14. Your Signature: *Clifford Pinkney*

Date: 04 / 15 / 2014
 MO DAY YR

APR 24 14 AM 10:16 CVS



#	Date	Title	Elig	Y	Cons Rec	Party	P	A	A	R	F	F	P	P	Org. Precinct	Org. Party
1	11/04/2014	NOVEMBER 4, 2014 GENERAL ELECTION	Y	Y	STRING021	DEM	Y	N	N		N	N	N	N	STRING021.01	DEM
2	05/06/2014	MAY 6, 2014 PRIMARY ELECTION	Y	Y	STRING021	DEM	Y	N	N		N	N	N	N	STRING021.01	DEM
3	11/05/2013	NOVEMBER 5, 2013 GENERAL ELECTION	Y	Y	STRING021		Y	N	N		N	N	N	N	STRING021.01	
4	11/06/2012	NOVEMBER 6, 2012 PRESIDENTIAL GENER...	Y	Y	STRING021		Y	N	N		N	N	N	N	STRING021.01	
5	03/06/2012	MARCH 6, 2012 PRIMARY ELECTION	Y	Y	STRING021	DEM	Y	N	N		N	N	N	N	STRING021.01	DEM
6	11/08/2011	NOVEMBER 8, 2011 GENERAL ELECTION	Y	Y	STRING021		Y	N	N		N	N	N	N	STRING021.01	
7	08/02/2011	AUGUST 2, 2011 SPECIAL ELECTION	Y	Y	STRING021		Y	N	N		N	N	N	N	STRING021.01	
8	05/03/2011	MAY 3, 2011 PRIMARY ELECTION	Y	Y	STRING021	X	Y	N	N		N	N	N	N	STRING021.01	DEM
9	11/02/2010	NOVEMBER 2, 2010 GENERAL ELECTION	Y	Y	STRING021		Y	N	N		N	N	N	N	STRING021.01	
10	09/07/2010	SEPTEMBER 7, 2010 PRIMARY ELECTION	Y	Y	STRING021	DEM	Y	N	N		N	N	N	N	STRING021.01	DEM
11	05/04/2010	MAY 4, 2010 PRIMARY ELECTION	Y	Y	STRING021	DEM	Y	N	N		N	N	N	N	STRING021.01	DEM
12	11/03/2009	NOVEMBER 3, 2009 GENERAL ELECTION	Y	Y	STRING021		Y	N	N		N	N	N	N	STRING021.01	
13	11/04/2008	2008 NOV GENERAL	Y	Y	STRING021		N	Y	Y	M	N	N	N	N	STRING021.01	DEM
14	03/04/2008	2008 MAR PRIMARY	Y	Y	STRING021	DEM	Y	N	N		N	N	N	N	STRING021.01	DEM
15	11/06/2007	2007 NOV GENERAL	Y	Y	STRING021		N	N	N		Y	Y	N	N	STRING021.01	DEM
16	11/07/2006	2006 NOV GENERAL	Y	Y	EUCLD04G		Y	N	N		N	N	N	N	EUCLD04G.01	
17	05/02/2006	2006 MAY PRIMARY	Y	Y	EUCLD04G	DEM	Y	N	N		N	N	N	N	EUCLD04G.01	DEM
18	11/08/2005	GENERAL NOV 2005	Y	Y	EUCLD04G		Y	N	N		N	N	N	N	EUCLD04G.01	
19	08/02/2005	SPECIAL ELECTION AUGUST 2, 2005	Y	Y	EUCLD04G		Y	N	N		N	N	N	N	EUCLD04G.01	
20	07/12/2005	SPECIAL ELECTION JULY 12, 2005	Y	Y	EUCLD04G		Y	N	N		N	N	N	N	EUCLD04G.01	
21	05/03/2005	PRIMARY MAY 2005	Y	N	EUCLD04G		N	N	N		N	N	N	N	EUCLD04G.01	
22	11/02/2004	GENERAL NOV 2004	Y	Y	EUCLD04G		Y	N	N		N	N	N	N	EUCLD04G.01	DEM
23	03/02/2004	2004 MAR PRIMARY	Y	Y		DEM		N	N		N	N	N	N		
24	11/04/2003	2003 NOV GENERAL	Y	Y		NO...		N	N		N	N	N	N		
25	11/05/2002	2002 NOV GENERAL	Y	Y		NO...		N	N		N	N	N	N		
26	11/06/2001	2001 NOV GENERAL	Y	Y		NO...		N	N		N	N	N	N		
27	11/07/2000	2000 NOV GENERAL	Y	Y		NO...		N	N		N	N	N	N		
28	11/02/1999	GENERAL ELECTION	Y	Y		NO...		N	N		N	N	N	N		
29	05/04/1999	PRIMARY ELECTION	Y	Y		NOP...		N	N		N	N	N	N		
30	11/03/1998	GENERAL ELECTION	Y	Y		NOP...		N	N		N	N	N	N		
31	05/06/1998	PRIMARY ELECTION	Y	Y		DEM		N	N		N	N	N	N		
32	11/05/1996	GENERAL ELECTION	Y	Y		NOP...		N	N		N	N	N	N		
33	03/19/1996	COUNTY WIDE PRIMARY ELECTION	Y	Y		DEM		N	N		N	N	N	N		
34	11/02/1993	GENERAL ELECTION	Y	Y		NOP...		N	N		N	N	N	N		
35	11/03/1992	GENERAL ELECTION	Y	Y		NOP...		N	N		N	N	N	N		

1	19912271	LAST TRANS DATE	May 30 2014 10:37AM	Dec 15 2014 11:37AM	STRONGSVILLE	12/15/2014 11:37	BOE\behzt	UPD
2	19502399	BOE GENERATED VLN MAILED				6/26/2014 0:00	BOE\behzt	LOCH
3	19304481	HISTORY PARTY ID UPD	UPDATED PARTY VIA VOTER HISTORY	WRITEHISTORYDATA		5/30/2014 10:37	BOE\behzt	
4	19304481	LAST TRANS DATE	May 27 2014 1:07PM	May 30 2014 10:37AM		5/30/2014 10:37	BOE\behzt	UPD
5	19290395	BY MAIL		YES		5/27/2014 13:07	BOE\nlaird	UPD
6	19290395	IMAGE ID NUMBER	2729517		3578303	5/27/2014 13:07	BOE\nlaird	UPD
7	19290395	LAST TRANS DATE	Dec 12 2013 12:40PM	May 27 2014 1:07PM		5/27/2014 13:07	BOE\nlaird	UPD
8	19290395	REASON	SOS BMW/SSA PREMATCH	77 - AGENCY DUPLICATE		5/27/2014 13:07	BOE\nlaird	UPD
9	19290395	RECEIVE DATE	Jun 30 2008 12:00AM	May 27 2014 12:00AM		5/27/2014 13:07	BOE\nlaird	UPD
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11	19290395	REGISTRATION DATE	Jul 3 2008 12:00AM	Apr 24 2014 12:00AM		5/27/2014 13:07	BOE\nlaird	UPD
12	19290395	SIGNATURE DATE	May 26 2008 12:00AM	Apr 15 2014 12:00AM		5/27/2014 13:07	BOE\nlaird	UPD
13	19290395	SOURCE OF REGISTRATION	SOS		4	5/27/2014 13:07	BOE\nlaird	UPD
14	18979822	LAST TRANS DATE	Dec 12 2012 12:36PM	Dec 12 2013 12:40PM		12/12/2012 12:40	BOE\behzt	UPD
15	18041160	LAST TRANS DATE	Jun 26 2012 3:17PM	Dec 12 2012 12:36PM		12/12/2012 12:36	BOE\ssamuel	UPD
16	17194258	DRIVERS LICENSE NUMBER				6/26/2012 15:17	BOE\behzt	UPD
17	17194258	LAST TRANS DATE	Apr 18 2012 3:59PM	Jun 26 2012 3:17PM		6/26/2012 15:17	BOE\behzt	UPD
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20	16931227	LAST TRANS DATE	Dec 14 2011 2:35PM	Apr 18 2012 3:59PM		4/18/2012 15:59	BOE\ssamuel	UPD
21	16632751	LAST TRANS DATE	Sep 12 2011 1:34PM	Dec 14 2011 2:35PM		12/14/2011 14:35	BOE\behzt	UPD
22	16230783	LAST TRANS DATE	Jun 9 2011 1:34PM	Sep 12 2011 1:34PM		9/12/2011 14:15	BOE\behzt	UPD
23	15719350	LAST TRANS DATE	Dec 13 2010 2:27PM	Jun 9 2011 1:34PM		6/9/2011 13:34	BOE\behzt	UPD
24	15360633	LAST TRANS DATE	Oct 14 2010 2:51PM	Dec 13 2010 2:27PM		12/13/2010 14:27	BOE\behzt	UPD
25	14991571	HISTORY PARTY ID UPD	UPDATED PARTY VIA VOTER HISTORY	WRITEHISTORYDATA		10/14/2010 14:51	BOE\behzt	
26	14991571	LAST TRANS DATE	Jun 29 2010 2:28PM	Oct 14 2010 2:51PM		10/14/2010 14:51	BOE\behzt	UPD
27	14692942	BOE GENERATED VLN MAILED			STRONGSVILLE	7/6/2010 0:00	BOE\lawilliams	LOCH
28	14684550	HISTORY PARTY ID UPD	UPDATED PARTY VIA VOTER HISTORY	WRITEHISTORYDATA		6/29/2010 14:28	BOE\behzt	
29	14684550	LAST TRANS DATE	Dec 29 2009 1:53PM	Jun 29 2010 2:28PM		6/29/2010 14:28	BOE\behzt	UPD
30	14405437	LAST TRANS DATE	Dec 30 2008 8:59PM	Dec 29 2009 1:53PM		12/29/2009 13:53	BOE\lawilliams	UPD
31	13389799	LAST TRANS DATE	Jul 3 2008 8:43AM	Dec 30 2008 8:59PM		12/30/2008 20:59	BOE\behzt	UPD
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33	12843437	DELIVERY METHOD	RD201	RD101		7/3/2008 8:43	BOE\tcv51	UPD
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45	12309938	VNC MAILED	MAIL DATE		11/27/2007	11/27/2007 10:47	BOE\behzt	MAIL
46	12290758	LAST TRANS DATE	Nov 6 2007 12:00AM	Nov 20 2007 12:00AM		11/20/2007 12:32	BOE\bemjd	UPD
47	12290758	REASON	VOTED PROVISIONAL	Z* NCOA-CONF RETURN CORRECT		11/20/2007 12:32	BOE\bemjd	UPD

95	6390058	PRECINCT	EUCLD-04- M	EUCLD-04- D	4/18/2001 10:45	BMCFAUL	CONV
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97	6390058	STREETRANGE_KEY	4233		4/18/2001 10:45	BMCFAUL	CONV
98	6390057	ELIGIBILITY_GROUP	A		9/3/1998 6:37	R3BJM	CONV
99	6390057	ELIGIBLE_DATE	8/28/1998		9/3/1998 6:37	R3BJM	CONV
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102	6390057	ZIP		44117	9/3/1998 6:37	R3BJM	CONV

Ohio Peace Officer Training Council

State of Ohio
Office of the Attorney General

This is to certify that

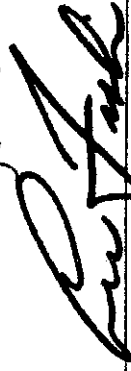
CLIFFORD E. PINKNEY

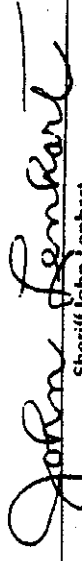
has completed the

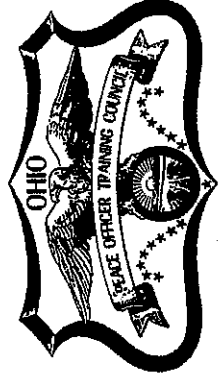
Ohio Peace Officer Basic Training Program

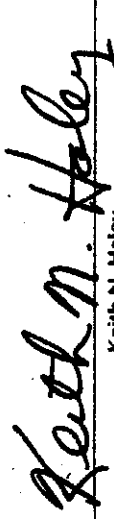
CUYAHOGA COUNTY SHERIFF'S ACADEMY

Awarded this 25TH day of JUNE 19 91


Le Fisher
Attorney General


Sheriff John Lenhart
Chairman, Ohio Peace Officer Training Council




Keith N. Haley
Executive Director, Ohio Peace Officer Training Council


School Commander

APR 21 2009

RICHARD CORDRAY TRAINING COMMISSION
OHIO ATTORNEY GENERAL
LONDON, OHIO

NOTICE OF PEACE OFFICER APPOINTMENT/TERMINATION (mark appropriate box)

Appointment Appointment Status Change (e.g., reserve to full/parttime) Termination Correction to Record - highlight correction(s)

Personal Information Disclosure Statement - Pursuant to the Federal Privacy Act (Public Law 93-579), notice is hereby given for the request of personal information. The Ohio Peace Officer Training Commission and Academy require personal information for the purpose of accurately recording training, agency/school affiliation, and testing information. Your Social Security Number will not be disclosed to individuals or agencies except in accordance with state and federal law and policy of the Ohio Peace Officer Training Commission and the Office of the Attorney General of the State of Ohio. Failure to provide any of the requested information may result in an incomplete training record and certain services may be delayed.

INSTRUCTIONS

- Completion of this Notice form is required within 10 days of appointment or termination for all peace officers as defined in ORC 109.71(A).
- Use this Notice to report new appointments, appointment status changes, corrections (including name changes), and terminations.
- Sections A, B, and E must be completed, then complete Section C and pages 2 and 3 or Section D as appropriate.
- Please type or legibly print (in ink) all required information.
- Mail or fax this Notice to OPOTC at the below address within 10 days of such actions, as required by Ohio Revised Code 109.761.

A. OFFICER INFORMATION			3. BIRTHDATE (mm/dd/yyyy)
1. SOCIAL SECURITY NUMBER	2. NAME (Last) (First) (Middle)		
	Pinkney Clifford E.		
4. GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	5. ALIAS (Last) (First) (Middle)		6. HOME PHONE NUMBER
7. DRIVER'S LICENSE #	8. HOME STREET/MAILING ADDRESS (#/Street/PO Box) (City) (County Name) (State) (Zip Code)		

B. AGENCY INFORMATION			11. AGENCY PHONE NUMBER
9. AGENCY NAME	10. APPOINTING AUTHORITY'S NAME & TITLE		
Cuyahoga County Sheriff's Department	Frank Bova, Sheriff		216 443-6050
12. AGENCY STREET/MAILING ADDRESS (#/Street/PO Box)	(City) (County Name) (State) (Zip Code)		
1215 West 3 Street	Cleveland Cuyahoga OH		44113

C. APPOINTMENT INFORMATION			16. ORC SECTION
13. APPOINTMENT DATE (mm/dd/yyyy)	14. CURRENT RANK	15. TITLE/POSITION	
04/20/2009		Deputy Sheriff	311.04
17. APPOINTMENT STATUS (mark appropriate box)		18. APPOINTEE'S FIRST PEACE OFFICER APPOINTMENT?	
<input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special		<input type="checkbox"/> yes (Complete all of page 2) <input checked="" type="checkbox"/> no (Complete pages 2 and 3 - an update evaluation will occur)	

D. TERMINATION INFORMATION		20. REASON FOR TERMINATION (mark appropriate box)
19. TERMINATION DATE (mm/dd/yyyy)		<input type="checkbox"/> Resigned <input type="checkbox"/> Discharged <input type="checkbox"/> Retired <input type="checkbox"/> Deceased <input type="checkbox"/> Felony Conviction <input type="checkbox"/> Other

E. ATTESTATION OF REPORTING OFFICIAL		
I attest that the information provided on this form is true and correct and is based on my personal knowledge or inquiry. The personnel records of this agency substantiate the information on this form.		
SIGNATURE OF REPORTING OFFICIAL	NAME & TITLE OF REPORTING OFFICIAL (Typed or Printed Legibly)	DATE
<i>Grayce Lynch</i>	Grayce Lynch, Human Resources Director	04/20/2009



PEACE OFFICER APPOINTMENT AND OATH OF OFFICE*

If first appointment: SCHOOL NAME Cuyahoga County Sheriff's off. SCHOOL # _____

I. TO BE COMPLETED BY APPOINTEE AND APPOINTING AUTHORITY:


On this date, you are hereby appointed as a peace officer to serve as a Deputy Sheriff
for the Cuyahoga County Sheriff's Department pursuant to 311.04
department name position/title ORC Section

As such, you shall swear or affirm the following:

I, Clifford Pinkney, do solemnly swear or affirm that I will support the
appointee's printed name

Constitution and Laws of the United States of America, the Constitution and Laws of the State of Ohio,
and the Laws and Ordinances of Cuyahoga County Sheriff's Department and to the
political subdivision


best of my ability will discharge the duties of the office of Deputy Sheriff
position/title

 04/20/2009
Signature of Appointee Date of Appointment (mm/dd/yyyy)

II. TO BE COMPLETED BY APPOINTING AUTHORITY:

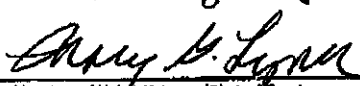
By signing below, I hereby swear or affirm that the above named individual is appointed to the
above position pursuant to the authority vested in me by 311.04 and
ORC Section

that the individual has personally appeared before me and signed this oath in my presence.

 Frank Bova, Sheriff
Signature of Appointing Authority Typed/Printed Name of Appointing Authority and Title

NOTARY:

Sworn to and subscribed before me this 20th day of April, 2009
in the county of Cuyahoga and the state of Ohio.

 My commission expires _____
Signature of Notary/Attorney/Clerk of Courts Affix seal here
MARY G. LYNCH
Notary Public, State of Ohio, Cuy. Cty.
My Commission Expires Dec. 26, 2009

* If you submit a department oath of office, the document must include the officer's name, date of appointment, ORC section under which you are appointed and the signature and title of the appointing authority (mayor, safety director, chief of police, etc.) as listed in the ORC section under which you are appointed.

RECEIVED
PEACE OFFICER

APR 21 2009

TRAINING COMMISSION
LONDON, OHIO

OHIO PEACE OFFICER APPOINTMENT HISTORY

OFFICER'S NAME Clifford Pinkney SSN: XXXXXXXXXX
 BASIC TRAINING SCHOOL NAME _____ From: 4/91 To: 6/91
Beginning Date Ending Date

1. Appointed by: <u>Cuyahoga County Sheriff's Department</u> <small>Agency Name</small>	<u>Cuyahoga</u> <small>County Name</small>
From: <u>04/20/2009</u> To: <u>Present</u> Position title: <u>Deputy Sheriff</u> <small>Month/Date/Year Month/Date/Year (Deputy, Reserve Officer, Etc.)</small>	
Appointment status: <input checked="" type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special	
2. Appointed by: <u>Cuyahoga County Sheriff's Department</u> <small>Agency Name</small>	<u>Cuyahoga</u> <small>County Name</small>
From: <u>04/01/1991</u> To: <u>03/11/2008</u> Position title: <u>Deputy Sheriff</u> <small>Month/Date/Year Month/Date/Year (Deputy, Reserve Officer, Etc.)</small>	
Appointment status: <input checked="" type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special	
3. Appointed by: _____ <small>Agency Name</small>	_____ <small>County Name</small>
From: _____ To: _____ Position title: _____ <small>Month/Date/Year Month/Date/Year (Deputy, Reserve Officer, Etc.)</small>	
Appointment status: <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special	
4. Appointed by: _____ <small>Agency Name</small>	_____ <small>County Name</small>
From: _____ To: _____ Position title: _____ <small>Month/Date/Year Month/Date/Year (Deputy, Reserve Officer, Etc.)</small>	
Appointment status: <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special	

5. THIS SECTION TO BE COMPLETED BY THE OFFICER AND AN AGENCY OFFICIAL IN THE PRESENCE OF A NOTARY PUBLIC/ATTORNEY/ CLERK OF COURTS.

This is to certify that we understand that the above information will be used to determine whether the officer requires any mandated/update training and that the information set forth in this form is true and accurate to the best of our knowledge. All requested information has been researched for accuracy and, where applicable or necessary, documentation has been attached for purposes of verification and/or explanation. It is understood that, should any of the provided information be discovered inaccurate, it will void the determination made from this request. Further, it is also understood that submission of false information submitted to a governmental organization in pursuit of certification is a violation of section 2921.13 of the Ohio Revised Code.

Signature of individual officer <u>[Signature]</u> Signature of requesting official <u>Frank Bova, Sheriff</u> Typed name of requesting official	Cuyahoga County Sheriff's Department Name of requesting agency 1215 West 3 Street Mailing address of requesting agency Cleveland, OH 44113 Mailing address (continued)
--	---

Sworn to and subscribed before me this 20th day of April, 2009

in the county of Cuyahoga and the state of Ohio.

Signature of Notary/Attorney/Clerk of Courts
[Signature]

My commission expires _____
RECEIVED
PEACE OFFICER

MARY G. LYNCH
 Notary Public, State of Ohio, Cuy. Co.
 My Commission Expires Dec. 26, 2009

SF400adm
 Effective 2/20/2002; Revised 12/20/2004
 Page 3 of 3

APR 21 2009

TRAINING COMMISSION



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

October 15, 2014

Sheriff Frank Bova Jr
Cuyahoga County Sheriff's Office
1215 West 3rd Street
Cleveland, OH 44113-1582

Re: Update Training Complete for Officer Clifford Pinkney

Dear Sheriff Bova Jr:

This is to acknowledge that records have been received to substantiate that the training requirements for Clifford E. Pinkney have been met. No additional training is due at this time.

Please retain a copy of this letter for your records.

Sincerely,

Arienne M. Fauber
Certification Officer
Professional Standards Section

cc: Officer

AF/jw

Honorable Discharge



from the Armed Forces of the United States of America

This is to certify that

CLIFFORD EARL PINKNEY

SP4 USAR

was Honorably Discharged from the

United States Army

on the 7TH day of NOVEMBER 1991 This certificate is awarded

as a testimony of Honor and Faithful Service

Th. J. Kilmartin
THEWAY J. KILMARTIN
BRIGADIER GENERAL, USA
COMMANDING

FILED

FILED

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

15 MAR -2 A 11:56

2015 MAR -2 P 12:05

CLERK OF COURTS
CUYAHOGA COUNTY

CLERK OF COURTS
CUYAHOGA COUNTY

JOHN J RUSSO
SD 15 077434

Complaint

IN THE MATTER OF THE)

JOURNAL ENTRY

APPLICATION OF)

RE: APPLICATION FOR SHERIFF
OF CUYAHOGA COUNTY, OHIO

CLIFFORD E. PINKNEY)

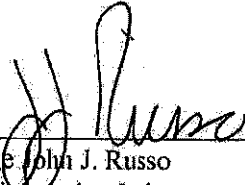
Pursuant to R.C. 311.01, the Court makes the following findings regarding the application of Clifford E. Pinkney for appointment as Sheriff of Cuyahoga County, Ohio:

- (1) Pursuant to R.C. 311.01(B)(6), applicant has been fingerprinted and has been the subject of a search of local, state and national fingerprint files under the direction of the Administrative Judge of the Cuyahoga County Court of Common Pleas. Applicant has not been convicted of or pleaded guilty to a felony or any offense involving moral turpitude under the laws of this state or any other state of the United States, and has not been convicted of or pleaded guilty to an offense that is a misdemeanor of the first degree under the laws of this state or an offense under the laws of any other state of the United States that is substantially equivalent to the penalty for a misdemeanor of the first degree under the laws of this state.
- (2) Pursuant to R.C. 311.01(B)(7), applicant has prepared a complete history both of places of residence and employment for a period of six (6) years immediately preceding the qualification date which are on file with this Court.
- (3) Pursuant to R.C. 311.01(F)(1), applicant has sworn before the Administrative Judge of the Cuyahoga County Court of Common Pleas that the information provided to verify his qualifications for Sheriff of Cuyahoga County, attached hereto as Exhibit A, is truthful.

It is therefore ORDERED that the CLERK forward a certified copy of these findings and the verified application to Cuyahoga County Executive Armond Budish.

SD15077434
88156591

It is further ORDERED that the CLERK pay any fees that may be associated with the filing of this application to the General Fund of Cuyahoga County, Ohio.



Judge John J. Russo
Administrative Judge

Date: 2/27/15

THE STATE OF OHIO } I, THE CLERK OF THE COURT
Cuyahoga County } SS. OF COMMON PLEAS WITHIN
AND FOR SAID COUNTY,
HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY
TAKEN AND COPIED FROM THE ORIGINAL 1 Page
John J. Russo Mar 2, 2015
NOW ON FILE IN MY OFFICE.
WITNESS MY HAND AND SEAL OF SAID COURT THIS 2nd
DAY OF Mar A.D. 20 15
CUYAHOGA COUNTY CLERK OF COURTS
By [Signature] Deputy

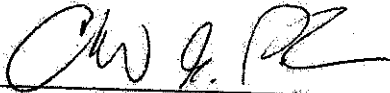
FILED

2015 MAR -2 P 12: 05

OATH
O.R.C. 311.01 (F)(1)

CLERK OF COURTS
CUYAHOGA COUNTY

I, **Clifford E. Pinkney**, pursuant to O.R.C. 311.01 (F)(1), do solemnly swear or affirm that the information provided to the County Executive Armond Budish as to my qualifications for the position as Cuyahoga County Sheriff, attached hereto, is true and accurate.

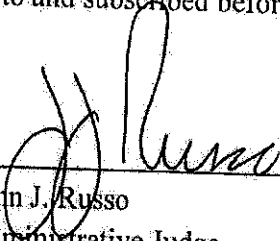


Clifford C. Pinkney

2/27/2015

Date

Sworn to and subscribed before me on 27th day February in Cleveland, Ohio.



John J. Russo
Administrative Judge
Cuyahoga County Common Pleas Court

2/27/15

Date

STATE OF OHIO)

CUYAHOGA COUNTY)

FILED)

AFFIDAVIT OF CLIFFORD E. PINKNEY,
a/k/a CLIFF PINKNEY

2015 MAR -2 P 12:05

Now comes **CLIFFORD E. PINKNEY, a/k/a CLIFF PINKNEY**, and being first duly sworn, deposes and states the following:

1. Pursuant to the Charter of County of Cuyahoga, Ohio, I am an appointee, subject to confirmation by Cuyahoga County Council, for the office of Sheriff of Cuyahoga County, Ohio, and hereby submit the following in accordance with R.C. 311.01 and the provisions of said Charter [Section 5.08].
2. I am a citizen of the United States [R.C. 311.01(B)(1)].
3. I have been a resident of Cuyahoga County for at least one (1) year immediately prior to the qualification date [R.C. 311.01(B)(2)].
4. I have the qualifications of an elector as specified in R.C. 3503.01 and have complied with all applicable election laws [R.C. 311.01(B)(3)].
5. I have not been convicted of or pleaded guilty to a felony or any offense involving moral turpitude under the laws of this or any other state or the United States and I have not been convicted of or pleaded guilty to an offense that is a misdemeanor of the first degree under the laws of this state or an offense under the laws of any state or the United States that carries a penalty that is substantially equivalent to the penalty for a misdemeanor of the first degree under the laws of this state [R.C. 311.01(B)(5)]. I have been fingerprinted and am the subject of a search of fingerprint files under the direction of the Administrative Judge of Common Pleas Court.
6. During the three (3) year period immediately prior to the qualification date, I held a valid basic peace officer certificate of training issued by the Ohio Peace Officer Training Commission and have been employed for at least three (3) years prior to the qualification date as a full time law enforcement officer as defined in R.C. 2901.01, performing duties related to enforcement of statutes, ordinances or codes [R.C. 311.01(B)(8)(b)].
7. During the five (5) year period immediately prior to the qualification date, I have at least two (2) years of supervisory experience as a peace officer at the rank of corporal or above as required by [R.C. 311.01(B)(9)(a)].
8. During the six (6) year period immediately prior to the qualification date, the following is my employment history:

Began continuous employment in 1991 with the Cuyahoga County Sheriff's Department as a Deputy Sheriff and then promoted to Detective. The two most recent assignments are:

Chief Deputy
July 2013 to present

Sergeant
Assigned to U.S. Marshal's Task Force
2009 to July 2013

Cuyahoga County Sheriff's Department
1215 West 3rd St.
Cleveland, Ohio 44113


9. During the six (6) year period immediately prior to the qualification date, my residential history is as follows:


Strongsville, Ohio 44136

10. I am a graduate of Cleveland Heights High School, Cleveland Heights, Ohio [R.C. 311.01(B)(4)].

11. I have all the necessary qualifications required by R.C. 311.01 to serve as Sheriff.

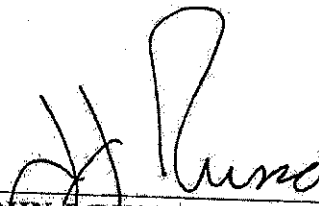
FURTHER AFFIANT SAYETH NAUGHT.



CLIFFORD E. PINKNEY
a/k/a **CLIFF PINKNEY**

Sworn to before me and subscribed to in my presence this 27th day of

February, 2015.



JOHN J. RUSSO
Presiding and Administrative Judge
Cuyahoga County Court of Common Pleas



THE COURT OF COMMON PLEAS

COUNTY OF CUYAHOGA

JUSTICE CENTER

1200 ONTARIO STREET

CLEVELAND, OHIO 44113

FILED

2015 MAR -2 P 12: 05

CLERK OF COURTS
CUYAHOGA COUNTY

JOHN J. RUSSO
Presiding Judge
(216) 443-8676

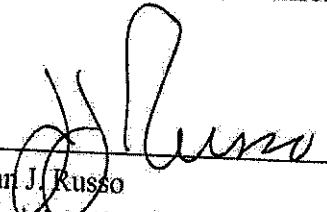
Administrative Judge
General Division

FINGERPRINTS

O.R.C. 311.01 (B)(6)

I, **John J. Russo, Administrative Judge of the Court of Common Pleas**, hereby declare that the fingerprints of Clifford E. Pinkney were taken under my direction and submitted for a local, state and national criminal record search.

Said searches indicate that Clifford Pinkney has no criminal record.



John J. Russo
Administrative Judge
Cuyahoga County Common Pleas Court

2/27/15
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0048

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution making an award on RQ32756 to The Triad Engineering and Contracting Co. in the amount not-to-exceed \$694,765.00 for replacement of Warrensville Center Road Culvert No. 05.13 in the City of Shaker Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$555,812.00 to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer recommended an award on RQ32756 to The Triad Engineering and Contracting Co. in the amount not-to-exceed \$694,765.00 for replacement of Warrensville Center Road Culvert No. 05.13 in the City of Shaker Heights; and

WHEREAS, the purpose of this project is to rehabilitate the Warrensville Center Road Culvert No. 05.13 in the City of Shaker Heights in Council District 3 and to properly maintain the County's infrastructure; and

WHEREAS, it is anticipated that this project is to begin is May 1, 2015 and scheduled to be completed October 1, 2015; and

WHEREAS, this project is funded 20% (\$138,953.00) by the City of Shaker Heights and 80% (\$555,812.00) with funds from the Cuyahoga County Motor Vehicle \$7.50 License Tax Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ32756 to The Triad Engineering and Contracting Co. in the amount not-to-exceed \$694,765.00 for replacement of Warrensville Center Road Culvert No. 05.13 in the City of Shaker Heights.

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

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$555,812.00 to fund said contract.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

Novus AGENDA



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Thomas P. Sotak, P.E.
Type of Request:	Award Recommendation		
Request Prepared by:	Juliann Conway	Telephone No.:	216-348-3838
SUMMARY OF REQUESTED ACTION:			
Department of Public Works			
A) SCOPE OF WORK SUMMARY			
1. is recommending an award on RQ32756 to Triad Engineering and Contracting Co. for the replacement of Warrensville Center Road Culvert 05.13 in the City of Shaker Heights in the amount not-to-exceed \$694,765.00.			
2. and enter into a contract with Triad Engineering and Contracting Co. They were the only contractor to submit a bid and they were determined to be responsive.			
3) N/A.			
PROCUREMENT			
1) Competitive Bid process.			
2) The Office of Procurement and Diversity (OPD) assessed a 15% SBE goal and they were deemed SBE Compliant.			
3) The engineer's estimate was \$715,000.00. The bids were open on January 15, 2015.			
There were five (5) proposals pulled from OPD and one (1) bid was submitted for review.			
3) N/A.			

C) CONTRACTOR AND PROJECT INFORMATION

Triad Engineering and Contracting Co. 440-786-1000
9715 Clinton Road
Brooklyn, Ohio 44144
Council District - 3
Project is located in the City of Shaker Heights (Council District 9).

D. PROJECT STATUS AND PLANNING

1. The contract period is approximately six (6) months (May 1, 2015 and be substantially complete by October 1, 2015).

Project Description:

Plans and specifications are complete and ready to start the competitive bid process for the following work: The proposed project consists of the rehabilitation of an existing 10 (ten) foot by 5 (five) foot cast in place reinforced concrete box culvert that is buried under Warrensville Center Road. The Rehabilitation will be limited to portions of the culvert within the existing Warrensville Center right-of-way and will utilize a glass reinforces plastic in-SITU structural liner system.

E. FUNDING

1. 20% City of Shaker Heights and 80% Cuyahoga County using funds from the \$7.50 Vehicle License Tax Fund.

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:

Financial Information:

Funding source:

Other

Explanation:

See Summary of Requested Action.

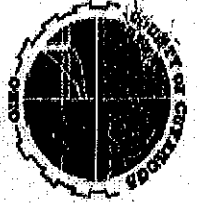
Total Amount Requested:

\$694,765.00

ATTACHMENTS:

Click to download

- [Blue Back TAB](#)
- [Bid Pkg Contract/Proposal Part 1 of 4 TAB\(3\)](#)



(OPD USE Only) Date Sent to Dept: 1/23/2015

Date Received from Dept: 1/27/2015

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

BID DUE DATE: January 15, 2015
 REQUISITION NUMBER: 32756
 REQUISITIONING DEPT.: Public Works

CONTRACT PERIOD: NA
 NUMBER OF ITB'S SENT/RETURNED: 5/1
 ESTIMATE: \$715,000.00

COMMODITY DESCRIPTION: Warrensville Center Road Rehabilitation of Culvert

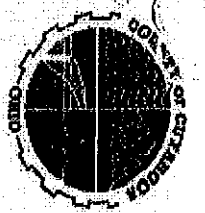
TO BE COMPLETED BY OPD

SBE GOAL: 15%
 SBE DIVISION DIRECTOR: Department

BIDDER'S NAME & ADDRESS	BID BOND / CHECK	ACTUAL BID AMOUNT	P -	BUYER REVIEW	BUYER NOTES	CCBB (Y/N)	SBE COMPLIANT (Y/N)	Department
Trad Engineering & Contracting Co. 9715 Clinton Road Brooklyn, Oh 44144	100% - Travelers Casualty and Surety Company of America Bid bond	\$694,765.00	Yes <i>CM</i>	IG#-12-2822 VCF-ok PH=yes NCA = yes 2% Match = yes Coop = n/a		N	Y <i>AMT</i>	<u>1/23/2015</u> <i>award communication</i>

CCBB: Low/Non-CCBB Bid: \$694,765.00 +2% \$1,139,945.30 = \$708,660.30 Does CCBB apply? : Y / N
 (Note: CCBB must meet all bid requirements)

OBM APPROVAL (If actual bid exceeds estimate)	DATE	DIRECTOR SIGNATURE	DEPARTMENT DIRECTOR NAME	LOW BIDDER NOTIFIED <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
	<u>1/23/15</u>	<i>[Signature]</i>	<u>BOWI TH G. TEHLUEN</u> (Date Signed)	Tab sheet with SBE Updated 04/19/201



**OFFICE OF PROCUREMENT & DIVERSITY
SBE EVALUATION SHEET**

REQUISITION NUMBER 32756

SBE GOAL 15%

SBE DIVISION DIRECTOR

BIDDER'S NAME	SBE SUBCONTRACTOR NAME	SBE PRIME (Y/N)	TOTAL SBE %	COMMENTS & INITIALS
Third Engineering & Contracting Co. 9715 Clinton Road Brooklyn, OH 44144	#1 Park Road 1.79% #2 S. Impl. P. ed Alternatives \$142,100.00 20% #3 M. Tech Ready Mix .35% #4 M. United Surveying 3,340.00 #5 P. H. Laska Wood Supply 1,314 #6 F. F. Malone Photography 500.00	Y	44.01%	Prime is SBE Certified but did not submit an SBE cert form ← with the primes 20% JMS 12/3/15 JMS 1/23/16

LOWEST BID RECEIVED \$ _____

RANGE OF LOWEST BID RECEIVED \$ _____

PRICE PREFERENCE & \$ LIMIT: _____

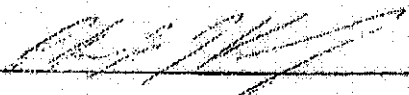
MAXIMUM SBE PRICE PREFERENCE \$ _____



Principal Owner Form

(Required Document for Award Recommendations/Purchases/Contracts)

VENDOR: Please complete the following information and return it to the Cuyahoga County "Requestor"

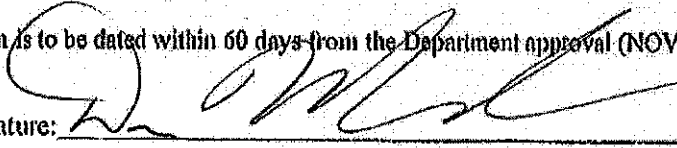
Company Name (Legal name of the business):	The Triad Engineering & Contracting Co.
Principal Owner's Name (The legal name of the owner(s) of the business):	Clifford J. Kassouf, President; Philip J. Kassouf, Vice President & Treasurer (*) Paul J. Kassouf, Vice President & Secretary
Owner/Officer's Title:	see above list
Business Address:	9715 Clinton Road, Brooklyn, OH 44144
Phone Number:	440.786.1000
Name of Person Completing Form:	Philip J. Kassouf
Signature:	
Title:	Vice President & Treasurer

(*) If there is more than one (1) principal owner, complete information for that / those person(s) as well. If a corporation, identify the CEO, President or other officers of the Corporation representing shareholders. The document MUST identify an individual(s) name.

CUYAHOGA COUNTY STAFF:

I certify that I have checked the Debarment/Suspension lists on the Cuyahoga County Inspector General's (IG) website and the Debarment/Suspension lists did not contain the above detailed vendor and/or principal owner.

(Form is to be dated within 60 days from the Department approval (NOVUS and/or BuySpeed) for the current purchase.)

Signature: 

Date: 2/29/2015

Printed Name: DARWIN MERDES

IG Number: 12-2822

Cuyahoga County
(Principal Owner Form, 01-16-2015)

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0049

<p>Sponsored by: County Executive Budish/Department of Development</p>	<p>A Resolution authorizing the issuance and sale of County sales tax revenue bonds, in an aggregate principal amount not-to-exceed \$13,000,000.00, for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating and improving permanent improvements to publicly owned park space known as Public Square, together with all necessary appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; authorizing the execution of one or more agreements in cooperation with other parties and in furtherance of the project, authorizing the preparation and use of a preliminary official statement; authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a trust indenture and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County of Cuyahoga, Ohio and the City of Cleveland, Ohio (the “City”) each own parcels of property in the area of Downtown Cleveland known as Public Square, which property is used for park and other public purposes; and

WHEREAS, the County and the City are authorized under Chapter 755 of the Ohio Revised Code and other laws to jointly construct operate or maintain parks and recreational facilities and to contribute such lands, money other personal property or services to such a joint venture; and

WHEREAS, the County and the City have determined to cooperate in financing a portion of the improvements to Public Square and to enter into a joint cooperative agreement (the “City Agreement”) specifying its rights and obligations relating to the financing of the Project defined in Section 2 and to provide for certain other arrangements related to the ownership, operation and maintenance of the property; and

WHEREAS, the remaining portion of the financing and implementation of the improvements to Public Square shall be undertaken through the cooperation and support of other political subdivisions, civic organizations, foundations, nonprofit corporations and certain neighboring property owners and businesses; and

WHEREAS, consistent with the provisions of the City Agreement, the County shall enter into a cooperative agreement, or an amendment or supplement to a cooperative agreement, with the City and other parties currently in a cooperative agreement with the City relating to existing tax increment financing arrangements, in order to make available for the Project certain payments in lieu of taxes currently received by the City under those tax increment financing arrangements (the “Cooperative Agreement”); and;

WHEREAS, in order to facilitate its contributions to the cooperative venture with the City under the City Agreement and in support of the overall community efforts for the Public Square project, this Council has determined that it is necessary and in the best interest of the County for the County to issue sales tax revenue bonds for the for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating and improving permanent improvements to publicly owned park space known as Public Square, together with all necessary appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; and

WHEREAS, this Council has determined that sales tax revenue bonds shall be issued in an aggregate principal amount not to exceed \$13,000,000 for the purposes herein stated and that the County should secure such bonds by a trust indenture, as provided herein; and

WHEREAS, pursuant to a resolution adopted July 6, 1987 (the “1987 County Sales Tax Resolution”), the Board of County Commissioners of the County (the “Board”), as the predecessor legislative authority to this Council, authorized the continuing levy and collection of sales and use taxes, authorized under Sections 5739.021 and 5741.021 of the Ohio Revised Code, at the rate of one percent (1%), and pursuant to a resolution adopted July 26, 2007 (the “2007 County Sales Tax Resolution” and, together with the 1987 County Sales Tax Resolution, the “County Sales Tax Resolutions”), the Board authorized an

increase in the sales and use taxes to a rate of one and one-quarter percent (1-1/4%) (the “County Sales Tax”), each for the purpose of providing additional general revenues for the County; and

WHEREAS, this Council has determined to issue sales tax revenue bonds supported by the County Sales Tax for the Project described in Section 2; and

WHEREAS, the Fiscal Officer has certified that the estimated life of the Project at least five (5) years, and that the estimated maximum maturity of the bonds described in Section 2 is at least nineteen (19) years; and

WHEREAS, the Fiscal Officer has further certified to this Council that the maximum aggregate amount of sales tax revenue bonds, including the Bonds, that will be outstanding at any time will not exceed an amount which requires or is estimated by him, as Fiscal Officer, to require payments from sales tax receipts of debt charges on the sales tax revenue bonds, including the Bonds, in any calendar year in an amount exceeding the average of the amount received by the County for 2013 and 2014; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that the usual daily operation of the County be continued and the public peace, health or safety of the County be preserved and for the further reason that funds be made available in a timely manner for the construction of the Project in accordance with the timetable established for the overall improvements to Public Square.

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

1. Definitions and Interpretation. As used herein, the following terms shall be defined as follows:

“Act” means Chapter 133, Ohio Revised Code, as enacted and amended from time to time.

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

“Certificate of Award” means the certificate authorized to be signed by the Fiscal Officer pursuant to Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

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

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

“County Sales Tax Bond Fund” means the County Sales Tax Bond Fund created by the Indenture.

“County Sales Tax Receipts” means the monies received by the County from the County Sales Tax.

“County Sales Tax Revenue Fund” means the County Sales Tax Revenue Fund created by the Indenture.

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

“Director of Law” means the Director of Law of the County, including an interim or acting Director of Law.

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

“Indenture” means the Trust Indenture dated as of December 1, 2014 between the County and the Trustee, as amended or supplemented from time to time, including by Supplemental Indenture No. 2.

“Interest Payment Dates” means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2015, or such other date not later than December 1, 2015, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

“Original Purchaser” means, Stifel, Nicolaus & Company, Incorporated, together with any other purchasers identified in the Certificate of Award.

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

“Pledged Funds” means the County Sales Tax Bond Fund and any other funds established under the Indenture and pledged as security for the Bonds.

“Pledged Revenues” means, collectively, (a) the County Sales Tax Receipts and (b) all monies in the Pledged Funds and all income and profit from the investment of those monies.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2015 to and including 2033.

“Supplemental Indenture No. 2” means Supplemental Trust Indenture No. 2, dated as of April 1, 2015, between the County and the Trustee and relating to the issuance of the Series 2015 Bonds, and any amendment or supplement thereto.

“Term Bonds” means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

2. Authorized Principal Amount of Bonds and Purpose. It is necessary to issue sales tax revenue bonds of this County in an aggregate principal amount not to exceed \$13,000,000 (the “Bonds”) for the purpose of paying or reimbursing the costs of constructing, reconstructing, refurbishing, renovating and improving

permanent improvements to publicly owned park space known as Public Square, together with all necessary appurtenances and work incidental thereto, (the "Project") and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith.

3. Bond Terms. The Bonds shall be issued pursuant to the terms of the Indenture. The Bonds may be issued in one or more series, and shall be numbered in such manner as to distinguish each Bond from any other Bond of the same series. The Bonds shall be issued in denominations of \$5,000 or multiples of \$5,000 in excess thereof, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as determined by the Fiscal Officer, with the true interest cost on the Bonds not to exceed seven percent (7%) per year (computed on the basis of a 360-day year consisting of twelve 30-day months), provided that if the interest on the Bonds is not to be excluded from gross income for federal income tax purposes, the true interest cost on the Bonds shall not exceed 12% per year, payable on such semiannual dates or annual dates as determined by the Fiscal Officer in the Certificate of Award until the principal amount is paid, and shall mature on such semiannual dates or annual dates as determined by the Fiscal Officer in the Certificate of Award, provided that the final maturity shall not be later than December 1, 2033, in accordance with Section 133.21 of the Ohio Revised Code and as set forth in the Certificate of Award and the Indenture.

3. Redemption Provisions. The Bonds shall mature serially and annually on such dates and in such principal amounts as are fixed by the Fiscal Officer in the Certificate of Award and the Indenture, provided that the Bonds stated to mature in any year may be issued as Term Bonds payable pursuant to Mandatory Sinking Fund Redemption Requirements as hereinafter defined and further described below and as provided for in the Indenture. The Fiscal Officer shall determine in the Certificate of Award whether any of the Bonds shall be issued as Term Bonds and any dates (the "Mandatory Redemption Dates") on which the principal amount stated above shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements rather than at stated maturity (the "Mandatory Sinking Fund Redemption Requirements").

The Bonds shall be subject to redemption prior to stated maturity as follows:

(a) *Mandatory Sinking Fund Redemption*. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

(b) *Optional Redemption.* The Bonds shall be subject to redemption prior to maturity by or at the option of the County, at par, in whole or in part on any date on the dates, in the years and for the prices specified in the Certificate of Award, provided, however, that the Fiscal Officer may determine in the Certificate of Award that it is in the best interest of the County that the Bonds not be subject to redemption prior to maturity. If the Bonds are subject to redemption, the maximum redemption price shall be no greater than 100% of the principal amount redeemed, plus accrued interest to the redemption date.

4. Execution of Bonds. The Bonds shall be designated “Cuyahoga County Sales Tax Revenue Bonds, Series 2015 (Public Square Project)” or such other name as may be designated in the Certificate of Award. The Bonds shall contain a summary statement of the purposes for which they are issued; shall state that they are issued pursuant to this Resolution; shall be executed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that either or both of those signatures may be a facsimile; shall be issued only in fully registered form; and shall be registered as to both principal and interest at the corporate trust office of the Trustee. The Bonds shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, and shall be numbered as determined by the Fiscal Officer.

The principal of the Bonds shall be payable at maturity of the Bonds upon presentation and surrender to the Trustee. Interest on any Bond shall be paid on each Interest Payment Date as defined in and as further provided in the Indenture. The principal and interest on the Bonds is payable in lawful money of the United States of America without deduction for the services of the Trustee.

No Bond shall be valid or become obligatory for any purpose unless and until an authentication certificate appearing on the Bond shall have been duly endorsed by the Trustee.

5. Book-Entry System. The entire principal amount may be represented by a single bond and may be issued as fully registered securities and in book entry or other uncertificated form in accordance with Section 9.96, Chapter 133 of the Ohio Revised Code, and the Indenture if it is determined by the Fiscal Officer that issuance of fully registered securities in that form will facilitate the sale and delivery of the Bonds. The Bonds shall not have coupons attached, shall be numbered as determined by the Fiscal Officer and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in

connection with the book entry system for the Bonds, after determining that the signing thereof will not endanger the funds or securities of the County

6. Award and Sale of Bonds. The Bonds shall be sold to the Original Purchaser at a purchase price and bearing interest at a rate or rates determined by the County Executive or the Fiscal Officer to be in the best interest of the County and as designated by the County Executive or the Fiscal Officer in the Certificate of Award in accordance with law, the provisions of this Resolution, and the Indenture. The Fiscal Officer shall sign the Certificate of Award evidencing that sale to the Original Purchaser, with the final purchase price, interest rate or rates, aggregate principal amount, and principal amounts payable at stated maturity being set forth in the Certificate of Award and the Indenture, at a purchase price not less than 97% of par plus any accrued interest to their date of delivery. The Fiscal Officer shall cause the Bonds to be prepared, and have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Fiscal Officer, the County Executive, the Director of Law, the Clerk of this Council and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance or other credit enhancement facility from a company or companies to better assure the payment of principal of and interest on the Bonds, or (iii) a surety bond or other credit enhancement facility from a company or other companies to satisfy the reserve requirement for the Bonds is in the best interest of and financially advantageous to the County, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency, company or other credit enhancement facility provider such information as may be required for the purpose. The cost of obtaining each such rating, policy, bond or credit enhancement facility, except to the extent paid by the Original Purchaser, shall be paid from the proceeds of the Bonds.

7. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be allocated and deposited as provided in the Indenture.

8. Appointment of Bond Trustee; Indenture. This Council hereby appoints The Huntington National Bank to act as the trustee (such trustee, or a successor trustee pursuant to the applicable provisions of the Indenture, the "Trustee") for the Bonds. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Indenture from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

In order to secure the Bonds, the County Executive is hereby authorized to execute and deliver, in the name and on behalf of the County, Supplemental Trust Indenture No. 2, in substantially the form as is now on file with the Clerk, except that the same may be dated as of such date other than April 1, 2015 as specified in the Certificate of Award, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Director of Law on behalf of the County, all of which shall be conclusively evidenced by the signing of Supplemental Trust Indenture No. 2 or amendments thereto.

9. Bonds are Special Obligations and Provisions for Levy and Collection of County Sales Tax. The Bonds are special obligations of the County, and the principal of and interest (and any premium) on the Bonds are payable solely from the Pledged Revenues and the Pledged Funds, together with other available funds of the County, and such payment is secured by a pledge of and a lien on the Pledged Revenues and the Pledged Funds as provided by the Act and this Resolution.

The County has heretofore levied and covenants that it shall continue to collect the County Sales Taxes for so long as the Bonds are outstanding. The County hereby covenants and agrees that, so long as the Bonds are outstanding, it shall not suffer the repeal, amendment or any other change in this Resolution or the County Sales Tax Resolutions that in any way materially and adversely affects or impairs (a) the sufficiency of the County Sales Tax Receipts levied and collected or otherwise available for the payment of the Bonds or (b) the pledge or the application of the County Sales Tax Receipts to the payment of the Bonds.

The Bonds do not constitute a general obligation debt, or a pledge of the full faith and credit, of the State, the County, or any other political subdivision of the State, and the holders or owners of the Bonds have no right to have taxes levied by the general assembly or property taxes levied by the taxing authority of any political subdivision of the State, including the taxing authority of the County, for the payment of principal of and interest (and any premium) on the Bonds. Nothing herein shall be construed as requiring the County to use or apply to the payment of principal of and interest (and any premium) on the Bonds any funds or revenues from any source other than County Sales Tax Receipts. Nothing herein, however, shall be deemed to prohibit the County, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Resolution or of the Bonds.

10. City Agreement and Cooperative Agreement. This Council finds that the improvements to Public Square will foster the public purpose of making parks and open space available for the greater use and enjoyment of the public and will contribute to the health and welfare of the citizens of the County. This Council further finds that the County's cooperation with the City under the City Agreement

and the County's cooperation with the parties to the Cooperative Agreement will facilitate the financing of the Project and will advance and support the improvements to Public Square. The County Executive and the Director of Law are authorized and directed, for and in the name and on behalf of the County, to execute and deliver the City Agreement and the Cooperative Agreement, each in substantially the form as is now on file with the Clerk, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Director of Law on behalf of the County, all of which shall be conclusively evidenced by the signing of such documents or amendments thereto.

11. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Bonds will not be treated as an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Executive, the Fiscal Officer, or any other officer of the County having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Bonds as the County is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer,

(b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. Notwithstanding the foregoing or any other provisions of this Resolution to the contrary, if the Fiscal Officer determines prior to the execution and delivery of the Certificate of Award that it is necessary and appropriate and in the best interests of the County for the interest on the Bonds to be included in gross income for federal income tax purposes, the County shall not be bound by the covenants of this Section.

12. Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the County as of its date or is a final official statement for purposes of Rule 15c2-12 prescribed by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), (iii) use and distribute, or authorize the use and distribution of, the “deemed final” and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the “deemed final” and final official statements as they deem necessary and appropriate.

13. Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to sign and deliver a continuing disclosure agreement (the “Continuing Disclosure Agreement”), setting forth the County’s undertaking to provide such information and notices dated the date of delivery of the Bonds and delivered to the Original Purchaser of the Bonds. The Continuing Disclosure Agreement is approved, in substantially the form as is now on file with the Clerk of Council, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the

County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

14. Certification and Delivery of Resolution. The Clerk of this Council is directed to deliver or cause to be delivered a certified copy of this Resolution to the Fiscal Officer.

15. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law

16. Other Documents. The County Executive, the Fiscal Officer, the Director of Law and the Clerk of Council are each hereby authorized and directed to take any and all other actions and to execute any and all other instruments, certificates and documents as may in their judgment be necessary, desirable, advisable or appropriate in connection with the issuance of the Bonds in order to give effect to the transactions contemplated to be performed on the part of the County under this Resolution.

17. Compliance with Open Meetings. This Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2015

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0050

<p>Sponsored by: County Executive Budish/Department of Public Safety and Justice Services/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee</p>	<p>A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Beachwood on behalf of Eastside Departments Group Enforcement in the amount not-to-exceed \$1,968,000.00 for Public Safety Answering Point consolidation support for the period 2/1/2015 - 1/31/2016; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive Budish/Department of Public Safety and Justice Services/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee has recommended making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Beachwood on behalf of Eastside Departments Group Enforcement in the amount not-to-exceed \$1,968,000.00 for Public Safety Answering Point consolidation support for the period 2/1/2015 – 1/31/2016; and

WHEREAS, the primary goals of this project are: (a) to further the County’s efforts under the 9-1-1 Consolidation Plan by providing financial resources to communities engaging in the 9-1-1 consolidation efforts; and (b) to support the physical and technical infrastructure, professional services, equipment and upgrades needed to support consolidation; and

WHEREAS, this project is mandated by Cuyahoga County Council, Ohio Ordinance No. O2013-0010; and

WHEREAS, this project is funded 100% by the 9-1-1 Consolidation Shared Services Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby approves the Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Beachwood on behalf of Eastside Departments Group Enforcement in the amount not-to-exceed \$1,968,000.00 for Public Safety Answering Point consolidation support for the period 2/1/2015 – 1/31/2016.

SECTION 2. That the County Executive is hereby authorized to execute an 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:
Committee(s) Assigned:

Journal _____
_____, 20____

Novus AGENDA



3

Item Details:

Agency/Dept. Name:	Department of Justice Affairs	Agency/Dept. Head Name:	Ken Mills
Type of Request:	Agreement/Amendment		
Request Prepared by:	Michelle Norton	Telephone No.	443-7722

SUMMARY OF REQUESTED ACTION:

I. NovusAgenda Summary of Requested Action - Form Title: Public Safety & Justice Services, 2015, City of Beachwood {on behalf of the Eastside Departments Group Enforcement (EDGE) to include the Cities of Beachwood, Cleveland Heights, Pepper Pike, Shaker Heights, South Euclid and University Heights}, Agreement, Cuyahoga County 9-1-1 Consolidation Shared Services Fund Award, RQ 33136A. Scope of Work Summary1. Public Safety & Justice Services requesting approval of an Agreement with the City of Beachwood {on behalf of the Eastside Departments Group Enforcement (EDGE) to include the Cities of Beachwood, Cleveland Heights, Pepper Pike, Shaker Heights, South Euclid and University Heights, for the anticipated cost not-to-exceed \$1,968,000.00. The anticipated start-completion dates are (02/01/2015 – 01/31/2016).2. The primary goals of the project are:

- A. To further County efforts under the 9-1-1 Consolidation Plan, by providing financial resources to communities engaging in 9-1-1 Public Safety Answering Point (PSAP) consolidation efforts.
- B. The Fund will support physical and technical infrastructure, professional services, equipment and upgrades needed to support consolidations.

3. The project is mandated by County Council of Cuyahoga County, Ohio Ordinance No. O2013-0010. B. Procurement 1. The procurement method for this project was by Application to the Cuyahoga County 9-1-1 Consolidation Shared Services Fund. 2. The award recommendation was made on 01/06/2015. 3. There were three applications submitted for review to the Cuyahoga County 9-1-1 Consolidation Shared Services Fund Review Committee. C. Contractor and Project Information1. The address of the awarded is (provide the full address in the following format):City of Beachwood, Ohio

25325 Fairmount Road
 Beachwood, Ohio 44122
 Council District 11

2. The (Mayor/Safety Director) for the City of Beachwood is (Merle S. Gorden)D. Project Status and Planning1. The project (is new to the County). E. Funding1. The Award is funded by the (100% by the 9-1-1 Wireless Assistance Fund and Cuyahoga County General Fund)2. The schedule of payment is (one time award.)

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

This Consolidation Project will result in a reduction of four (4) primary PSAPs (South Euclid, Cleveland Heights, University Heights, and Shaker Heights). This Consolidation effort will be housed at the current Beachwood PSAP location (2700 Richmond Road, Beachwood). This project will include build out of 10 workstations (with the capacity for five additional). T he EDGE group would serve approximately 128,335 or 10% of the population for Cuyahoga County.

Explanation for late submittal:

Awaiting documentation from Beachwood's Legal dept.

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: **Explanation:**

Total Amount Requested:

\$1,968,000.00

ATTACHMENTS:

Click to download

- [W-9City of Beachwood](#)
- [EDGE 911 CSSF Award Letter](#)
- [RQ 33136](#)
- [Certified Auditors Search-City of Beachwood](#)
- [Principal Owner-City of Beachwood](#)
- [Attachment III Ordinance 2013-0010](#)
- [Attachment II 911 CSSF Guidance and Application](#)
- [Attachment I - 911 CSSF Scope of Work City of Beachwood](#)
- [Exhibit B - 911 CSSF Financial Report](#)
- [Exhibit A - EDGE -City of Beachwood 911 CSSF Request](#)
- [Agreement-City of Beachwood / EDGE 911 CSSF Award-TAB](#)
- [Contract Cover-TAB](#)
- [Voucher](#)
- [Justification approval 9-1-1 Beachwood](#)

History

Time

Who

Approval



Principal Owner Form

(Required Document for Award Recommendations/Purchases/Contracts)

VENDOR: Please complete the following information and return it to the Cuyahoga County "Requestor"

Company Name (Legal name of the business):	City of Beachwood, Ohio
Principal Owner's Name (The legal name of the owner(s) of the business):	Political Sub-Division of Ohio; Local Government
Owner/Officer's Title:	Merle S. Gordon, Mayor
Business Address:	25325 Fairmount Blvd., Beachwood, OH 441122
Phone Number:	216-292-1901
Name of Person Completing Form:	Michelle Norton
Signature:	<small>Digitally signed by Michelle Norton DN: cn=Michelle Norton, o=Cuyahoga County Emergency Management, ou, email=mnorton@cuyahogacounty.us, c=US Date: 2015.01.22 16:33:40 -05'00'</small>
Title:	Administrative Assistant

(* If there is more than one (1) principal owner, complete information for that / those person(s) as well. If a corporation, identify the CEO, President or other officers of the Corporation representing shareholders. The document **MUST** identify an individual(s) name.

CUYAHOGA COUNTY STAFF:

I certify that I have checked the Debarment/Suspension lists on the Cuyahoga County Inspector General's (IG) website and the Debarment/Suspension lists did not contain the above detailed vendor and/or principal owner.

(Form is to be dated within 60 days from the Department approval (NOVUS and/or BuySpeed) for the current purchase.)

Digitally signed by Michelle Norton
DN: cn=Michelle Norton, o=Cuyahoga County Emergency
Management, ou, email=mnorton@cuyahogacounty.us, c=US
Date: 2015.01.22 16:34:00 -05'00'

Signature: _____

Date: 0/1/22/2015

Printed Name: Michelle Norton

IG Number: 12-0270

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0051

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing an agreement with Cuyahoga County Treasurer’s Office in the amount not-to-exceed \$42,307.74 for child support services for the period 1/1/2015 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Health and Human Services/ Cuyahoga Job and Family Services (“CJFS”) has submitted a Title IV-D Cooperative Agreement with Cuyahoga County Treasurer’s Office in the amount not-to-exceed \$42,307.74 for child support services for the period 1/1/2015 – 12/31/2015; and

WHEREAS, Title IV Cooperative Agreement contracts are mandated by O.R.C. 3125.14, and the Ohio Department of Jobs and Family Services (ODJFS) regulations in order to specify the services which will be rendered by any County agency pertaining to the establishment, modification, and enforcement of child support obligations, in accordance with applicable child support regulations; and

WHEREAS, the primary goal of this cooperative agreement is to enable the County to recover the 66%, or up to \$42,307.74 Federal Financial Participation (“FFP”) reimbursement portion of the expenses incurred by the Cuyahoga County Treasurer’s Office in providing this Title IV-D service for CJFS Office of Child Support Services; and

WHEREAS, this dollar amount is reimbursed to the County General Fund to offset the expenditures of this agency; and

WHEREAS, these agreement costs will be funded 100% by Federal Financial Participation (“FFP”) 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.

Clerk of Council

Date

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

Journal _____
_____, 2015

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0052

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing agreements with various providers in the total amount not-to-exceed \$7,587,891.68 for child support services for the period 1/1/2015 - 12/31/2015; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services (“CJFS”) has submitted three (3) Title IV-D Cooperative Agreements with various providers in the total amount not-to-exceed \$7,587,891.68 for child support services for the period 1/1/2015 - 12/31/2015 as follows:

- a) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$2,555,608.80;
- b) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$2,640,800.60; and
- c) Cuyahoga County Prosecuting Attorney’s Office in the amount not-to-exceed \$2,391,482.28.

WHEREAS, the Title IV-D Cooperative Agreements are mandated by O.R.C. 3125.14, and the Ohio Department of Jobs and family Services (ODSFS) regulations in order to specify the services, which will be rendered by each of these three (3) entities pertaining to the establishment, modification and enforcement of child support obligations, in accordance with applicable child support regulations; and,

WHEREAS, the primary goal of these cooperative agreements are to enable the County to recover the 66%, or up to \$7,587,891.68 Federal Financial Participation (“FFP”) reimbursement portion of the expenses incurred by the Domestic Relations Court, Juvenile Court, and the County Prosecutor’s Office in providing these Title IV-D services to CJFS Office of Child Support Services; and,

WHEREAS, this dollar amount is reimbursed to the County General Fund to offset the expenditures of these three (3) agencies; and,

WHEREAS, these agreement costs will be funded 100% by Federal Financial Participation (“FFP”) Funds; and,

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

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

SECTION 1. That the Cuyahoga County Council authorizes the Title IV-D Cooperative Agreements with various providers for child support services in the total amount not-to-exceed \$7,587,891.68 for the period 1/1/2015 - 12/31/2015 as follows:

- a) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$2,555,608.80;
- b) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$2,640,800.60; and
- c) Cuyahoga County Prosecuting Attorney’s Office in the amount not-to-exceed \$2,391,482.28.

SECTION 2. That the County Executive is hereby authorized to execute the agreements 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 _____
_____, 2015

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0053

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services</p>	<p>A Resolution authorizing an amendment to Contract No. CE1300099-01 with Lutheran Metropolitan Ministry for emergency shelter services for homeless men, located at 2100 Lakeside Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,701,638.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services recommends an amendment to Contract No. CE1300099-01 with Lutheran Metropolitan Ministry for emergency shelter services for homeless men, located at 2100 Lakeside Avenue, Cleveland, for the period 1/1/2013 – 12/31/2015 for additional funds in the amount not-to-exceed \$1,701,638.00; and

WHEREAS, the primary goals of the project are to: (1) provide clean and safe shelter on a daily basis for 365 men; (2) provide breakfast and dinner for the clients; and (3) implement a continuum of care goal of assisting clients to attain permanent housing as quickly as possible; and

WHEREAS, this project is funded 100% by the Health & Human Services levy; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes an amendment to Contract No. CE1300099-01 with Lutheran Metropolitan Ministry for emergency shelter services for homeless men, located at 2100 Lakeside Avenue, Cleveland, for

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

Journal _____
_____, 20__



4

Item Details:

Agency/Dept. Name:	Administrator's Office/Office of Homeless Services	Agency/Dept. Head Name:	Ruth Gillett
Type of Request:	Contract/Amendment		
Request Prepared by:	Ruth Gillett	Telephone No.	420-6844
SUMMARY OF REQUESTED ACTION:			
Office of Homeless Services, submitting an amendment to Contract No. CE1300099-01 with Lutheran Metropolitan Ministry for emergency shelter services for homeless men for the period 1/01/13 -12/31/15, for additional funds in the amount of \$1,701,638.00.			
A. Scope of Work Summary			
1. Office of Homeless Services requesting approval of an amendment to CE1300099-01 with Lutheran Metropolitan Ministry (LMM) for additional funds in the amount of \$1,701,638.00 to manage the Emergency Shelter for Men located at 2100 Lakeside Avenue and facilitate overflow shelter for families and single men.			
2. The primary objectives of the contract are to:			
(a) provide a clean and safe shelter on a daily basis for 365 men;			
(b) to facilitate overflow shelter for families and single men, and			
(c) to implement the Continuum of Care goal of focusing on assisting clients to attain permanent housing as quickly as possible.			
3. N/A			
B. Procurement			
1. This provider was awarded the contract for these services through an RFP process: RFP 22383, (CON 2012-43). The Award recommendation identified that the RFP term was for a three year period.			
2. N/A			
3. N/A			

C. Contractor and Project Information

1. Lutheran Metropolitan Ministry
4515 Superior Avenue
Cleveland, OH 44103
Council District #7
2. Andrew Genszler is the Executive Director of LMM. LMM is a non-profit organization.
3. The location of the shelter is:
2100 Lakeside Avenue
Cleveland, OH 44114
Council District #7
The property is owned by Cuyahoga County.

D. Project Status and Planning

1. Cuyahoga County has supported 24/7, 365 days a year, publicly funded shelter for single men since FY 2000. In FY 2005, the City of Cleveland and Cuyahoga County split the cost of purchasing the building located at 2100 Lakeside, with the title to the building being assumed by Cuyahoga County. The City shares in the annual operating costs of the emergency shelter for single men.
2. N/A
3. N/A
4. This is an amendment to an existing contract. The contract term was amended prior to its expiration date of 12/31/14 and extended through 12/31/15. This contract provides the ongoing operating funding needed. The funds could not be awarded at the time that the term was amended because the funding is from FY 2015 and couldn't be encumbered prior to January 1, 2015.

E. Funding

1. The contract is funded 100% by the Health and Human Services Levy.
2. The provider is reimbursed on a monthly basis.
3. The contract is an amendment to CE1300099-01. This amendment provides additional funding in the amount of \$1,701,638.00. This is the 4th amendment.
1st amendment- FY 2013 in the amount of \$26,785.00
2nd amendment- FY 2014 in the amount of \$1,709,920.00
3rd amendment - FY 2014 in the amount of \$40,000.00.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

See Scope of Work Summary

not to exceed \$1,750,000.00

Explanation for late submittal:

See discussion in D. 4.

Contract/Agreement Information:

Procurement Method:

RFP (Request for Proposal)

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



Principal Owner Form

(Required Document for Award Recommendations/Purchases)

VENDOR: Please complete the following information and return it to the Cuyahoga County "Requestor"

Company Name (Legal name of the business):	LUTHERAN METROPOLITAN MINISTRY
Principal Owner's Name (The legal name of the owner/s of the business):	ANDREW GENSZLER
Owner/Officer's Title:	PRESIDENT & CEO
Business Address:	4515 SUPERIOR CLEVE, OHIO 44103
Phone Number:	216-658-4638
Name of Person Completing Form:	SUE CYNACYNATUS
Signature:	<i>Sue Cynacynatus</i>
Title:	CHIEF FINANCIAL OFFICER

(* If there is more than one (1) principal owner, complete information for that / those person(s) as well. If a corporation, identify the CEO, President or other officers of the Corporation representing shareholders. The document **MUST** identify an individual(s) name.

CUYAHOGA COUNTY STAFF:

I certify that I have checked the Debarment/Suspension lists on the Cuyahoga County Inspector General's (IG) website and the Debarment/Suspension lists did not contain the above detailed vendor and/or principal owner.

(Form is to be dated within 60 days from the Department approval (NOVUS and/or BuySpeed) for the current purchase.)

Signature: *Ruth Gillett*

Date: 2/05/15

Printed Name: Ruth Gillett

IG Number: 12-1788

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

Contractor: Lutheran Metropolitan Ministry

Contract/Agreement No.: CE1300099-01 Time Period: 1/01/2013 – 12/31/2015

Service Description: LMM manages a 365 bed emergency shelter for men, 365 days/year on a 24/7 basis. Over 3,500 unduplicated persons received shelter in FY 2012.

Original Contract/Agreement Amount: \$1,654,920.00

Prior Amendment(s) Amount(s): \$26,785.00; \$1,709,920.00; \$40,000.00.

Performance Indicators: Competent service delivery; coordination with other providers to shorten length of stay; and moving clients to permanent housing.

Actual performance versus performance indicators (include statistics): LMM works closely with Mental Health Services staff on Central Intake to divert people from entering the shelter, as well as shortening the length of stay. 50% of the clients leave the shelter in less than 30 days; Over 75% of the men entering transitional housing programs in the community are coming from 2100 Lakeside.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: LMM has demonstrated a commitment to providing services respectfully and safely; to adhering to the strategies of the City and county to reduce homelessness and shortening length of stay.

Office of Homeless Services
User Department

2/4/15
Date

s: evaluation

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0022

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of Edward H. Kraus, upon his taking the oath of office, as Cuyahoga County Director of Regional Collaboration; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ordinance No. O2011-0009, the County Council established the Cuyahoga County Department of Regional Collaboration; and

WHEREAS, Cuyahoga County Code Section 202.13 provides that specific goals, duties and activities of the Department of Regional Collaboration shall be further determined by the County Executive who shall employ and supervise a Director and such number of deputies, assistants and employees as shall be reasonably necessary to assist the County Executive in carrying out the duties of the Department of Regional Collaboration; and

WHEREAS, the County Executive has nominated Edward H. Kraus for the appointment to the position of Director of Regional Collaboration; and

WHEREAS, the Council conducted a confirmation hearing which was noticed to the public and held in an open meeting on February 24, 2015; and

WHEREAS, the Council elects to confirm the County Executive's appointment of Edward H. Kraus to the position of Director of Regional Collaboration; and,

WHEREAS, 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 County government.

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 Edward H. Kraus to serve as the Director of Regional Collaboration upon his taking the oath of office.

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 eight members of Council, this Resolution shall become immediately effective.

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

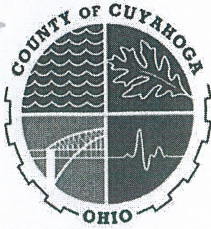
Clerk of Council

Date

First Reading/Referred to Committee: January 27, 2015

Committee(s) Assigned: Committee of the Whole

Journal CC017
March 10, 2015



**CUYAHOGA COUNTY
AGENCY OF INSPECTOR GENERAL**

March 5, 2015

VIA EMAIL

Edward H. Kraus
ekraus@cuyahogacounty.us

Re: Secondary Employment/Private Business Activity Disclosure

Dear Mr. Kraus:

I am in receipt of your Secondary Employment Disclosure form. It is the opinion of the Agency of Inspector General ("AIG") the Cuyahoga County ("County") Ethics Code does not automatically or absolutely bar your contemporaneous service as the County Director of Regional Collaboration and City of Solon Councilmember.

County Chief of Staff, Sharon Sobol Jordon, explained in your role as the County Director of Regional Collaboration you will report directly to the County Director of Law. Although the County Code does not per se prohibit you from holding both public positions, conflicts of interest may potentially arise from time to time. Should such a circumstance occur whereby matters impacting the City of Solon are before you in your official County capacity, the AIG wishes to remind you of the following:

- You are prohibited from making recommendations or otherwise using your position with the County, formally or informally, to secure anything of value for the City of Solon. This would require you refrain from deliberating, discussing, authorizing, approving or voting upon matters in which your fiduciary duties to the City of Solon may conflict with your County duties.
- Your withdrawal from considering matters that may conflict with your County duties should be provided to your official County supervisor and chief legal counsel for the City of Solon at any time before the County action affects the interest of the City of Solon. Your official supervisor (in this instance the Director of Law) must assign the matter to a person who is superior to, or on the same level as, you.¹
- You are prohibited from having a fiduciary or pecuniary interest in the profits or benefits of a public contract entered into by the public agency with which you are connected.

¹ If the need for withdrawal from considering matters becomes excessive or otherwise significantly interferes with your ability to perform your official County duties, the AIG recommends you, along with your supervisor, re-evaluate the viability of retaining both public positions simultaneously.

Cuyahoga County Agency of Inspector General
2079 East 9th Street, 6th Floor • Cleveland, Ohio 44115 • (216) 698-2101
www.inspectorgeneral.cuyahogacounty.us

Under the present circumstances you are connected to both the County and the City of Solon.²

Moreover, you are encouraged to review the Agency of Inspector General Advisory Opinion IGADV-0004 (a copy of which is available at www.inspectorgeneral.cuyahogacounty.us), for additional prohibitions, including but not limited to, the following:

- Cannot use County time (including sick or other related medical leave – use of vacation and comp/exchange time leave is permissible), resources, personnel or facilities to perform outside employment;
- No use of official title or identification in soliciting private outside employment or conducting private business activity;
- Cannot use relationships with other public officials and employees established while performing your official County duties to secure a favorable decision or action by that official or employee regarding your private interests;
- Cannot receive fees for providing services rendered on projects that you have recommended in your official capacity;
- Cannot disclose or use confidential information obtained in the course of performing your County duties.

Your secondary employment is to be worked during non-County working hours, unless vacation or comp/exchange time leave is used.

Finally, please know, before any matter in which you may have a conflict of interest is decided, you also have the option to disclose the potential conflict to the Law Department and seek advice and an opinion from the Law Department as to whether a conflict of interest exists.³

Please contact my office if you have any questions regarding this matter or if the information in your Secondary Employment Disclosure changes.

Sincerely,



Andrea Nelson-Moore
Interim Inspector General, Cuyahoga County

cc: Sharon Sobol Jordon, Chief of Staff
Lisa Durkin, Interim Director of Human Resources

² Any public contract in which a Public Official, a member of the Public Official's family, or any of the Public Official's business associates has an interest in violation of this section is void and unenforceable. See County Code Section 404.01(G).

³ See County Code Section 407.22(C).

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0043

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services</p>	<p>A Resolution authorizing an amendment to Contract No. CE1300098-01 with MHS, Inc. for emergency shelter services for homeless women and families at the Norma Herr Women’s Center, located at 2227 Payne Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,119,034.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services has authorized an amendment to Contract No. CE1300098-01 with MHS, Inc. for emergency shelter services for homeless women and families at the Norma Herr Women’s Center, located at 2227 Payne Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,119,034.00; and

WHEREAS, the primary objectives of this project are to: (1) safely shelter homeless women and families; (2) reduce the shelter length of stay; and (3) assist clients with access to permanent housing; and

WHEREAS, this project is funded 100% from 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 authorizes an amendment to Contract No. CE1300098-01 with MHS, Inc. for emergency shelter services for homeless women and families at the Norma Herr Women’s Center, located at 2227 Payne Avenue, Cleveland, for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$1,119,034.00.

