



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

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO AGENDA**
- 4. ITEMS REFERRED TO COMMITTEE / CONFIRMATION HEARING:**
 - a) 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 3)
 - b) 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 16)

5. MISCELLANEOUS BUSINESS
6. PUBLIC COMMENT UNRELATED TO AGENDA
7. 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.*

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>
---	---

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: March 10, 2015

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 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.
--	--

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 March 24, 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: March 10, 2015

Committee(s) Assigned: Committee of the Whole

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

[REDACTED]
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:	[REDACTED]
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]

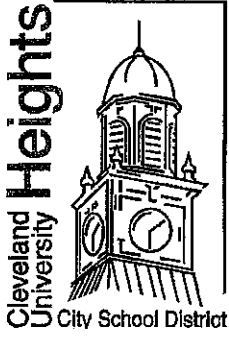
I'm looking forward to discussing the position with you.

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 [REDACTED] 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:

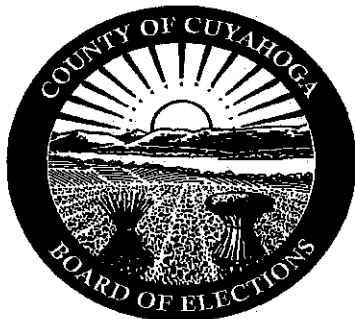
PHONE NUMBER:

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 (0101517244)			
Voter Details		Properties	Flags/Misc
County Info		State Info	(S)
Voter ID:	1790802	Status:	ACTIVE
Reason:	77 - AGENCY DUPLICATE	Affiliate:	CHRM15117244
Sig:	3578303	Auto Sig:	<input type="checkbox"/>
DWV Lic:	[Redacted]	SSN:	[Redacted]
Residence:	Household	Frac:	/-
Street:	[Redacted]	Type:	[Redacted]
Post Dir:	[Redacted]	Apt:	[Redacted]
City:	STRONGSVILLE	Zip:	44136
Precinct:	STRNGH2101	Alt Res. Address:	
Name		Prior Name	
Name Prefix:	CLIFFORD	Name:	
Middle:	PINKNEY	Alternate Name:	
Last:	[Redacted]	Birth Date:	1982
Suffix:	[Redacted]		
Mailing:	Care of:		
Street/Bx:			
Mail City:			
Mail St:		M/Zip:	
Country:			
Addr: Res. Address		Addr: Mail Address	
Delete		Print	
Ok		Cancel	

Ohio Peace Officer Training Council

State of Ohio
Office of the Attorney General

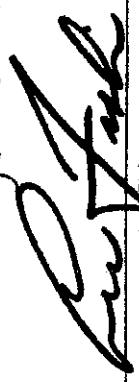
This is to certify that


CLIFFORD E. PINKNEY

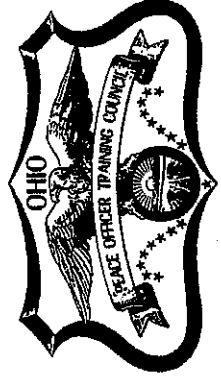
has completed the
**Ohio Peace Officer
Basic Training Program**


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


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

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

C. APPOINTMENT INFORMATION		
13. APPOINTMENT DATE (mm/dd/yyyy) 04/20/2009	14. CURRENT RANK	15. TITLE/POSITION Deputy Sheriff
17. APPOINTMENT STATUS (mark appropriate box) <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special		16. ORC SECTION 311.04
18. APPOINTEE'S FIRST PEACE OFFICER APPOINTMENT? <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	
19. TERMINATION DATE (mm/dd/yyyy)	20. REASON FOR TERMINATION (mark appropriate box) <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 <i>Grayce Lynch</i>	NAME & TITLE OF REPORTING OFFICIAL (Typed or Printed Legibly) Grayce Lynch, Human Resources Director	DATE 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:

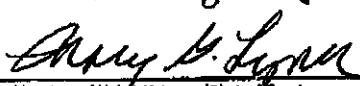
By signing below, I hereby swear or affirm that the above named individual is appointed to the
above position pursuant to the authority vested in me by 311.04 and
ORC Section

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> <small>Month/Date/Year Month/Date/Year</small>	Position title: <u>Deputy Sheriff</u> <small>(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> <small>Month/Date/Year Month/Date/Year</small>	Position title: <u>Deputy Sheriff</u> <small>(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:	_____ <small>Month/Date/Year</small>	To: _____ <small>Month/Date/Year</small>
Position title: _____ <small>(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:	_____ <small>Month/Date/Year</small>	To: _____ <small>Month/Date/Year</small>
Position title: _____ <small>(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.

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

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

in the county of Cuyahoga and the state of Ohio.

Mary G. Lynch
Signature of Notary/Attorney/Clerk of Courts

My commission expires _____
RECEIVED
PEACE OFFICER

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

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

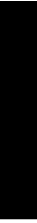
Honorable Discharge



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

THEOPOLD J. KILMARTIN
BRIGADIER GENERAL, USA
CAMPBANG

FILED

FILED

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

2015 MAR -2 P 12:05

15 MAR -2 A 11:56

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)

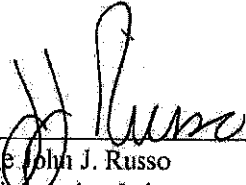
Pursuant to R.C. 311.01, the Court makes the following findings regarding the application of Clifford E. Pinkney for appointment as Sheriff of Cuyahoga County, Ohio:

- (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 or 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

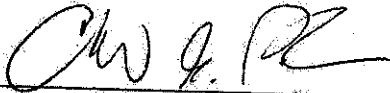
FILED

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.

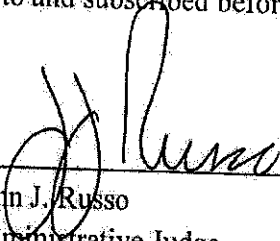


Clifford C. Pinkney

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

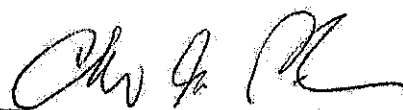
9. During the six (6) year period immediately prior to the qualification date, my residential history is as follows:


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.

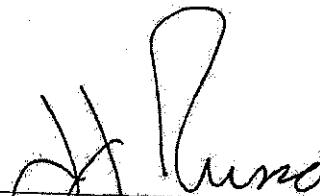
FURTHER AFFIANT SAYETH NAUGHT.



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

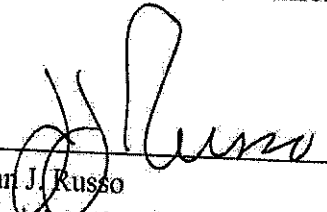
Administrative Judge
General Division

FINGERPRINTS

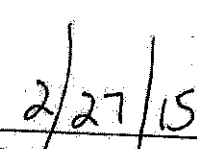
O.R.C. 311.01 (B)(6)

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



Date

Chapter 114: Appointment and Confirmation

Section 114.01: Submission of Appointments to County Council

A. The submission of any candidate to the Council for confirmation shall be accompanied by the following:

1. A letter from the candidate requesting the appointment, if such a letter was submitted to the appointing authority;
N/A
2. A copy of the candidate's current résumé or equivalent summary of academic, professional, and experiential qualifications;
Please see attached
3. A copy of any and all professional licenses or other credentials held by the candidate that are required to be held by the appointee; and
Please see attached
4. A letter from the appointing authority providing the following information:
 - a. The title of the board, agency, commission, or authority to which the candidate is being appointed;
Sheriff; Cuyahoga County
 - b. Any statutory or other qualifications required to hold the appointed position, plus a statement that the candidate meets such qualifications;
Statutory requirements and statement in attached documents
 - c. The specific term of office during which the candidate would serve;
2015-2018
 - d. An indication of whether the candidate is being considered for a new appointment or for reappointment;
New appointment
 - e. For a new appointment: the name of the individual who the candidate would replace;
Francis X. Bova
 - f. For a reappointment: the past attendance record of the candidate, if maintained by the board, agency, commission or authority to which the candidate is being appointed;
N/A
 - g. A cumulative list of individuals who applied for the position;
Please see attached

- h. The candidate's city and county of residence;
City of Strongsville, Cuyahoga County
- i. An indication of whether the candidate currently serves on any government, private, or non-profit board or commission;
No
- j. An indication of whether any opinion was requested or issued from the Inspector General, the Ohio Ethics Commission, or other authority regarding potential conflicts of interest related to the candidate's appointment.
Not to the candidate's knowledge
- k. If the candidate is being appointed to a compensated position, the starting annual compensation of the position.
\$118,000
- B. In the event that any of the information identified in this Section is not provided to the Council with the submission of an appointment, such omission shall be deemed sufficient grounds for rejection of a candidate's appointment by the Council.

Section 114.02: Notice of Interim Appointments

In the event an interim appointment is made pursuant to Section 2.03 (2) of the charter, the county executive or designee shall notify the president of council within five days of making the appointment, including the date the appointment was made, and shall file the interim appointee's oath of office with the clerk of council pursuant to chapter 107 of this code.

APPLNAME
Brantley Graham S
Brown Arthur L
Bruns Mark A
Cunningham Raymond L
Fixler Eugene H
Gordon Jacob R
Grim James E
Hartman John Ed
House Michelle
howard nicholas t
hutson Mike d
Jackson Jamie L
Jenkins Denardo F
Kaminski Bryan M
Klapp Adam
Kuivila John M
Lagasse Matthw J
mcallister chris j
mccoy chanae
Moore Torris R
Nasser Rabee M
Pinkney Clifford E
Pollard Clarence W
Redovian Dennis S
Rosenberg Alison
Skaricich Bryan A
Stewart LaChrisha M
Tanner Stephen R
Tuel tyler A
Winters Bridget E
Wright David M.
Zindroski James E



Cuyahoga County Council

Memorandum

Date: March 20, 2015

To: County Council

From: Michael King, Special Counsel

Re: Confirmation of Clifford E. Pinkney as County Sheriff

Summary

This memorandum is intended to provide background information to County Council in anticipation of the confirmation hearing for Clifford E. Pinkney to the office of Sheriff. Below is a summary of the powers, duties, and qualifications of the office, as well as highlights the major initiatives of the office over the past few years.

Mr. Pinkney's appointment was submitted to Council on March 2, 2015. Council is required to act within 60 days to confirm or reject the appointment (i.e., by April 30, 2015). If Council takes no action within 60 days, the appointment is automatically confirmed by operation of law.

Powers and Duties

The Sheriff is a county officer appointed pursuant to Article V of the County Charter. Charter Section 5.08 provides that the Sheriff shall have "all powers and duties now or hereafter vested in or imposed upon county sheriffs by general law...." Section 311.07 of the Ohio Revised Code provides the general powers and duties of the Sheriff, including the duty to preserve the public peace, investigate criminal activities, and have charge of the county jail and county court house. It also authorizes the sheriff to appoint deputies to assist carrying out the duties of the office. The Sheriff has the following additional responsibilities under general law:

- The Sheriff and the sheriff's deputies have county-wide police authority, and specific jurisdiction to enforce certain types of laws such as fish and game laws, protection of wild animals, and the preservation of peace at election precincts.
- The Sheriff has a number of responsibilities ancillary to law enforcement, including providing security for the court house, transportation of prisoners, and the administration of the state sex offender registration and concealed carry registration, among others.
- The Sheriff is charged with collection of various fees associated with the duties required by general law.
- The Sheriff is responsible for serving subpoenas and other writs, conduct foreclosure sales, and carry out orders of the court.
- The Sheriff is empowered to contract with various political subdivisions to perform municipal police functions.

Qualifications

The Charter provides that the Sheriff “shall possess and continue to maintain the qualifications provided by general law for the office of county sheriff and in addition shall have had at least five years’ experience in law enforcement or in correctional facilities management.”

Section 311.01 of the Ohio Revised Code establishes the state qualifications for county sheriffs. Among the various requirements are the following:

- Must be a US citizen;
- Must be a resident of the county for at least one year immediately prior to the qualification date and must have the qualifications of an elector;
- Must have a high school diploma or equivalent;
- Must not have been convicted or pleaded guilty to a felony, first degree misdemeanor, or a crime of moral turpitude;
- Must be fingerprinted and been subject to search of local, state, and national criminal background databases;
- Must either have valid Ohio peace officer training; OR been employed full time as a law enforcement officer for at least 13 consecutive pay periods within the 4 years prior to assuming office;
- Must have at least two consecutive years of supervisory experience as a peace officer at the rank of sergeant or above; OR completed a bachelor’s degree in any field or an associate degree in law enforcement or criminal justice.

New sheriffs are also required to attend a basic training course conducted by the Ohio peace officer training commission and must attend at least 16 hours of continuing education annually during his or her term of office.

Finally, the sheriff must swear an oath before the administrative judge of the court of common pleas that he or she possesses the proper qualifications to hold the office.

History of the Office

Prior to the adoption of the charter, the sheriff was an elected countywide office. The last elected sheriff in Cuyahoga County was Gerald McFaul, who resigned in 2009 amidst an ongoing criminal investigation. He was succeeded by Sheriff Bob Reid, who was first appointed by the Democratic Party to fill the remainder of McFaul’s term (prior to the adoption of the new Charter). Reid was then appointed and confirmed under the new government in 2011 and continued serving until early 2013, at which time Sheriff Frank Bova was appointed and confirmed. Sheriff Bova has served up to present, and in January 2015 was named the Cuyahoga County Police Chiefs Association 2014 Person of the Year.

The Sheriff’s Department was formally codified by ordinance in early 2013 (Section 202.07). The Code establishes four divisions within the Sheriff’s Department: (1) the Division of Civil Court Orders, (2) the Division of Corrections, (3) the Division of Law Enforcement, and (4) the Division of Protective Services (which had formerly operated under the direction of the Board of County Commissioners). The 2013 ordinance also clarified the authority and certification process for all employees carrying weapons within the department.

Recent Major Initiatives of the Department

- Impact Unit – The Sheriff’s Department created a specialized law enforcement unit to assist municipal police with criminal investigations and to provide manpower, expertise, and equipment to supplement existing law enforcement areas.
- Regional Jail consolidation - The Sheriff’s Department has operationalized the regional jail consolidation in coordination with the Department of Public Safety and Justice Services. The County took over operations of the Euclid jail in 2014, and negotiations to take over the Cleveland jail are ongoing.
- Jail Medical Services/MetroHealth – The County has contracted with MetroHealth to provide medical services at the jail, including use of a telemedicine program whereby doctors and nurses can observe patients remotely in real-time, reducing transportation and staffing costs.
- Efforts to reduce jail population – The Sheriff’s Department has taken various steps in an effort to reduce the population of the jail, including the promotion of re-entry programs to reduce recidivism, as well as a pilot program to expand the use of house arrest (where inmates are monitored remotely using ankle trackers).

Sheriff’s Department – FY2015 Budget

General Fund	\$86,546,468
Other Funds	\$12,119,024
All Funds	\$98,665,492
FTEs	1,209