

AGENDA CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING WEDNESDAY, DECEMBER 21, 2016 CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR 10:00 AM

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PUBLIC COMMENT RELATED TO THE AGENDA
- 4. APPROVAL OF MINUTES FROM THE DECEMBER 7, 2016 MEETING
- 5. MATTERS REFERRED TO COMMITTEE
 - a) R2016-0236: A Resolution approving an adjustment of the municipal boundary between Village of Brooklyn Heights and City of Seven Hills in connection with Permanent Parcel Nos. 551-10-081 and 551-10-087 located in the City of Seven Hills to be located entirely within the municipal boundary of the Village of Brooklyn Heights; and declaring the necessity that this Resolution become immediately effective.
 - b) R2016-0237: A Resolution authorizing a contract with Greater Cleveland Regional Transit Authority in the amount not-to-exceed \$438,185.28 for lease of space at the Harvard Garage located at 2501 Harvard Avenue, Newburgh Heights, for the period 1/1/2016 12/31/2017; 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.
 - c) <u>R2016-0238:</u> A Resolution authorizing an amendment to Contract No. CE0600162-01, 02 with Downing Memphis, LLC for lease of office space

located at 4621 Fulton Parkway, Cleveland, for use by Westside Neighborhood Family Service Center for the period 10/1/2006 - 9/30/2016 to extend the time period to 1/17/2022 and for additional funds in the amount not-to-exceed \$4,320,524.80; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

- d) R2016-0239: A Resolution making an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed \$13,457,744.18 for construction of the Towpath Trail Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds; and declaring the necessity that this Resolution become immediately effective.
- e) R2016-0240: A Resolution authorizing an amendment to Contract No. CE0600525-02 with The Savron Group, LLC for lease of office space for Auto Title Bureau Satellite Office No. 4 located at 12100 Snow Road, Parma, for the period 9/1/2006 10/31/2016 to extend the time period to 10/31/2021, to change the terms, effective 11/1/2016, and for additional funds in the amount not-to-exceed \$314,688.40; 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.
- f) <u>O2016-0013</u>: An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio's animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

^{*}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 PUBLIC WORKS, PROCUREMENT & CONTRACTING
COMMITTEE MEETING
WEDNESDAY, DECEMBER 7, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

1. CALL TO ORDER

Chairman Germana called the meeting to order at 10:04 a.m.

2. ROLL CALL

Mr. Germana asked Deputy Clerk Carter to call the roll. Committee members Germana, Miller, Conwell, Greenspan and Simon were in attendance and a quorum was determined.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE NOVEMBER 16, 2016 MEETING

A motion was made by Mr. Miller, seconded by Ms. Simon and approved by majority vote to approve the minutes of the November 16, 2016 meeting, with Mr. Greenspan abstaining from the vote.

- 5. MATTERS REFERRED TO COMMITTEE
 - a) R2016-0224: A Resolution authorizing an amendment to Contract No. CE0601091-01 with DLZ Ohio, Inc. for consultant engineering services for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights to change the scope of services, effective

12/13/2016, and for additional funds in the amount not-to-exceed \$538,518.00; 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.

Ms. Nichole English, Transportation Planning Engineer, addressed the Committee regarding Resolution No. R2016-0224. Discussion ensued.

Committee members asked questions of Ms. English pertaining to the item, which she answered accordingly.

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0224 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.

Committee members Germana, Simon and Conwell requested to have their names added as co-sponsors to the legislation.

b) <u>O2016-0013:</u> An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio's animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.

Ms. Simon addressed the Committee regarding Ordinance No. O2016-0013. Discussion ensued.

Mr. Michael King, Special Counsel, addressed the Committee regarding Ordinance No. O2016-0013. Discussion ensued.

Committee members asked questions of Mr. King, pertaining to the item, which he answered accordingly.

Ms. Simon introduced a proposed substitute to Ordinance No. O2016-0013. Discussion ensued.

Ms. Sharon Harvey, President and Chief Executive Officer of the Cleveland Animal Protective League, addressed the Committee regarding Ordinance No. O2016-0013. Discussion ensued.

Committee members asked questions of Ms. Harvey pertaining to the item, which she answered accordingly.

A motion was then made by Ms. Simon, seconded by Mr. Germana and subsequently withdrawn, to amend Ordinance No. O2016-0013 by inserting "social security number" in Section 1401.02(A)(1).

Ms. Harvey; Ms. Mindy Natcchioni, Kennel Manager; and Ms. Amy Beichler, Executive Director of the Public Animal Welfare Society, Inc. (PAWS), addressed the Committee regarding Ordinance No. O2016-0013. Discussion ensued.

Committee members asked questions of Ms. Harvey, Ms. Natcchioni and Ms. Beichler, pertaining to the item, which they answered accordingly.

A motion was made by Mr. Miller, seconded by Ms. Simon and approved by unanimous vote to accept the proposed substitute and to amend Ordinance No. O2016-0013 by deleting "gender" in Section 1401.02(A)(1).

No further legislative action was taken on Ordinance No. O2016-0013.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

Mr. Michael Dever, Director of the Department of Public Works, congratulated Mr. Germana on his upcoming retirement.

8. ADJOURNMENT

With no further business to discuss, Chairman Germana adjourned the meeting at 11:27 p.m., without objection.

Resolution No. R2016-0236

Sponsored by: County Executive	A Resolution approving an adjustment of	
Budish/Department of Public	the municipal boundary between Village of	
Works	Brooklyn Heights and City of Seven Hills	
	in connection with Permanent Parcel Nos.	
	551-10-081 and 551-10-087 located in the	
	City of Seven Hills to be located entirely	
	within the municipal boundary of the	
	Village of Brooklyn Heights; and declaring	
	the necessity that this Resolution become	
	immediately effective.	

WHEREAS, a Brooklyn Heights Village resident owns three parcels of real property at the end of Belmont Drive of which two of the three parcels are currently located in the City of Seven Hills and consist of 0.4225 acres of land and is known as permanent parcel numbers 551-10-081 and 551-10-087 ("the Properties"); and

WHEREAS, the Village of Brooklyn Heights and the City of Seven Hills have mutually determined that the most prudent and efficient manner to incentivize economic development within, and adjacent to, the Properties requires the adjustment of the municipal corporation boundary within the Properties pursuant to Section 709.37 of the Ohio Revised Code, by causing the entire Properties to be located within the corporate boundaries of the Village of Brooklyn Heights ("Proposed Boundary Adjustment"); and

WHEREAS, the Seven Hills City Council and Village of Brooklyn Heights Council each enacted legislation on September 13, 2016 and May 3, 2016, respectively approving the Proposed Boundary Adjustment; and

WHEREAS, Section 709.37 of the Ohio Revised Code states "[t]he ordinances setting forth such agreement shall be certified to the board of county commissioners. Upon receipt of such certified ordinances, the board shall proceed by resolution to approve such change of boundary and to make such adjustment of funds, unpaid taxes, claims, indebtedness, and other fiscal matters as the board determines to be proper. Transcripts of the ordinances, agreements, and resolution certified by the board shall be filed in the office of the secretary of state and shall also be filed and recorded in the office of the county recorder. All fees and costs for such filing shall be assumed and paid by such municipal corporations in such proportions as the board determines"; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to ensure 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 Cuyahoga County Council hereby approves the Proposed Boundary Adjustment as specified in Seven Hills City Ordinance No. 100-2016 and Village of Brooklyn Heights Ordinance No. 39-2016, pursuant to Section 709.37 of the Ohio Revised Code.

SECTION 2. The County Executive and Fiscal Officer are hereby authorized to record and/or execute any documents that may be necessary to effectuate the Proposed Boundary Adjustment approved herein, and to file a certified copy of this Resolution, including the certified copies of Seven Hills City Ordinance No. 100-2016 and Village of Brooklyn Heights Ordinance No. 39-2016, with the Secretary of State in accordance with Section 709.37 of the Ohio Revised Code.

SECTION 3. All fees and costs of filing and recording shall be borne by the Village of Brooklyn Heights.

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 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
	County Executive	Date
	Clerk of Council	Date
First Reading/Referred to Comm Committee(s) Assigned: <u>Public</u>	nittee: December 13, 2016 Works, Procurement & Contracting	
Journal, 20		

Resolution No. R2016-0237

Sponsored by: County Executive	A Resolution authorizing a contract with
Budish/Department of Public	Greater Cleveland Regional Transit
Works	Authority in the amount not-to-exceed
	\$438,185.28 for lease of space at the
	Harvard Garage located at 2501 Harvard
	Avenue, Newburgh Heights, for the period
	1/1/2016 - 12/31/2017; 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.

WHEREAS, the County Executive/Department of Public Works has recommended a contract with Greater Cleveland Regional Transit Authority in the amount not-to-exceed \$438,185.28 for lease of space for furniture and document storage located at 2501 Harvard Avenue, Newburgh Heights, Ohio for the period 1/1/2016 - 12/31/2017; and

WHEREAS, the primary goal of this project is to lease approximately 63,750 square feet of space for furniture and document storage located at the Harvard Garage, 2501 Harvard Avenue, Newburgh Heights, located in Council District 6; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with Greater Cleveland Regional Transit Authority in the amount not-to-exceed \$438,185.28 for lease of space at the Harvard Garage located at 2501 Harvard Avenue, Newburgh Heights, for the period 1/1/2016 - 12/31/2017.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; 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 byduly adopted.	, seconded by, the forego	ing Resolution was
Yeas:		
Nays:		
	County Council President	Date
	County Executive	Date
	Clerk of Council	Date
	Committee: <u>December 13, 2016</u> ublic Works, Procurement & Contracti	ing
Journal		

Resolution No. R2016-0238

Sponsored by: County Executive
Budish/Departments of Public
Works and Health and Human
Services

A Resolution authorizing an amendment to Contract No. CE0600162-01, 02 with Downing Memphis, LLC for lease of office space located at 4621 Fulton Parkway, Cleveland. for use by Westside Neighborhood Family Service Center for the period 10/1/2006 - 9/30/2016 to extend the time period to 1/17/2022 and for additional funds in the amount not-toexceed \$4,320,524.80; authorizing County Executive to execute the amendment and all other documents consistent with this Resolution: declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Departments of Public Works and Health and Human Services has recommended an amendment to Contract No. CE0600162-01, 02 with Downing Memphis, LLC for lease of office space located at 4621 Fulton Parkway, Cleveland, for use by Westside Neighborhood Family Service Center for the period 10/1/2006 - 9/30/2016 to extend the time period to 1/17/2022 and for additional funds in the amount not-to-exceed \$4,320,524.80; and

WHEREAS, the primary goal of this Amendment is to extend the lease for the Cuyahoga County Westside Neighborhood Family Service Center located at 4621 Fulton Parkway, Cleveland, consisting of approximately 58,642 square feet of space in a two story single office building with adjacent parking, containing approximately 300 parking spaces; and

WHEREAS, the property is utilized by Cuyahoga Job and Family Services and Children and Family Services, divisions of the Department of Health and Human Services; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE0600162-01, 02 with Downing Memphis, LLC for lease of office space located at 4621 Fulton Parkway, Cleveland, for use by Westside Neighborhood Family Service Center for the period 10/1/2006 - 9/30/2016 to extend the time period to 1/17/2022 and for additional funds in the amount not-to-exceed \$4,320,524.80.

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

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

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

On a motion by duly adopted.	, seconded by	, the forego	ing Resolution was
Yeas:			
Nays:			
	County Counci	il President	Date
	County Execut	ive	Date

Clerk of Council	Date
First Reading/Referred to Committee: <u>December 13, 2016</u> Committee(s) Assigned: <u>Public Works, Procurement & Contracting</u>	
Journal, 20	

Resolution No. R2016-0239

Sponsored by: (County Executive
Budish/Departn	nent of Public
Works/Division	of County
Engineer	

A Resolution making an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed \$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed \$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland; and

WHEREAS, the primary purpose of this project is to complete construction as per plans and specifications; and

WHEREAS, the funding for this project is as follows: a) 68% or \$9,151,266.04 from Local Project Administration Federal Funds; b) 30% or \$4,037,323.25 from City of Cleveland; and c) 2% or \$269,154.89 using Funds from the County Motor Vehicle \$5.00 License Tax Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed

\$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland.

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

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for allocation from County Motor Vehicle \$5.00 License Tax Funds to partially fund said contract.

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

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

On a motion byduly adopted.	, seconded by	, the forego	ing Resolution was
Yeas:			
Nays:			
	County Counci	l President	Date
	County Executi	ive	 Date

Clerk of Council	Date
First Reading/Referred to Committee: <u>December 13, 2016</u> Committee(s) Assigned: <u>Public Works, Procurement & Contracting</u>	
Journal, 20	

Resolution No. R2016-0240

Sponsored by: County Executive
Budish/Department of Public
Works and Fiscal Officer

A Resolution authorizing an amendment to Contract No. CE0600525-02 with The Savron Group, LLC for lease of office space for Auto Title Bureau Satellite Office No. 4 located at 12100 Snow Road, Parma, for the period 9/1/2006 - 10/31/2016 to extend the time period to 10/31/2021, to change the terms, effective 11/1/2016, and additional funds in the amount not-toexceed \$314,688.40; 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 effecti.

WHEREAS, the County Executive/Department of Public Works and Fiscal Officer has recommended an amendment to Contract No. CE0600525-02 with The Savron Group, LLC for lease of office space for Auto Title Bureau Satellite Office No. 4 located at 12100 Snow Road, Parma, for the period 9/1/2006 - 10/31/2016 to extend the time period to 10/31/2021, to change the terms, effective 11/1/2016, and for additional funds in the amount not-to-exceed \$314,688.40; and

WHEREAS, the nature of the change in terms is to extend the lease of approximately 3,124 square feet of office space for the Fiscal Office, Auto Title Bureau satellite office located at 12100 Snow Road, Suite 15, in the City of Parma; and

WHEREAS, this project is funded with Certificate of Title funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE0600525-02 with The Savron Group, LLC for lease of office space for Auto Title Bureau Satellite Office No. 4 located at 12100 Snow Road, Parma, for the period 9/1/2006 - 10/31/2016 to extend the time period to

10/31/2021, to change the terms, effective 11/1/2016, and for additional funds in the amount not-to-exceed \$314,688.40.

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

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

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

On a motion byduly adopted.	, seconded by	, the forego	oing Resolution was
Yeas:			
Nays:			
	County Council	President	Date
	County Executiv	ve	Date
	Clerk of Counci	 1	Date

First Reading/Referred to Committee: <u>December 13, 2016</u>
Committee(s) Assigned: Public Works, Procurement & Contracting
Journal
20

Ordinance No. O2016-0013

Sponsored by: Councilmember
Simon
Co-sponsored by: Councilmembers
Hairston and Miller

An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio's animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.

WHEREAS, Ohio House Bill 60, more commonly known as "Dick Goddard's Law" was enacted by the Ohio General Assembly on May 25, 2016, making certain types of animal cruelty felony offenses; and,

WHEREAS, companion animals are sentient beings with inherent dignity, and are deserving of protection from abuse; and

WHEREAS, the Cuyahoga County Sheriff maintains a registry of convicted sex offenders and arson offenders living within in Cuyahoga County; and,

WHEREAS, Council now seeks to establish an Animal Abuse Registry within Cuyahoga County to prevent those individuals who have been convicted of felony animal abuse from acting as the custodian or caretaker of companion animals.

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

SECTION 1. Title 14 of the Cuyahoga County Code is hereby enacted to read as follows:

Title 14: Animals

Chapter 1401: Animal Abuse Registry

Section 1401.01: Definitions

As used in this chapter of the Cuyahoga County Code:

- (A) "Animal shelter" has the same meaning as in section 4729.01 of the Ohio Revised Code.
- (B) "Companion animal" has the same meaning as in section 959.131 of the Ohio Revised Code.
- (C) "Dog kennel" has the same meaning as in section 959.131 of the Ohio Revised Code.
- (D) "Felony animal cruelty" means any violation of chapter 959 of the Ohio Revised Code that constitutes a felony offense or any violation of section 2921.321 of the Ohio Revised Code that constitutes a felony offense.
- (E) "Humane society" has the same meanings as in section 935.01 of the Ohio Revised Code.
- (F) "Law enforcement officer" has the same meanings as in section 935.01 of the Ohio Revised Code.
- (G) "Pet store" has the same meaning as in section 956.01 of the Ohio Revised Code.

Section 1401.02: Registry Established

- (A) For purposes of the registry established under paragraph (B) of this section, an individual who has been convicted or pleaded guilty to felony animal cruelty in Cuyahoga County shall submit the following information to the Cuyahoga County Sheriff not later than thirty days after being convicted or pleading guilty to such violation:
 - (1) The individual's name, address and date of birth;
 - (2) The statutory violation to which the individual was convicted or pleaded guilty;
 - (3) Any additional information that the Sheriff considers necessary.
- (B) The Cuyahoga County Sheriff, in coordination with the Clerk of Courts and the Chief Information Officer, shall establish and maintain a registry of individuals who have been convicted of or pleaded guilty to felony animal cruelty. The sheriff shall make the registry available to local and state law enforcement agencies, animal shelters, humane societies, dog kennels, pet stores and animal rescue agencies through a searchable registry on the county's web site accessible to the public. The registry shall include all of the information submitted under paragraph (A) of this section as well as a photograph of the registrant.

Section 1401.03: Prohibition on Adoption

(A) No person listed on the registry established in section 1401.02 shall adopt, purchase, or harbor a companion animal from any animal shelter, dog kennel, pet store, or other person, or act as custodian or caretaker of a companion animal within Cuyahoga County.

Section 1401.04: Penalty

- (A) Whoever violates section 1401.03 of this chapter shall pay a civil fine of \$500.00 dollars for each violation. Violations may be appealed to the Cuyahoga County Debarment Review Board established under Section 205.06 of this code. The Cuyahoga County Debarment Review Board may adopt rules of procedure to adjudicate any appeals described herein.
- (B) Fines collected pursuant to this section shall be used to cover reasonable and necessary expenses for enforcing the prohibition on adoption and the costs of maintaining the registry established in Section 1401.02.

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

On a motion bywas duly enacted.	, seconded by, the foregoing Ordinance	
Yeas:		
Nays:		
	County Council Presid	ent Date
	County Executive	Date
	Clerk of Council	 Date

First Reading/Referred to Committee: November 29, 2016 Committee(s) Assigned: Public Works, Procurement & Contracting
Additional Sponsorship Requested: November 29, 2016
Journal, 20