



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 27, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
 - a) November 13, 2012 Regular Meeting
 - b) November 20, 2012 Special Meeting
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
 - a) M2012-0031: A Motion approving the expiration and retention of pending legislation in accordance with County Council Rule 11F, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally/Clerk of Council

10. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2012-0241: A Resolution requesting the Ohio General Assembly to make physical assault on public transit workers a felony under Ohio law, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Conwell

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

- a) O2012-0031: An Ordinance amending Ordinance No. O2011-0020 dated 4/26/2011, which provided for complimentary parking for members of the public to attend regularly scheduled evening and committee meetings of the County Council at the Huntington Park Garage, to remove restrictions regarding time of day; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Gallagher, Connally, Rogers and Miller

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

12. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION

- a) O2012-0020: An Ordinance establishing the Cuyahoga County Based Business Preference Program.

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

13. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

- a) R2012-0242: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; and declaring the necessity that this Resolution become immediately effective.

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

- b) R2012-0255: A Resolution authorizing the execution of a Cooperative Agreement for Community Center between the County and the Village of Highland Hills regarding the joint use by the Village and the County of the Village Municipal Building as a Community Center for governmental and civic purposes and a related Escrow Agreement among the County, the Village and The Bank of New York Mellon Trust Company, N.A., relating to the County's contribution to the acquisition and equipping of that Community Center, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto; authorizing and directing the County Fiscal Officer to make payments in accordance with and in furtherance of those agreements; and declaring the necessity that this Resolution become immediately effective.

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

Bond Counsel: Squire, Sanders (US) LLP

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

- a) R2012-0243: A Resolution approving a purchase agreement and quitclaim deed transferring title for property located at 1414 Elbur Road, Lakewood, Permanent Parcel No. 315-01-001, to Cuyahoga County Board of Developmental Disabilities; authorizing the County Executive to execute the purchase agreement, quitclaim deed and all other documents required consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Board of Developmental Disabilities

- b) R2012-0244: A Resolution approving revised Right-of-Way plans in connection with replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; approving acquisition of required Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

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

- c) R2012-0245: A Resolution authorizing a revenue generating agreement with City of Maple Heights for maintenance of storm and sanitary sewerage systems located in County Sewer District No. 9; authorizing the County Executive to execute the agreement and all other documents required consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

- d) R2012-0246: A Resolution authorizing an amendment to Contract No. CE1200155-01 with Joshen Paper & Packaging Co. for furnishing and delivery of 20# white reprographic paper for various County departments for the period 3/1/2012 - 2/28/2013 to extend the time period to 2/28/2015 and for additional funds in the amount not-to-exceed \$450,000.00; authorizing the County Executive to execute the amendment and all other documents required consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Public Works

- e) R2012-0247: A Resolution authorizing an award to a property owner in the amount of \$135,000.00 as settlement for property rights in connection with the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township for Parcel No. 15WD, S & T; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- f) R2012-0248: A Resolution authorizing a Next Stage Fund Pilot Loan in the amount not-to-exceed \$700,000.00 to Sparkbase, Inc. for building and deploying loyalty solutions directly to large scale merchants; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents required in connection with said loan and consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Development

- g) R2012-0249: A Resolution making an award on RQ23900 to Economic and Community Development Institute, Inc. in the amount of \$550,000.00

for management of the Cuyahoga County Microenterprise Revolving Loan Fund for the period 2/1/2013 - 1/31/2014; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Development

- h) R2012-0250: A Resolution authorizing an amendment to Contract No. CE1200241-01 with Caremark PCS Health, L.L.C. for pharmacy benefit management services for the period 1/1/2012 - 12/31/2014 for additional funds in the amount not-to-exceed \$3,500,000.00; authorizing the County Executive to execute the amendment and all other documents required consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Human Resources

- i) R2012-0251: A Resolution approving The MetroHealth System Year 2013 Budget, in accordance with Ohio Revised Code Section 339.06(B), with the understanding that the allocation of County funds to the System will be made through adoption of the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013; and declaring the necessity that this Resolution become immediately effective.

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

- j) R2012-0252: A Resolution amending Resolution No. R2012-0182 dated 9/25/2012, which accepted the rates as determined by the Budget Commission and which authorized the necessary tax levies and certified them to the County Fiscal Officer; to change the General Fund Inside Millage from 0.43 to 0.60 and the General Fund Bond Retirement Inside Millage from 1.02 to 0.85; and declaring the necessity that this Resolution become immediately effective.

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

- k) R2012-0253: A Resolution making an award on RQ25734 to Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$669,566.00 for prevention and treatment of young children and their families of the Early Childhood Mental Health Program for the period 1/1/2013 - 12/31/2013; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

- l) R2012-0254: A Resolution making an award on RQ25710 to Starting Point in the amount not-to-exceed \$646,571.00 for direct services to develop and deliver programs for the Teacher Education and Compensation Helps Professional Development System for the period 1/1/2013 - 12/31/2013; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

- a) R2012-0215: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2013, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of The MetroHealth System

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

- b) R2012-0227: A Resolution authorizing an assignment of leases from Cuyahoga County to the Cuyahoga County Board of Developmental Disabilities, effective 10/1/2012, in connection with various contracts with North Coast Community Homes, Inc. for the lease/purchase of various properties for use as group homes for persons with developmental disabilities; authorizing the County Executive to execute the assignment of leases and all other documents required consistent with this Resolution, and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE03551 with Center Ridge House, located at 28700 Center Ridge Road, Westlake, for the period 4/8/1988 - 4/7/2013;

- 2) No. CE04031 with Richmond House, located at 1435 Richmond Road, Lyndhurst, for the period 12/15/1987 - 12/14/2012;
- 3) No. CE04227 with Bellbrook House, located at 5936 West 130th Street, Brook Park, for the period 9/22/1988 - 8/21/2013;
- 4) No. CE04224 with Lee House, located at 5041 Lee Road, Maple Heights, for the period 6/15/1988 - 6/14/2013;
- 5) No. CE04226 with South Bend House, located at 1653 and 1655 South Bend Drive, Rocky River, for the period 2/11/1988 - 2/10/2013;
- 6) No. CE04225 with Lander House, located at 1455 Lander Road, Mayfield Heights, for the period 6/20/1988 - 6/19/2013;
- 7) No. CE04223 with Nottingham House, located at 17702 Nottingham Road, Cleveland, for the period 6/20/1988 - 6/19/2013;
- 8) No. CE04459 with Bagley House, located at 19080 Bagley Road, Middleburg Heights, for the period 1/4/1989 - 1/3/2014;
- 9) No. CE04541 with Euclid House, located at 23050 Euclid Avenue, Euclid, for the period 10/18/1989 - 10/17/2014;
- 10) No. CE04592 with Highland House, located at 427 Richmond Road, Richmond Heights, for the period 9/25/1989 - 9/24/2014;
- 11) No. CE04591 with Ridge House, located at 7009 West Sprague Road, Parma, for the period 9/19/1989 - 9/18/2014;
- 12) No. CE04593 with Sprague House, located at 7001 West Sprague Road, Parma, for the period 9/19/1989 - 9/18/2014;
- 13) No. CE05008 with Albion House, located at 11607 Pearl Road, Strongsville, for the period 1/25/1990 - 1/24/2015;
- 14) No. CE05035 with Lamson House fka Granger House, located at 7325 Lamson Road, Oakwood Village, for the period 4/11/1990 - 4/10/2015;
- 15) No. CE05209 with Cedar House, located at 29400 Cedar Road, Pepper Pike, for the period 8/8/1990 - 8/7/2015;
- 16) No. CE05270 with Beachwood House, located at 24212 Cedar Road, Beachwood, for the period 8/8/1990 - 8/7/2015;
- 17) No. CE05370 with Bedford House, located at 5526 Richmond Road, Bedford Heights, for the period 11/1/1990 - 10/31/2015;
- 18) No. CE05509 with Southwest House, located at 211 East Schaaf Road, Brooklyn Heights, for the period 12/13/1990 - 12/12/2015;
- 19) No. CE05520 with Dover House, located at 263 Dover Center Road, Bay Village, for the period 10/30/1990 - 10/29/2015;
- 20) No. CE05555 with Van Aken House, located at 2980 Van Aken Boulevard, Cleveland, for the period 3/18/1991 - 3/17/2016;
- 21) No. CE05638 with Columbia House, located at 2855 Columbia Road, Westlake, for the period 12/13/1990 - 12/12/2015;
- 22) No. CE05639 with Edendale House, located at 1374 Edendale Road, Cleveland Heights, for the period 10/29/1991 - 10/28/2016;
- 23) No. CE05828 with Hillside House, located at 98 Hillside Road, Seven Hills, for the period 9/6/1991 - 9/5/2016;

- 24) No. CE05827 with Jackson House, located at 29949 Jackson Road, Orange Village, for the period 9/9/1991 - 8/8/2016;
- 25) No. CE05850 with Warrington House, located at 3270 Warrington Road, Shaker Heights, for the period 9/4/1991 - 9/3/2016;
- 26) No. CE05920 with Monticello House, located at 4520 Monticello Road, South Euclid, for the period 11/18/1991 - 11/17/2016;
- 27) No. CE05966 with Royalton House, located at 7575 Royalton Road, North Royalton, for the period 11/8/1991 - 11/7/2016;
- 28) No. CE06006 with Independence House, located at 4711 East Sprague Road, Independence, for the period 10/3/1991 - 10/2/2016;
- 29) No. CE06107 with Maple House, located at 250 Maplelawn Drive, Berea, for the period 2/12/1992 - 2/11/2017;
- 30) No. CE06106 with Oak House, located at 26365 Tryon Road, Oakwood Village, for the period 6/19/1992 - 6/18/2017;
- 31) No. CE06108 with Wilson House, located at 785 Miner Road, Highland Heights, for the period 11/1/1991 - 10/31/2016;
- 32) No. CE06106 with Wood House, located at 26405 Tryon Road, Oakwood Village, for the period 7/2/1992 - 7/1/2017;
- 33) No. CE06135 with Broadway House, located at 1310 Broadway, Bedford, for the period 10/7/1991 - 10/5/2016;
- 34) No. CE06288 with Grand House, located at 19853 Grand Boulevard, Euclid, for the period 6/29/1992 - 6/28/2017;
- 35) No. CE06289 with SOM House, located at 1777 SOM Center Road, Gates Mills, for the period 1/1/1992 - 12/31/2016;
- 36) No. CE06290 with Terrace House, located at 19855 Grand Boulevard, Euclid, for the period 6/15/1991 - 6/14/2017;
- 37) No. CE06310 with Stearns House, located at 6797 Stearns Road, North Olmsted, for the period 2/12/1992 - 2/11/2017;
- 38) No. CE06382 with Fairview House, located at 4579 West 210th Street, Fairview Park, for the period 4/20/1992 - 4/19/2017;
- 39) No. CE06383 with Parkgate House, located at 9035 Parkgate, Cleveland, for the period 1/5/1993 - 1/4/2018;
- 40) No. CE06448 with Smith House, located at 6809 Smith Road, Middleburg Heights, for the period 8/19/1992 - 8/18/2017;
- 41) No. CE06611 with Solon House, located at 37025 Aurora Road, Solon, for the period 12/16/1992 - 12/15/2017;
- 42) No. CE06623 with Wallings House, located at 2491 East Wallings Road, Broadview Heights, for the period 9/16/1992 - 11/15/2017;
- 43) No. CE06664 with Jennings House, located at 22900 Jennings Road, Warrensville Heights, for the period 12/2/1992 - 12/1/2017;
- 44) No. CE06663 with Walton House, located at 14700 Alexander Road, Walton Hills, for the period 12/16/1992 - 12/15/2017;
- 45) No. CE06702 with Parma House, located at 7211 West 130th Street, Parma, for the period 6/2/1993 - 6/1/2018;

- 46) No. CE07663 with Moreland House, located at 35450 Chagrin Boulevard, Moreland Hills, for the period 11/10/1994 - 11/9/2019;
- 47) No. CE08041 with Seven Hills House, located at 6577 Broadview Road, Seven Hills, for the period 8/3/1995 - 8/2/2020;
- 48) No. CE08376 with Howe House, located at 18005 Howe Road, Strongsville, for the period 10/1/1996 - 9/30/2021;
- 49) No. CE09393 with Taft House, located at 740 Taft Road, Bedford, for the period 2/23/1998 - 2/22/2023;
- 50) No. CE09831 with Verona House, located at 4285 Verona Road, South Euclid, for the period 10/23/1998 - 10/22/2023;
- 51) No. CE0700923 with Green House, located at 1905 Green Road, Cleveland, for the period 12/17/2004 - 12/16/2029; and
- 52) No. CE0400924 with Memphis House, located at 9401 Memphis Avenue, Brooklyn, for the period 1/19/2005 - 1/18/2030.

Sponsors: County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Board of Developmental Disabilities

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

- c) R2012-0233: A Resolution making an award on RQ24839 to Hylant Group, Inc. in the amount not-to-exceed \$3,600,000.00 for risk management services and insurance brokerage and premiums through and including 12/31/2015; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Law and Councilmembers Germana, Miller, Jones and Simon

Committee Assignment and Chair: Finance & Budgeting – Miller

- d) R2012-0234: A Resolution making awards on RQ23838 to various municipalities and providers in the total amount not-to-exceed \$2,376,110.00 for various services for the Community Social Services Program for the period 1/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreements, contracts and all other documents required in connection with said awards and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - 1) City of Euclid in the amount not-to-exceed \$36,652.00 for Transportation Services.

- 2) City of Lakewood in the amount not-to-exceed \$73,904.00 for Adult Development, Congregate Meals and Transportation Services.
- 3) City of Maple Heights in the amount not-to-exceed \$86,408.00 for Congregate Meals and Transportation Services.
- 4) City of Parma Heights in the amount not-to-exceed \$169,862.00 for Congregate Meals and Transportation Services.
- 5) Catholic Charities Community Services Corporation on behalf of the St. Martin de Porres Family Center in the amount not-to-exceed \$144,064.00 for Adult Development and Transportation Services.
- 6) Community Partnership on Aging in the amount not-to-exceed \$33,212.00 for Congregate Meals and Transportation Services.
- 7) The East End Neighborhood House Association in the amount not-to-exceed \$113,342.00 for Adult Development and Transportation Services.
- 8) Eliza Bryant Village in the amount not-to-exceed \$117,146.00 for Adult Day Care and Transportation Services.
- 9) The Golden Age Centers of Greater Cleveland in the amount not-to-exceed \$294,582.00 for Adult Development and Transportation Services.
- 10) Goodrich Gannett Neighborhood Center in the amount not-to-exceed \$109,500.00 for Adult Development, Congregate Meals and Transportation Services.
- 11) The Harvard Community Services Center in the amount not-to-exceed \$120,644.00 for Adult Development, Congregate Meals and Transportation Services.
- 12) The Mandel Jewish Community Center of Cleveland in the amount not-to-exceed \$184,718.00 for Adult Development and Transportation Services.
- 13) Murtis Taylor Human Services System in the amount not-to-exceed \$61,600.00 for Adult Development Services.
- 14) The Salvation Army in the amount not-to-exceed \$117,764.00 for Adult Development, Congregate Meals and Transportation Services.
- 15) Senior Citizen Resources, Inc. in the amount not-to-exceed \$97,106.00 for Adult Development and Transportation Services.
- 16) Senior Outreach Services in the amount not-to-exceed \$50,130.00 for Adult Development and Transportation Services.
- 17) University Settlement, Incorporated in the amount not-to-exceed \$153,582.00 for Adult Development, Congregate Meals and Transportation Services.
- 18) West Side Community House in the amount not-to-exceed \$411,894.00 for Adult Development, Congregate Meals and Transportation Services.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Senior and Adult Services and Councilmembers Jones, Conwell and Miller

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

- e) R2012-0235: A Resolution making an award on RQ25385 to Hewlett-Packard Company in the amount not-to-exceed \$653,391.44 for 750 HPZ220 computer workstations for the Department of Information Technology; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

Committee Assignment and Chair: Finance & Budgeting – Miller

- f) R2012-0237: A Resolution amending Resolution No. R2012-0162 dated 8/28/2012, which made awards to various municipalities for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013, to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

- g) R2012-0239: A Resolution authorizing amendments to contracts with various providers for emergency assistance services for the period 9/1/2012 - 8/31/2014 for additional funds in the total amount not-to-exceed \$700,000.00; authorizing the County Executive to execute the amendments and all other documents required consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE1200402-01 with A-Z Furniture Co. Inc. in the amount not-to-exceed \$102,000.00.
- 2) No. CE1200403-01 with Dave's Supermarket in the amount not-to-exceed \$40,000.00.
- 3) No. CE1200404-01 with Silverman Brothers, Inc. in the amount not-to-exceed \$48,000.00.
- 4) No. CE1200405-01 with West 25th Furnishings and Appliances, Inc. in the amount not-to-exceed \$238,000.00.

- 5) No. CE1200560-02 with Burlington Coat Factory Warehouse Corporation in the amount not-to-exceed \$272,000.00.

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

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

16. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING

- a) O2012-0026: An Ordinance establishing the Cuyahoga County Debarment Law, Procedures and Review Board; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald and Councilmembers Jones and Germana

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

17. MISCELLANEOUS COMMITTEE REPORTS

18. MISCELLANEOUS BUSINESS

19. PUBLIC COMMENT UNRELATED TO AGENDA

20. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE

MEETING:

MONDAY, DECEMBER 3, 2012
1:00 PM / COUNCIL CHAMBERS

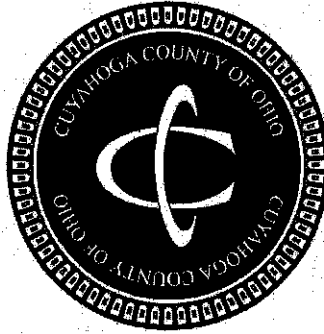
WORK SESSION:

TUESDAY, DECEMBER 11, 2012
4:00 PM / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, DECEMBER 11, 2012
5:00 PM / COUNCIL CHAMBERS

*In accordance with Ordinance No. O2011-0020, as amended, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 13, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM**

1. CALL TO ORDER

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

2. ROLL CALL

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

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation be dedicated in honor of all Veterans who have served our Country.

5. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given.

6. APPROVAL OF MINUTES

- a) **October 23, 2012 Work Session**

- b) October 23, 2012 Regular Meeting

A motion was made by Mr. Germana, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the October 23, 2012 Committee of the Whole meeting and the regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- a) **Commended County Executive FitzGerald, Department of Development Director Larry Benders, Fiscal Officer Wade Steen and Office of Budget and Management Director Matthew Rubino for providing excellent presentations regarding the County's financial status during the bond rating hearings.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

- a) **Complimented Councils' oversight and for strengthening the presentations to the bond rating agencies.**

[Note: Item No. 12 was taken out of order and considered after Item No. 8 on the agenda]

9. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Motion Nos. M2012-0028 and M2012-0029.

- a) M2012-0028: A Motion confirming the County Executive's appointment of Sharon Sobol Jordan to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

On a motion by Mr. Rogers with a second by Ms. Conwell, Motion No. M2012-0028 was considered and approved by unanimous vote.

- b) M2012-0029: A Motion confirming the County Executive's appointment of Samuel R. Huston to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

A motion was made by Ms. Conwell and seconded by Ms. Simon to approve Motion No. M2012-0029. The motion failed by a roll-call vote of 2 yeas and 8 nays with Councilmembers Simon and Gallagher voting in the affirmative and Councilmembers Conwell, Jones, Rogers, Greenspan, Miller, Brady, Germana and Connally casting dissenting votes.

10. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2012-0030: A Motion amending the Rules of the Cuyahoga County Council to clarify the process and powers related to the sponsorship of legislation, and declaring the necessity that this Motion become immediately effective.

Sponsor: Councilmember Greenspan

Council President Connally referred Motion No. M2012-0030 to the Rules, Charter Review, Ethics and Council Operations Committee.

11. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- a) O2012-0020: An Ordinance establishing the Cuyahoga County Based Business Preference Program.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Ordinance No. O2012-0020 into the record.

This item will move to the November 27, 2012 Council meeting agenda for consideration for third reading adoption.

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

[Note: Item No. 12 was taken out of order and considered after Item No. 8 on the agenda]

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend rule 9D and to place on final passage Ordinance No. O2012-0032.

- a) O2012-0032: An Ordinance amending Ordinance No. O2011-0008, as amended, which enacted the Cuyahoga County Code of Ethics, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Greenspan

Committee Assignment and Chair: Rules, Charter Review, Ethics & Council Operations – Greenspan

On a motion by Ms. Conwell with a second by Mr. Miller, Ordinance No. O2012-0032 was considered and adopted by unanimous vote.

13. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING AND REFERRAL TO COMMITTEE

- a) O2011-0053: An Ordinance establishing a Department of Consumer Affairs and the powers and duties of the Director of Consumer Affairs and placing the duties and responsibilities of the operation of Weights and Measures of the County under the direction of the Department of Consumer Affairs.

Sponsors: Councilmembers Brady, Gallagher, Miller, Connally, Germana and Rogers and County Executive FitzGerald

Committee Assignment and Chair: Environment & Sustainability – Rogers

Council President Connally referred Ordinance No. O2011-0053 to the Committee of the Whole.

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0230.

- a) R2012-0230: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2012-0230 was considered and adopted by unanimous vote.

15. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES / EXECUTIVE SESSION

[Note: Item No. 15 was taken out of order and considered after Item No. 22 on the agenda.]

A motion was made by Ms. Conwell, seconded by Mr. Jones and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters concerning collective bargaining, and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 5:35 p.m. The following members were present: Councilmembers Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher and Connally. The following additional attendees were present: Director of Human Resources for the County Board of Developmental Disabilities John McLaughlin, Employment Manager for the County Board of Developmental Disabilities Christina Yoo, Law Director Majeed Makhoulf and County Executive Ed FitzGerald. At 5:47 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.

- a) **R2012-0231: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Association of Cuyahoga County Employees for Special Students, an affiliate of National Education Association and Ohio Education Association, covering approximately 141 employees for the period 9/1/2012 - 12/31/2015; approving a side letter of agreement to change the time period to 9/1/2012 - 8/31/2015; and declaring the necessity that this Resolution become immediately effective.**

Sponsor: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities

No legislative action was taken by Council regarding Resolution No. R2012-0231.

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

- a) **R2012-0232: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary**

funds, in order to meet the budgetary needs of various County departments, offices and agencies; and declaring the necessity that this Resolution become immediately effective.

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

[NOTE: The 2013 budget resolution was not provided by the Administration. Once received, it will be distributed.]

A motion was made by Mr. Miller, seconded by Mr. Gallagher and approved by unanimous vote to amend the title of Resolution No. R2012-0232 and to add the Resolution in it's entirety into the record for first reading.

Clerk Schmotzer then read the new title into the record as follows:

"A Resolution adopting the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013, and declaring the necessity that this Resolution become immediately effective."

Council President Connally referred Resolution No. R2012-0232 to the Committee of the Whole.

- b) R2012-0233: A Resolution making an award on RQ24839 to Hylant Group, Inc. in the amount not-to-exceed \$3,600,000.00 for risk management services and insurance brokerage and premiums through and including 12/31/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Law

Council President Connally referred Resolution No. R2012-0233 to the Finance & Budgeting Committee.

- c) R2012-0234: A Resolution making awards on RQ23838 to various municipalities and providers in the total amount not-to-exceed \$2,376,110.00 for various services for the Community Social Services Program for the period 1/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreements, contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) City of Euclid in the amount not-to-exceed \$36,652.00 for Transportation Services.

- 2) City of Lakewood in the amount not-to-exceed \$73,904.00 for Adult Development, Congregate Meals and Transportation Services.
- 3) City of Maple Heights in the amount not-to-exceed \$86,408.00 for Congregate Meals and Transportation Services.
- 4) City of Parma Heights in the amount not-to-exceed \$169,862.00 for Congregate Meals and Transportation Services.
- 5) Catholic Charities Community Services Corporation on behalf of the St. Martin de Porres Family Center in the amount not-to-exceed \$144,064.00 for Adult Development and Transportation Services.
- 6) Community Partnership on Aging in the amount not-to-exceed \$33,212.00 for Congregate Meals and Transportation Services.
- 7) The East End Neighborhood House Association in the amount not-to-exceed \$113,342.00 for Adult Development and Transportation Services.
- 8) Eliza Bryant Village in the amount not-to-exceed \$117,146.00 for Adult Day Care and Transportation Services.
- 9) The Golden Age Centers of Greater Cleveland in the amount not-to-exceed \$294,582.00 for Adult Development and Transportation Services.
- 10) Goodrich Gannett Neighborhood Center in the amount not-to-exceed \$109,500.00 for Adult Development, Congregate Meals and Transportation Services.
- 11) The Harvard Community Services Center in the amount not-to-exceed \$120,644.00 for Adult Development, Congregate Meals and Transportation Services.
- 12) The Mandel Jewish Community Center of Cleveland in the amount not-to-exceed \$184,718.00 for Adult Development and Transportation Services.
- 13) Murtis Taylor Human Services System in the amount not-to-exceed \$61,600.00 for Adult Development Services.
- 14) The Salvation Army in the amount not-to-exceed \$117,764.00 for Adult Development, Congregate Meals and Transportation Services.
- 15) Senior Citizen Resources, Inc. in the amount not-to-exceed \$97,106.00 for Adult Development and Transportation Services.
- 16) Senior Outreach Services in the amount not-to-exceed \$50,130.00 for Adult Development and Transportation Services.
- 17) University Settlement, Incorporated in the amount not-to-exceed \$153,582.00 for Adult Development, Congregate Meals and Transportation Services.
- 18) West Side Community House in the amount not-to-exceed \$411,894.00 for Adult Development, Congregate Meals and Transportation Services.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Senior and Adult Services

Council President Connally referred Resolution No. R2012-0234 to the Health, Human Services & Aging Committee.

- d) R2012-0235: A Resolution making an award on RQ25385 to Hewlett-Packard Company in the amount not-to-exceed \$653,391.44 for 750 HPZ220 computer workstations for the Department of Information Technology; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

Council President Connally referred Resolution No. R2012-0235 to the Finance & Budgeting Committee.

- e) R2012-0236: A Resolution making an award on RQ24975 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,674,072.45 for full depth recycle with asphalt overlay of Columbia Road from Butternut Ridge Road to Lorain Road in the City of North Olmsted; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and 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 in the amount of \$334,814.49 to fund said contract.

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

Council President Connally referred Resolution No. R2012-0236 to the Public Works, Procurement & Contracting Committee.

- f) R2012-0237: A Resolution amending Resolution No. R2012-0162, which made awards to various municipalities for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2012-0237 to the Economic Development & Planning Committee.

- g) R2012-0238: A Resolution making an award on RQ23777 to Oriana House, Inc. in the amount of \$1,050,000.00 for operation of the North Star Neighborhood Reentry Resource Center for the period 1/1/2013 - 12/31/2015, and authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.

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

Council President Connally referred Resolution No. R2012-0238 to the Justice Affairs Committee.

- h) R2012-0239: A Resolution authorizing amendments to contracts with various providers for emergency assistance services for the period 9/1/2012 - 8/31/2014 for additional funds in the total amount not-to-exceed \$700,000.00; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE1200402-01 with A-Z Furniture Co. Inc. in the amount not-to-exceed \$102,000.00.
- 2) No. CE1200403-01 with Dave's Supermarket in the amount not-to-exceed \$40,000.00.
- 3) No. CE1200404-01 with Silverman Brothers, Inc. in the amount not-to-exceed \$48,000.00.
- 4) No. CE1200405-01 with West 25th Furnishings and Appliances, Inc. in the amount not-to-exceed \$238,000.00.
- 5) No. CE1200560-02 with Burlington Coat Factory Warehouse Corporation in the amount not-to-exceed \$272,000.00.

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

Council President Connally referred Resolution No. R2012-0239 to the Health, Human Services & Aging Committee.

- i) R2012-0240: A Resolution authorizing the County Executive and Department of Public Works to release an amount not-to-exceed \$500,000.00 from the Medical Mart Contingency Fund to the Cleveland Sports Commission when the 2013 Senior Games are held at the Convention Center; authorizing the County Executive and Department of Public Works to negotiate and execute any necessary contract or other documents for same.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2012-0240 to the Economic Development & Planning Committee.

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

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2012-0219, R2012-0228 and R2012-0229.

- a) R2012-0219: A Resolution authorizing the issuance and sale of health care and independent living facilities revenue bonds, Series 2012 (Eliza Jennings Senior Care Network Project), in an aggregate principal amount not to exceed \$25,000,000.00 for the purposes of (i) currently refunding bonds issued by the County, and (ii) paying certain costs of issuance; providing for the assignment of revenues for the payment of those bonds; authorizing the execution and delivery of Amendments to Base Leases, Amendments to Leases, Supplemental Trust Indentures, a Bond Purchase Agreement, a First Amended Assignment of Rights under Leases, a First Amended Assignment of Basic Rent and other instruments and documents in connection with the issuance of those bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development and Councilmembers Miller and Conwell

Committee Assignment and Chair: Economic Development & Planning – Schron

Bond Counsel: Calfee, Halter & Griswold LLP

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0219 was considered and adopted by unanimous vote.

- b) R2012-0228: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0228 was considered and adopted by unanimous vote.

- c) R2012-0229: A Resolution authorizing an amendment to Contract No. CE1200211-01 with United Way of Greater Cleveland for food and allocation of funds for Hunger Centers serving needy residents in Cuyahoga County for the period 4/1/2012 - 12/31/2012 to extend the time period to 12/31/2013 and for additional funds in the amount not-to-exceed \$1,095,450.00; and authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Cuyahoga Job and Family Services and **Councilmember Jones**

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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2012-0229 was considered and adopted by unanimous vote.

18. CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2012-0033: An Ordinance authorizing adoption of the statutorily required contribution to Ohio Public Employees Retirement System for employees in various classifications of Cuyahoga County pursuant to Internal Revenue Code Section 414(H)(2), and declaring the necessity that this Ordinance become immediately effective:

- 1) Deputy Sheriff Sergeant
- 2) Deputy Sheriff
- 3) Deputy Lieutenant

Sponsor: County Executive FitzGerald/Fiscal Officer

Council President Connally referred Ordinance No. O2012-0033 to the Human Resources, Appointments & Equity Committee.

- b) O2012-0034: An Ordinance amending the Administrative Rules for the Cuyahoga County Human Resource Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald on behalf of Human Resource Commission

Council President Connally referred Ordinance No. O2012-0034 to the Human Resources, Appointments & Equity Committee.

19. REPORT BY CLERK ON LEGISLATION WITHDRAWN AT REQUEST OF SPONSOR(S)

- a) M2012-0027: A Motion confirming the County Executive's appointment of various individuals to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective:

- 1) Samuel R. Huston
- 2) Sharon Sobol Jordan

Withdrawn at the request of County Executive FitzGerald.

In accordance with Council Rule 11F(2), Motion No. M2012-0027 was withdrawn at the request of the County Executive.

20. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Rules, Charter Review, Ethics & Council Operations Committee will meet on Tuesday, December 11, 2012 at 3:00 p.m. and that the Department of Human Resources will give a presentation regarding Ethics training at the Council Work Session on Tuesday, December 11, 2012 at 4:00 p.m.

Mr. Miller reported that the Committee of the Whole will meet on Wednesday, November 14, 2012 at 9:00 a.m. and on Tuesday, November 27, 2012 at 2:00 p.m. to discuss the 2013 annual budget update; and that the Finance & Budgeting Committee will meet on Monday, December 3, 2012 at 1:00 p.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Thursday, November 15, 2012 at 2:00 p.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on December 6, 2012 at 11:00 a.m.

Ms. Simon reported that the Justice Affairs Committee will meet on Friday, December 7, 2012 at 11:00 a.m.

21. MISCELLANEOUS BUSINESS

Ms. Simon announced that a Purple Heart home was dedicated in the City of South Euclid on Monday, November 11, 2012 and she requested that Council take a look at the budget to consider providing assistance for Purple Heart.

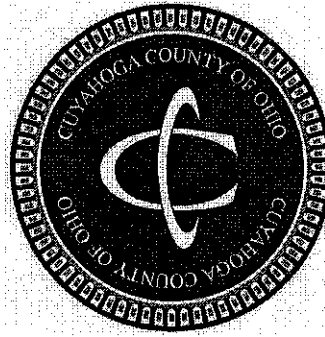
22. PUBLIC COMMENT UNRELATED TO AGENDA

Ms. Fran Mentsch, citizen, addressed Council regarding issues of concern to her relating to closing the South Euclid Lyndhurst branch of the Cuyahoga County Public Library.

[Note: Item No. 15 was taken out of order and considered after Item No. 22 on the agenda]

23. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 5:53 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL SPECIAL MEETING
TUESDAY, NOVEMBER 20, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
9:00 AM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 9:10 a.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Jones, Miller, Brady, Germana, Gallagher, Schron, Conwell and Connally were in attendance and a quorum was determined. [Councilmembers Rogers and Simon were in attendance after Executive Session began.] Councilmember Greenspan was absent.

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment given related to the agenda.

5. APPROVAL OF MINUTES

a) November 15, 2012 Special Meeting

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the November 15, 2012 special meeting.

6. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally announced the reasons and process for convening Executive Session.

7. DISCUSSION / EXECUTIVE SESSION

- a) Sale/purchase of real property and matters required to be kept confidential by law (trade secrets and attorney-client privilege).

A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing the sale/purchase of real property and matters required to be kept confidential by law (trade secrets and attorney-client privilege), and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 9:14 a.m. The following Councilmembers were present: Jones, Miller, Brady, Germana, Gallagher, Schron, Conwell and Connally. Councilmembers Rogers and Simon were in attendance after Executive Session began. The following additional attendees were present: County Executive Edward FitzGerald, Director of Law Majeed Makhoul; Director of Public Works Bonnie Teeuwen; Department of Public Works Transportation Planning Engineer Nichole English; Director of the Office of Budget & Management Matt Rubino; representatives of CBRE; representatives of URS; and Council Chief of Staff Joe Nanni, Legislative Budget Advisor Trevor McAleer and Research & Policy Analyst Kahlil Seren. Clerk of Council Jeanne Schmotzer and Deputy Clerk Nikima Barnhill were in attendance during various portions of Executive Session. At 12:49 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the special meeting.

8. MISCELLANEOUS BUSINESS

Mr. Miller requested that a meeting of the Committee of the Whole be scheduled for Monday, December 3, 2012 at 1:00 p.m. regarding matters of the budget and other items to be referred from the November 27th Council agenda. Council President Connally approved this request.

9. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment given unrelated to the agenda.

10. ADJOURNMENT

With no further business to discuss, Council President Connally adjourned the meeting at 12:50 p.m., without objection.

County Council of Cuyahoga County, Ohio

Motion No. M2012-0031

Sponsored by: Council President Connally/Clerk of Council	A Motion approving the expiration and retention of pending legislation in accordance with County Council Rule 11F, and declaring the necessity that this Motion become immediately effective.
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WHEREAS, County Council Rule 11F(1) requires that, prior to the end of each year in which a General Election for Members of Council takes place, the Council shall consider a Motion of Council, providing that legislation introduced prior to July 1 of that year and not adopted shall expire, such Motion to be used to decide which items of legislation set to expire shall expire; and

WHEREAS, at least two weeks prior to the consideration of that Motion of Council, the Clerk of Council is to provide each Member a list of legislation sponsored by that Member that is set to expire, thereby allowing the Member to request retention of the legislation for further consideration; and

WHEREAS, on October 31, 2012 the Clerk of Council provided each Councilmember a list of legislation sponsored by that Councilmember that is set to expire; and

WHEREAS, Councilmembers notified the Clerk of Council requesting to retain certain legislation that is set to expire; and

WHEREAS, it is necessary that this Motion become immediately effective in order to provide for the usual, daily operation of the County Council.

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

SECTION 1. That the County Council hereby approves expiration of the following pending legislation:

- a) M2011-0052: A Motion amending Rule 9D of the Rules of the Cuyahoga County Council, and declaring the necessity that this Motion become immediately effective.
- b) O2011-0031: An Ordinance providing for the adoption of a campaign finance policy for Cuyahoga County.

- c) O2011-0032: An Ordinance establishing guidelines under which Council is to consider and approve subsidies to boards, commissions, agencies, corporations, and other entities or authorities over which the County Council does not have direct, immediate oversight of daily, operational management decisions.
- d) O2011-0057: An Ordinance establishing a General Fund Balance Reserve Replenishment Plan, and declaring the necessity that this Ordinance become immediately effective.
- e) O2011-0059: An Ordinance establishing a Health and Human Services Fund Balance Reserve Replenishment Plan, and declaring the necessity that this Ordinance become immediately effective.
- f) O2011-0060: An Ordinance establishing a Discretionary Funds Utilization Policy, and declaring the necessity that this Ordinance become immediately effective.

SECTION 2. That the County Council hereby approves retention of the following pending legislation at the request of the sponsor(s):

- a) R2011-0188: A Resolution providing for the submission to the Electorate of an amendment to Article 3, Section 3 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.
- b) R2011-0189: A Resolution providing for the submission to the Electorate of an amendment to Article 3, Section 4, Subsection 2 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective.
- c) O2011-0048: An Ordinance requiring the County Executive to contract for and conduct a Contracting, Employment, and Workforce Training Disparity Study beginning in 2012 and, if required by law to validate the Disparity Study, every five years thereafter; and requiring annual updates of said Study, if required by law.
- d) O2011-0053: An Ordinance establishing a Department of Consumer Affairs and the powers and duties of the Director of Consumer Affairs and placing the duties and responsibilities of the operation of Weights and Measures of the County under the direction of the Department of Consumer Affairs.
- e) O2012-0017: An Ordinance establishing a County Road Maintenance Program for the Department of Public Works in order to reinstate the financial responsibility of the County for design, construction, repair and road surface maintenance projects for County Roads, effective March 1, 2014.

SECTION 3. It is necessary that this Motion become immediately effective in order that the usual and daily operation of the County Council may continue. Provided that this Motion receives the affirmative vote of eight members of Council, this Motion shall become immediately effective upon approval by Council.

SECTION 4. It is found and determined that all formal actions of this Council relating to the approval of this Motion were adopted in an open meeting of the 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, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Motion was duly approved.

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0241

Sponsored by: Councilmember Conwell	A Resolution requesting the Ohio General Assembly to make physical assault on public transit workers a felony under Ohio law, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, physical attacks on Greater Cleveland Regional Transit Authority bus drivers have increased over the past year, and in recent weeks, such attacks have received increased public attention; and

WHEREAS, bus drivers and all transit workers are at great risk of assault and verbal abuse because of the nature of their work with the general public, and

WHEREAS, other states have laws that provide specific penalties for harming public transportation workers; and

WHEREAS, the State of Ohio already protects several categories of public workers, including school bus drivers, by providing specific felony penalties for assaults on such workers; and

WHEREAS, to better protect public transportation workers while on duty, the State of Ohio should adopt a law making assault on a public transportation worker a felony.

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

SECTION 1. Cuyahoga County urges the Ohio General Assembly to enact legislation making assault on public transit workers a felony under Ohio law.

SECTION 2. Cuyahoga County Council authorizes the Clerk of Council to transmit a copy of this resolution to members of the Ohio General Assembly who represent any area of Cuyahoga County.

SECTION 3. It is necessary that this Resolution become immediately effective in order to timely express Council's concerns to the Ohio General Assembly. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0031

Sponsored by: Councilmembers Gallagher, Connally, Rogers and Miller	An Ordinance amending Ordinance No. O2011-0020 dated 4/26/2011, which provided for complimentary parking for members of the public to attend regularly scheduled evening and committee meetings of the County Council at the Huntington Park Garage, to remove restrictions regarding time of day; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Cuyahoga County Council adopted Ordinance No. O2011-0020, to provide for complimentary parking for members of the public to attend regularly scheduled evening and committee meetings of the County Council; and,

WHEREAS, the Cuyahoga County Council encourages public attendance at and participation in its meetings, yet is cognizant of the fact that many members of the public may be discouraged or unable to attend because of the additional cost of parking; and,

WHEREAS, this Council has discussed that public attendance at Council meetings may be increased if members of the attending public are provided with complimentary parking and, therefore, provide more public participation in the new County government; and,

WHEREAS, Cuyahoga County owns the Huntington Park Garage, located at 1141 West 3rd Street, Cleveland, Ohio and has determined that it will provide complimentary parking vouchers for citizens who choose to attend regularly scheduled Cuyahoga County Council meetings.

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

SECTION 1. Section 1 of Ordinance No. O2011-0020 is hereby amended to read as follows (deletions are stricken out; additions are underlined and bolded):

“SECTION 1: ~~That~~ the County shall provide complimentary parking for the public to attend **public** evening and committee meetings of the County

Council **and its committees** at the Huntington Park Garage, on a space-available basis, as provided in this Ordinance.”

SECTION 2. Section 2 of Ordinance No. O2011-0020 is hereby amended to read as follows (deletions are stricken out; additions are underlined and bolded):

“**SECTION 2:** Complimentary parking will be available beginning at 4 **PM8:30 AM** on any day when the Council or any of its committees holds ~~evening~~ meetings.”

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

SECTION 4. It is necessary that this Ordinance become immediately effective in order that the functions of Council can continue, and to and to provide for the usual, daily operation of Council. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: October 23, 2012
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC008
November 27, 2012

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0020

Sponsored by: Councilmembers Gallagher, Germana, Connally, Jones, Brady, Miller and Rogers and County Executive FitzGerald	An Ordinance establishing the Cuyahoga County Based Business Preference Program.
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WHEREAS, Article VII, Section 7.01 of the Cuyahoga County Charter mandates that “the County shall develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County; and,

WHEREAS, an objective of the Cuyahoga County Small Business Enterprise (SBE) Program is to spur economic development in the public and private sectors of the Cuyahoga County economy; and,

WHEREAS, the Cuyahoga County Council deems a Cuyahoga County Based Business Preference Program for County purchases, and for entering into agreements and awarding contracts to be critical to the economic vibrancy and development of the County; and,

WHEREAS, the County Executive / Office of Procurement & Diversity administers all County purchases, agreements, and contracts; and,

WHEREAS, all County purchases, and the manner of entering into agreements and contracts are governed by the Cuyahoga County Contracting and Purchasing Procedures Ordinance, and any applicable state and federal laws.

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

SECTION 1. Program. There is hereby created a Cuyahoga County Based Business (CCBB) Preference Program.

SECTION 2. Definitions. For purposes of this ordinance, a Cuyahoga County Based Business means:

- (a) an individual, domestic corporation, sole proprietorship, partnership, or joint venture whose principal place of business has been located in Cuyahoga County for at least three (3) years as registered in official documents filed with the Secretary of State of Ohio or the Cuyahoga County Fiscal Office. If

one party to a joint venture has its principal place of business in Cuyahoga County, the joint venture shall be considered as having its principal place of business in Cuyahoga County; or

(b) a business organization with a “significant economic presence” in Cuyahoga County. For purposes of this ordinance,

a. “Significant economic presence” means a business organization that has for at least three years

- i. Had a sales office, division, sales outlet or manufacturing facility in Cuyahoga County; and
- ii. Pays required taxes to Cuyahoga County; and
- iii. Has an annual gross payroll in Cuyahoga County of at least \$100,000.00.

SECTION 3. Match-Price Preference Option for Cuyahoga County Based Business. Unless otherwise prohibited by state, federal or local law, when the County has solicited bids, proposals, qualification statements or other contractual solicitations, and is determining the lowest price or the lowest evaluated price for purposes of awarding a purchase, agreement or a contract, and the lowest price or lowest evaluated price is submitted by a non-Cuyahoga County business, a Cuyahoga County Based Business whose bid is within two (2) percent of the lowest bid submitted by a non-Cuyahoga County Based Business bidder shall be given the option to match the lowest bid. The option to match shall remain open for five (5) business days.

SECTION 4. SBE Certification and CCBB Qualification. When a business has been certified as a county SBE, and provided it meets the other definitional requirements of Section 2 (a) or (b), the business may qualify as a CCBB after at least one (1) year of continuous operation in Cuyahoga County, rather than the three (3) years required in Section 2.

SECTION 5. One Preference to Apply. If a business qualifies for both the SBE preference and the County Based Business Preference on a particular purchase, contract or agreement, only the larger preference shall apply.

SECTION 6. Application. The Cuyahoga County Based Business Preference Program applies solely to an entity with which the County is directly entering into a purchase, agreement, or contract, and not to subcontractors.

SECTION 7. Cuyahoga County Based Business Form.

(a) The Office of Procurement and Diversity is directed to create a Cuyahoga County Based Business form, which shall be submitted by any entity desiring to participate in the Cuyahoga County Based Business Preference Program.

- (b) Any entity desiring to participate in the Cuyahoga County Based Business Preference Program must submit, with and at the time of the bid, proposal or qualifications, a completed, signed and notarized Cuyahoga County Based Business form.

SECTION 8. Verification of Information and Denial of Designation. The Director of the Office of Procurement and Diversity is hereby authorized to investigate and verify any information submitted with the Cuyahoga County Based Business form and may reject the designation of a Cuyahoga County Based Business if he or she believes the information on the form is inaccurate or the entity is ineligible to be designated as a Cuyahoga County Based Business. The Director of the Office of Procurement and Diversity may request additional information prior to approving or rejecting the designation of a Cuyahoga County Based Business.

SECTION 9. Appeal of Denial of Designation. If a designation of a Cuyahoga County Based Business is denied by the Director of the Office of Procurement and Diversity, the entity may submit a written complaint or appeal to the Director of the Office of Procurement and Diversity who shall notify the SBE Grievance Hearing Board. The written complaint or appeal by the entity shall be made within five (5) days to the Director of the Office of Procurement and Diversity upon receipt of the Director of the Office of Procurement and Diversity's decision. The SBE Grievance Hearing Board shall make every effort to hold the hearing no more than twenty (20) days from the date of receipt of the written complaint or appeal from the entity.

SECTION 10. Effect of Denial of Designation. If a designation of a Cuyahoga County Based Business is denied by the Director of the Office of Procurement and Diversity and/or the SBE Grievance Hearing Board, the entity cannot reapply for designation as a Cuyahoga County Based Business for a period of one (1) year from the date of the notice of denial.

SECTION 11. Waiver. The County may choose not to apply the County based Business Program to any particular purchase, agreement or contract by a Resolution of Council enacted prior to the beginning of the purchase process, or issuance of the RFQ, RFP, or bid package.

SECTION 12. Biennial Review. The Office of Procurement and Diversity shall conduct a biennial review of the economic and budgetary impacts of the Cuyahoga County Based Business Program and shall submit the results to Council during the biennial budget process beginning in 2013.

SECTION 13. Open Meetings Compliance. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the

public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: July 24, 2012

Committee(s) Assigned: Finance & Budgeting

Committee Report/Second Reading: November 13, 2012

Journal CC008

November 27, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0242

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on December 13, 2011, the Cuyahoga County Council adopted the 2012/2013 Biennial Operating Budget and Capital Improvements Program (Resolution No. R2011-0291) establishing the 2012/2013 biennial budgets for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the 2012/2013 Biennial Operating Budget for 2012 to reflect budgetary funding increases, funding reductions, to transfer budget appropriations, and to transfer cash between budgetary funds, in order to accommodate the operational needs of certain County departments, offices, and agencies; and

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

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

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 21A007 – Defending Childhood Initiative CF754135 – Defending Childhood Initiative Personal Services	BA1200601 \$ 120,111.00

Funding Source: DCFS will use the 41,382.58 remaining from the Treatment Services Medicaid Funds received from Justice Affairs, to cover the remaining cost of the services.

B.	40A069 – Capital Project Future Debt Issue CC768127 – 2012 Emergency Response Initiative	BA1200563
	Personal Services	\$ 135,000.00
	Other Expenses	\$ 25,000.00
	Capital Outlays	\$ 340,000.00

Funding Source: General Fund.

C.	20A805 – Court of Appeals Special Projects CA360115 – Court of Appeals Special Projects	BA1200849
	Capital Outlay	\$ 10,000.00

Funding Source: This Fund is supported by a fee on filings; there is no General Fund impact resulting from this request.

D.	01A001 – General Fund SH350470 – Jail Operations-Sheriff	BA1200807
	Personal Services	\$ 503,820.00

Funding Source: General Fund covering the period January 1, 2012 through December 31, 2012.

E.	01A001 – General Fund SH350272 – Law Enforcement-Sheriff	BA1200901
	Personal Services	\$ 243,252.00

Funding Source: General Fund covering the period January 1, 2012 through December 31, 2012.

F.	21A800 – Polling Place Accessibility BE475046 – Polling Place Accessibility	BA1200908
	Other Expenses	\$ 9,639.98

Funding Source: United States Department of Health & Human Services, Administration for Children and Families under the United States Help America Vote Act of 2000 (HAVA).

G.	21A050 – COPS Hiring Program 2012/2015 SH753772 – FY2012 COPS Hiring Program 2012/2015	BA1200921
	Personal Services	\$ 1,603,160.00

Funding Source: United States Department of Justice, Community Oriented Policing Services (COPS) grant award.

H.	21A875 – CCCMHB – Behavioral Mental Health/Juv. Justice JC753749 – 12/13 Behavioral Mental Health/Juv. Justice	BA1200938
	Personal Services	\$ 178,100.00

Funding Source: Ohio Department of Youth Services and Ohio Department of Mental Health.

I.	24A430 – Executive Office of HHS	BA1200941
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HS157362 – Executive Office of HHS Human Resources
 Personal Services \$ 18,000.00

Funding Source: Public Assistance allocations, Title IV-D, and the County’s two Health and Human Services Levy Fund.

J. 01A001 - General Fund **BA1200945**
 SU513523 – Whiskey Island Purchase – General Fund Subsidy
 Other Expenses \$ 160,000.00

Funding Source: General Fund.

K. 40A069 – Capital Project Future Debt Issue **BA1200944**
 CC768135 – Justice Center 120 Holding/Booking 3rd Floor
 Personal Services \$ 40,000.00
 Other Expenses \$ 2,500.00
 Capital Outlays \$ 1,062,500.00

Funding Source: 2012 General Obligation Bond Offering scheduled for the beginning of December 2012.

SECTION 2. That the 2012/2013 Biennial Operating Budget for 2012 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>		<u>Journal Nos.</u>
A. FROM:	21A923 – Annie Casey Grant	BA1200600
	CF753954 – FY07 Annie Casey Grant	
	Personal Services \$.50
TO:	21A923 – Annie Casey Grant	
	CF753954 – FY07 Annie Casey Grant	
	Other Expenses \$.50

Funding Source: Annie E. Casey foundation.

B. FROM:	24A301 – Children and Family Services	BA1200602
	CF135483 - Training	
	Capital Outlay \$	40,000.00
TO:	25A301 – Children and Family Services	
	CF135467 – Administrative Services	
	Capital Outlay \$	40,000.00

Funding Source: Federal/State as well as the Health and Human Services Levy Fund.

C. FROM:	01A001 – General Fund	BA1200893
	CL200055 – Clerk of Courts	
	Personal Services \$	150,000.00

TO: 01A001 – General Fund
CL200055 – Clerk of Courts
Other Expenses \$ 150,000.00

Funding Source: Fund but it is important to note that a portion of postage expenses are reimbursed by the litigants through court costs.

D. FROM: 01A001 – General Fund **BA1200907**
DR391052– Domestic Relations
Personal Services \$ 17,406.00

TO: 01A001 – General Fund
DR495515– Domestic Relations Child Support
Personal Services \$ 17,406.00

Funding Source: General Fund covering the period January 1, 2012 through December 31, 2012.

E. FROM: 21A500 – Urban Area Security Initiative (UASI) **BA1200914**
JA741124– Urban Area Security Initiative (UASI)
Capital Outlays \$ 15,444.50

TO: 21A500 –Urban Area Security Initiative (UASI)
JA741124– Urban Area Security Initiative (UASI)
Other Expenses \$ 15,444.50

Funding Source: United States Department of Homeland Security covering the period April 1, 2010 through September 30, 2012

F. FROM: 01A001 – General Fund **BA1200917**
SH350579– Sheriff Operations
Other Expenses \$ 12,954.47

TO: 01A001 –General Fund
SH350272– Law Enforcement-Sheriff
Other Expenses \$ 12,954.47

Funding Source: General Fund covering the period January 1, 2012 through December 31, 2012.

G. FROM: 01A001 – General Fund **BA1200922**
SH350272– Law Enforcement
Personal Services \$ 603,160.00

TO: 01A001 –General Fund
SH351080– Impact/Community Policing
Other Expenses \$ 603,160.00

Funding Source: General Fund covering the period January 1, 2012 through December 31, 2012.

H. FROM:	20A301 – Real Estate Assessment		BA1200939
	BR420067 – Board of Revision		
	Personal Services	\$	100,000.00
TO:	20A301 – Real Estate Assessment		
	BR420067 – Board of Revision		
	Other Expenses	\$	100,000.00

Funding Source: The Real Estate Assessment fund receives fees for collection of tax duplicates other than estate taxes.

I. FROM:	01A001 – General Fund		BA1200940
	HC019018 – Human Resource Commission		
	Other Expenses	\$	16,000.00
TO:	01A001 – General Fund		
	HC019018 – Human Resource Commission		
	Personal Services	\$	16,000.00

Funding Source: General Fund.

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

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

A. FROM:	01A001 – General Fund		JT1200127
	SH351080 – Impact Unit/Community Policing		
	Transfer Out	\$	603,160.00
TO:	21A050 – COPS Hiring Program 2012/2015		
	SH753772 – COPS Hiring Program 2012/2015		
	Revenue Transfer	\$	603,160.00

Funding Source: General Fund covering the period January 1, 2012 through December 31, 2012.

B. FROM:	01A001 – General Fund		JT1200031
	SU513523 – Whiskey Island Purchase GF Subsidy		
	Transfer Out	\$	160,000.00
TO:	40A069 – Capital Projects Fund		
	CC766543 – Whiskey Island Purchase		
	Revenue Transfer	\$	160,000.00

Funding Source: General Fund is transferred on an annual basis to make the payment.

C. FROM:	01A001 – General Fund		JT1200031
	SU514711 – Gateway Arena Debt Service Subsidy		
	Transfer Out	\$	5,091,820.45

TO: 30A905 – Debt Service-Gateway Arena
DS100370 – Debt Service-Gateway Arena
Revenue Transfer \$ 5,091,820.45

Funding Source: General Fund is transferred on an annual basis to make the payment.

D. FROM: 01A001 – General Fund **JT1200031**
SU511535 – Medical Mart Series 2010 DS Pledge
Transfer Out \$ 30,600,883.76

TO: 30A915 – DS – Medical Mart Series 2010
DS039115 – DS – Medical Mart Series 2010
Revenue Transfer \$ 30,600,883.76

Funding Source: General Fund is transferred on an annual basis to make the payment.

E. FROM: 01A001 – General Fund **JT1200031**
SU513762 – Brownfield Redevelopment Pledge
Transfer Out \$ 508,379.30

TO: 30A910 – Brownfield Debt Service
DS039966 – Brownfield Debt Service
Revenue Transfer \$ 508,379.30

Funding Source: General Fund is transferred on an annual basis to make the payment.

F. FROM: 01A001 – General Fund **JT1200031**
SU514125 – Community Redevelopment Fund Subsidy
Transfer Out \$ 874,417.07

TO: 30A913 – Community Redevelopment Debt Service
DS040121 – Community Redevelopment Debt Service
Revenue Transfer \$ 874,417.07

Funding Source: General Fund is transferred on an annual basis to make the payment.

G. FROM: 01A001 – General Fund **JT1200031**
SU515676 – Shaker Square 2000A GF Pledge
Transfer Out \$ 140,000.00

TO: 30A912 – Shaker Square 2000A Debt Service
DS039974 – Shaker Square 2000A Debt Service
Revenue Transfer \$ 140,000.00

Funding Source: General Fund is transferred on an annual basis to make the payment.

H. FROM: 51A404 – County Parking Garage **JT1200031**
CT571125 – Huntington Park Garage
Transfer Out \$ 187,129.61

TO: 30A900 – Bond Retirement General Obligation

Funding Source: Parking fees.

SECTION 4. This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

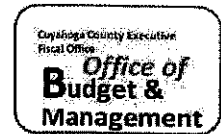
Clerk of Council Date

Journal CC008
November 27, 2012



EDWARD FITZGERALD
Cuyahoga County Executive

CUYAHOGA COUNTY
FISCAL OFFICER



November 20, 2012

Clerk of County Council

Dear Ms. Schmotzer:

A brief summary of the fiscal items which will be presented for your consideration for adoption on first reading at the regular County Council meeting scheduled for November 27, 2012, are presented below.

Additional Appropriation Summary – Additional appropriations are needed when there is a new or increased revenue source, or a revision to the original appropriation level that is required to cover expenditures that exceed the original estimate. A budget review document is provided for General Fund and Health & Human Services Levy Fund impact items.

A reduction in appropriation is requested in conjunction with the close-out of a program, grant, project or decertification of an encumbrance.

* Impact of fiscal item is included in the current projection and ending fund balance.

General Fund/Health & Human Services	Amount
Sheriff – Additional appropriation to cover collective bargaining agreements for Corrections Officers and Sergeants.* Funding is from the General Fund.	\$503,820.00
Sheriff – Additional appropriation to cover collective bargaining agreements for the Law Enforcement divisions Deputies, Sergeants, and Lieutenants.* Funding is from the General Fund.	\$243,252.00
Office of Health & Human Services – An additional appropriation to cover personal services through year-end. Funding is from Public Assistance allocations, Title IV-D and the Health & Human Services Levy Fund.	\$18,000.00
Whiskey Island Purchase – Additional appropriation to allow the eighth year payment of a 10-year promissory note. Funding is from the General Fund.	\$160,000.00
TOTAL	\$925,072.00

Other Operating Funds	Amount
8 th District Court of Appeals – Additional appropriation to cover the purchase of new monitors for judges and legal staff. Funding is from a fee on filings.	\$10,000.00
TOTAL	\$10,000.00

Grants/Projects	Amount
Children & Family Services – To establish appropriations for the Defending Childhood Initiative.	\$120,111.00
Capital Project/2012 Emergency Response Initiative – Additional appropriation to fund repairs to buildings caused by the recent storms. Funding is from the General Fund. (See OBM Review Document.)	\$500,000.00
Board of Elections – To appropriate the Permanent Polling Place Accessibility grant award from the U.S. Department of Health & Human Services, Administration for Children & Families.	\$9,639.98
Sheriff – To establish appropriations for the Community Oriented Policing Services (COPS) Hiring Program grant award from the U.S. Department of Justice, Community Oriented Policing Services.	\$1,603,160.00
Juvenile Court – To appropriate the Behavioral Mental Health Juvenile Justice Project grant from the Ohio Department of Mental Health.	\$178,100.00
Capital Project – Justice Center 120 Holding/Booking 3 rd Floor – Additional appropriation to cover the renovation of the 120 Holding and Booking area on the 3 rd floor of the Justice Center. Funding is from the 2012 General Obligation Bond offering.	\$1,105,000.00
TOTAL	\$3,516,010.98

Total Additional Appropriations - All Funds	\$4,451,082.98
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The following represents the overall changes made to the 2012-2013 Biennial Appropriation Measure for 2012 since its adoption on December 13, 2011 Resolution # R2011-0291. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

APPROPRIATION STATUS SUMMARY:

	<u>11/27 Agenda</u>	<u>Year to Date</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 907,072.00	\$ 2,809,072.42	\$ 356,249,888.36
HHS Levy Impact	\$ 138,111.00	\$ (17,203,180.98)	\$ 216,583,704.83
Other Fund	\$ 3,405,899.98	\$ 163,623,550.53	\$ 1,062,556,537.53
Total	\$ 4,451,082.98	\$ 149,229,441.97	\$ 1,635,390,130.72

Appropriation Transfer Summary – Is a transfer of appropriation between two or more budget accounts or between different expenditure categories within the same budget account.

General Fund/Health & Human Services	Amount
Children & Family Services – Realigning appropriation from Training to Administrative Services to cover capital outlay through year-end. Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$40,000.00
Clerk of Courts – Realigning appropriation to cover postage expenses through year-end. Funding is from the General Fund.	\$150,000.00
Domestic Relations Court – Realigning appropriation to cover expenses through year-end. Funding is from the General Fund.	\$17,406.00
Sheriff – Realignments from Sheriff Operations to Law Enforcement Division to cover expenses through year-end. Funding is from the General Fund.	\$12,954.47
Sheriff – Realigning appropriations from Law Enforcement to Impact/Community Policing to cover the cash match for the grant. Funding is from the General Fund.	\$603,160.00
Human Resource Commission – Realigning appropriation to cover personal services. Funding is from the General Fund.	\$16,000.00
TOTAL	\$839,520.47

Other Operating Funds	Amount
Board of Revision – Realigning appropriation to cover the purchase of pre-assembled certified mail envelopes. The Real Estate Assessment fund receives fees for collection of tax duplicates other than estate taxes.	\$100,000.00
TOTAL	\$100,000.00

Grants/Projects	Amount
Children & Family Services/Annie Casey Grant – Realignment within the Annie Casey grant to process a refund. Funding is from the Annie E. Casey Foundation.	\$.50
Justice Services – Realigning appropriation within the Urban Area Security Initiative grant to cover the final revenue transfer to the Medical Examiner’s Office, reimburse the General Fund for grant related expenses, and prepare for grant closure. Funding is from the U.S. Department of Homeland Security.	\$15,444.50
TOTAL	\$15,445.00

Total Appropriation Transfers - All Funds	\$954,965.47
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Cash Transfer Summary – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

General Fund/Health & Human Services	Amount
Sheriff – A cash transfer to cover the cash match for the Community Oriented Policing Services (COPS) Hiring Program grant.* Funding is from the General Fund. (See OBM Review Document.)	\$603,160.00
Whiskey Island Purchase – A cash transfer to cover the eighth year payment of a 10-year promissory note for the purchase of Whiskey Island. Funding is from the General Fund.	\$160,000.00
Gateway Arena Debt Service – A cash transfer to cover the County’s portion of the 2012 principal and interest	\$5,091,820.45

payment. Funding is from the General Fund.	
Medical Mart Debt Service – A cash transfer to cover the County’s portion of the 2012 principal and interest payment. Funding is from the General Fund.	\$30,600,883.76
Brownfield Redevelopment Debt Service – A cash transfer to cover the County’s portion of the 2012 principal and interest payment. Funding is from the General Fund.	\$508,379.30
Community Redevelopment Debt Service - A cash transfer to cover the County’s portion of the 2012 principal and interest payment. Funding is from the General Fund.	\$874,417.07
Shaker Square Debt Service - - A cash transfer to cover the County’s portion of the 2012 principal and interest payment. Funding is from the General Fund.	\$140,000.00
TOTAL	\$37,978,660.58

Other Operating Funds	Amount
County Parking Garage – A cash transfer from the Huntington Park Garage to the Debt Retirement Fund to cover the garage’s portion of the 2004 General Obligation Debt Service. Funding is from parking fees.	\$187,129.61
TOTAL	\$187,129.61

Total Cash Transfers - All Funds	\$38,165,790.19
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Thank you for your consideration regarding this matter.

Sincerely,



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

Recommendation for Appropriation Request

Request Description	2012 Emergency Response Initiative
Requesting Agency	Public Works
Funding Source	General Fund
Total Impact	\$ 500,000
Status	Recommended
Agenda Date	November 27, 2012

Summary of Request

Request to increase appropriation in the amount of \$500,000 for the Emergency Response Initiative set up to pay for building damages caused by super-storm Sandy.

Background Information

- Information on program budget
This request is not part of any program because it is a one-time emergency item.
- Funding source and related history
Typically, emergency funds are paid for out of the General Fund.
- Reason for request
Approximately 20 buildings incurred structural damage due to the high winds and rain from super-storm Sandy. The \$500,000 is requested to repair these structural damages.

OBM Recommendation and Impact Statement

In this section provide the following:

- A complete and comprehensive analysis of the request
Building managers provided information on damages occurred by the super-storm. It was estimated by Facility managers that repairs will cost \$500,000.
- General Fund and / or HHS levy impact
These repairs will be funded by the General Fund.
- Budgetary or funding issues
There was no budget for these expenses.
- Impact on programmatic objectives
This is a one-time emergency item. It has no impact on programs per se, but it could impact programs as far as the building damage caused dislocation of personnel from offices and meeting rooms.
- The recommendation for approval or non approval
OBM recommends this request.

Recommendation for Appropriation Request

Request Description	Operating Transfer
Requesting Agency	Office of Budget and Management
Funding Source	General Fund
Total Impact	\$ 603,160.00
Status	Recommended
Agenda Date	11/21/2012

Summary of Request

Request to transfer \$603,160.00 General Fund resources from the Sheriff Community Policing/Impact Unit Division to the recently awarded Community Oriented Policing Services (COPS) grant for the required cash match.

Background Information

The Sheriff's Department was awarded \$1,000,000 from the United States Department of Justice, Community Oriented Policing Services (COPS) grant which was accepted by the Board of Control on August 27, 2012, resolution 12-234. Acceptance of the grant required a cash match from local resources of \$603,160.00 for a total project cost of \$1,603,160.00 covering the period July 1, 2012 through May 31, 2015. The grant will permit the Sheriff to hire 8 additional Deputy's assigned to the already established Community Policing/Impact unit.

OBM Recommendation and Impact Statement

OBM recommends approval of this request since there resources exists within the Sheriff's existing 2012 budget.

MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

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

DATE: November 20, 2012

RE: Agenda Items

The Office of Budget & Management requests that the following fiscal items be presented to the members of County Council for their consideration for approval on first reading at the meeting of November 27, 2012. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A. 21A007 – Defending Childhood Initiative **BA1200601**
CF754135 – Defending Childhood Initiative
Personal Services \$ 120,111.00

DCFS request appropriation to establish a budget for the Defending Childhood Initiative (DCI). The DCI stems from agreement AG1200237 between DCFS and the County Witness Victim Service Center, whereby DCFS agrees to provide Multi Systemic Therapy (MST) services for the time period 07/08/2012 to 09/30/2013 at a cost not to exceed \$80,000.00. DCFS will use the 41,382.58 remaining from the Treatment Services Medicaid Funds received from Justice Affairs, to cover the remaining cost of the services.

B. 40A069 – Capital Project Future Debt Issue **BA1200563**
CC768127 – 2012 Emergency Response Initiative
Personal Services \$ 135,000.00
Other Expenses \$ 25,000.00
Capital Outlays \$ 340,000.00

Additional appropriation has been requested by the Department of Public Works to fund repairs on damaged buildings due to super storm Sandy. Funding for the 2012 Emergency Response Initiative will come from the General Fund.

C. 20A805 – Court of Appeals Special Projects **BA1200849**
CA360115 – Court of Appeals Special Projects
Capital Outlay \$ 10,000.00

Request to increase appropriation to the Court of Appeals Special Projects Fund to support the purchase of new monitors for the Court's judges and legal staff. This Fund is supported by a fee on filings; there is no General Fund impact resulting from this request.

Fiscal Office
Office of Budget & Management
1219 Ontario Street, Cleveland, OH 44113, (216) 443-7220, FAX (216) 443-7256
Ohio Relay Service (TTY) 711

D.	01A001 – General Fund SH350470 – Jail Operations-Sheriff Personal Services	\$ 503,820.00	BA1200807
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Provide additional appropriations for the in the County Sheriff's Jail Operations division for collective bargaining agreements for the Correction Officers through OPBA and Correction officer Sergeants through FOP effective January 1, 2012. Funding is from the General Fund covering the period January 1, 2012 through December 31, 2012.

E.	01A001 – General Fund SH350272 – Law Enforcement-Sheriff Personal Services	\$ 243,252.00	BA1200901
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Provide additional appropriations for the in the County Sheriff's Law Enforcement division for collective bargaining agreements for the Deputies, Sergeants, and Lieutenants through OPBA effective January 1, 2012. Funding is from the General Fund covering the period January 1, 2012 through December 31, 2012.

F.	21A800 – Polling Place Accessibility BE475046 – Polling Place Accessibility Other Expenses	\$ 9,639.98	BA1200908
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To increase appropriations for the Cuyahoga County Board of Elections Permanent Polling Place Accessibility Grant award by the Ohio Secretary of State from the United States Department of Health & Human Services, Administration for Children and Families under the United States Help America Vote Act of 2000 (HAVA) to make polling places accessible to individuals with disabilities. The increase is based on warrant #0021648136 dated 10/30/2012 from the Ohio Secretary of State dated 10/30/2012 for \$34,359.99 of which \$24,720.01 was established on 7/27/2012 (R2012-0144) leaving a balance of \$9,635.98 to support the increase. The grant covers the period April 26, 2012 through December 31, 2012.

G.	21A050 – COPS Hiring Program 2012/2015 SH753772 – FY2012 COPS Hiring Program 2012/2015 Personal Services	\$ 1,603,160.00	BA1200921
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Establish appropriations for a recent United States Department of Justice, Community Oriented Policing Services (COPS) grant award. The award is from United States Department of Justice to the Cuyahoga County Sheriff's Department covering the period July 1, 2012 through May 31, 2015. The award was accepted by the Board of Control on August 27, 2012, resolution 12-234. A cash match of \$603,160 is required (see cash transfer, document JT1200127, fiscal item A. on page 7).

H.	21A875 – CCCMHB – Behavioral Mental Health/Juv. Justice JC753749 – 12/13 Behavioral Mental Health/Juv. Justice Personal Services	\$ 178,100.00	BA1200938
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Cuyahoga County participates in the Behavioral Health Juvenile Justice Project (BHJJ), a diversion program that provides community and evidence-based best practice treatment rather than incarceration for juveniles with behavioral health issues. Funding comes from the Ohio Department of Youth Services and Ohio Department of Mental Health as a sub award through the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS Board).

I.	24A430 – Executive Office of HHS	BA1200941
	HS157362 – Executive Office of HHS Human Resources	
	Personal Services	\$ 18,000.00

An appropriation increase to cover a projected shortfall in personal benefits. This index code was established during 2012 as a part of the consolidation of the Human Resources Department. During 2012, the organization continued to evolve with the shifting of positions between the Human Resources Department General Fund budget and this budget, which left this budget with a personal services deficit. Funding comes from the County's Public Assistance allocations, Title IV-D, and the County's two Health and Human Services Levy Fund.

J.	01A001 - General Fund	BA1200945
	SU513523 – Whiskey Island Purchase – General Fund Subsidy	
	Other Expenses	\$ 160,000.00

Additional appropriation is necessary to allow a cash transfer to post for the eighth year payment of the promissory note for the purchase of Whiskey Island.

K.	40A069 – Capital Project Future Debt Issue	BA1200944
	CC768135 – Justice Center 120 Holding/Booking 3 rd Floor	
	Personal Services	\$ 40,000.00
	Other Expenses	\$ 2,500.00
	Capital Outlays	\$ 1,062,500.00

Additional appropriation is requested for the renovation of the 120 Holding and Booking on the third floor of the Justice Center. The project will total \$1,105,000 and will be funded by the 2012 General Obligation Bond Offering scheduled for the beginning of December 2012.

Resolution: Appropriation Transfers

A. FROM: 21A923 – Annie Casey Grant **BA1200600**
CF753954 – FY07 Annie Casey Grant
Personal Services \$.50

TO: 21A923 – Annie Casey Grant
CF753954 – FY07 Annie Casey Grant
Other Expenses \$.50

Children and Family Services request an appropriation transfer in order to process a refund check for unused funds received from the Annie E. Casey foundation.

B. FROM: 24A301 – Children and Family Services **BA1200602**
CF135483 - Training
Capital Outlay \$ 40,000.00

TO: 25A301 – Children and Family Services
CF135467 – Administrative Services
Capital Outlay \$ 40,000.00

The Department of Children and Family Services has requested appropriation transfers to realign appropriations within the Public Assistance Capital Outlay to cover projected shortfalls for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

C. FROM: 01A001 – General Fund **BA1200893**
CL200055 – Clerk of Courts
Personal Services \$ 150,000.00

TO: 01A001 – General Fund
CL200055 – Clerk of Courts
Other Expenses \$ 150,000.00

Request to transfer appropriation within the budget for the Clerk of Courts to cover postage expenses through the rest of the year. Based on current estimates, a surplus of more than \$300,000 exists in the salaries line, resulting from layoffs and attrition; this appropriation is being moved to other operating expenses to cover postage costs, which are expected to total approximately \$1.5 million in 2012. The Clerk of Courts is supported by the County's General Fund but it is important to note that a portion of postage expenses are reimbursed by the litigants through court costs.

D. FROM: 01A001 – General Fund **BA1200907**
DR391052– Domestic Relations
Personal Services \$ 17,406.00

TO: 01A001 – General Fund
DR495515– Domestic Relations Child Support
Personal Services \$ 17,406.00

Transfer appropriations for year-end expenses. Funding is from the General Fund covering the period January 1, 2012 through December 31, 2012.

E.	FROM:	21A500 – Urban Area Security Initiative (UASI) JA741124– Urban Area Security Initiative (UASI) Capital Outlays	\$ 15,444.50	BA1200914
	TO:	21A500 –Urban Area Security Initiative (UASI) JA741124– Urban Area Security Initiative (UASI) Other Expenses	\$ 15,444.50	

Transfer appropriations for final revenue transfer to the Medical Examiners Office reimbursing the General Fund account for grant related expenses and to prepare the grant for closure. Funding from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period April 1, 2010 through September 30, 2012

F.	FROM:	01A001 – General Fund SH350579– Sheriff Operations Other Expenses	\$ 12,954.47	BA1200917
	TO:	01A001 –General Fund SH350272– Law Enforcement-Sheriff Other Expenses	\$ 12,954.47	

Transfer appropriation for Sprint Wireless charges July through December 2012. Funding is from the General Fund covering the period January 1, 2012 through December 31, 2012.

G.	FROM:	01A001 – General Fund SH350272– Law Enforcement Personal Services	\$ 603,160.00	BA1200922
	TO:	01A001 –General Fund SH351080– Impact/Community Policing Other Expenses	\$ 603,160.00	

Transfer appropriation for the required cash match under the COPS Hiring Program grant. Funding is from the General Fund covering the period January 1, 2012 through December 31, 2012.

H.	FROM:	20A301 – Real Estate Assessment BR420067 – Board of Revision Personal Services	\$ 100,000.00	BA1200939
	TO:	20A301 – Real Estate Assessment BR420067 – Board of Revision Other Expenses	\$ 100,000.00	

An appropriation transfer would use surplus funds from salary and benefits to purchase pre-assembled certified mail envelopes. The Board of Revision sends hearing notices via certified mail which requires significant staff time to prepare and track. The purchase of pre-assembled certified mail envelopes would increase the postage costs but decrease the personal services expenses because of increased efficiency. The Real Estate Assessment fund receives fees for collection of tax duplicates other than estate taxes.

I. FROM: 01A001 – General Fund BA1200940
HC019018 – Human Resource Commission
Other Expenses \$ 16,000.00

TO: 01A001 – General Fund
HC019018 – Human Resource Commission
Personal Services \$ 16,000.00

The original budget for personal services was established before the staff was hired, and was under-budgeted. This transfer would use a projected surplus from contractual services to cover the shortfall. Funding comes from the General Fund.

Resolution: Cash Transfers

A. FROM: 01A001 – General Fund **JT1200127**
SH351080 – Impact Unit/Community Policing
Transfer Out \$ 603,160.00

TO: 21A050 – COPS Hiring Program 2012/2015
SH753772 – COPS Hiring Program 2012/2015
Revenue Transfer \$ 603,160.00

To transfer funds from the Cuyahoga County Sheriff's Impact Unit/Community Policing account for the required cash match for the COPS Hiring Program (see document BA1200921, fiscal item G, on page 2). Funding is from the General Fund covering the period January 1, 2012 through December 31, 2012.

B. FROM: 01A001 – General Fund **JT1200031**
SU513523 – Whiskey Island Purchase GF Subsidy
Transfer Out \$ 160,000.00

TO: 40A069 – Capital Projects Fund
CC766543 – Whiskey Island Purchase
Revenue Transfer \$ 160,000.00

A cash transfer is required to fund the payment of the eighth year note obligation for Whiskey Island. Whiskey Island was purchased by the County in 2004. A promissory note in the amount of \$2,250,000 was to be paid back over a 10-year schedule. Cash from the General Fund is transferred on an annual basis to make the payment.

C. FROM: 01A001 – General Fund **JT1200031**
SU514711 – Gateway Arena Debt Service Subsidy
Transfer Out \$ 5,091,820.45

TO: 30A905 – Debt Service-Gateway Arena
DS100370 – Debt Service-Gateway Arena
Revenue Transfer \$ 5,091,820.45

A cash transfer from the General Fund is necessary to cover the County's portion of the 2012 principal and interest payment that was made in the first quarter of 2012 for the Gateway Arena Bonds debt service. A transfer to the pledge account was made on January 31st.

D. FROM: 01A001 – General Fund **JT1200031**
SU511535 – Medical Mart Series 2010 DS Pledge
Transfer Out \$ 30,600,883.76

TO: 30A915 – DS – Medical Mart Series 2010
DS039115 – DS – Medical Mart Series 2010
Revenue Transfer \$ 30,600,883.76

A cash transfer from the General Fund is necessary to cover the County's portion of the 2012 principal and interest payment that was made in the first quarter 2012 for the Medical Mart 2012 Bonds debt service.

E.	FROM:	01A001 – General Fund	JT1200031
		SU513762 – Brownfield Redevelopment Pledge	
		Transfer Out	\$ 508,379.30
	TO:	30A910 – Brownfield Debt Service	
		DS039966 – Brownfield Debt Service	
		Revenue Transfer	\$ 508,379.30

A cash transfer from the General Fund is necessary to cover the County's portion of the 2012 principal and interest payment that was made in the first quarter 2012 for the Brownfield debt service.

F.	FROM:	01A001 – General Fund	JT1200031
		SU514125 – Community Redevelopment Fund Subsidy	
		Transfer Out	\$ 874,417.07
	TO:	30A913 – Community Redevelopment Debt Service	
		DS040121 – Community Redevelopment Debt Service	
		Revenue Transfer	\$ 874,417.07

A cash transfer from the General Fund is necessary to cover the County's portion of the 2012 principal and interest payment that was made in the first quarter of 2012 for the Community Redevelopment debt service.

G.	FROM:	01A001 – General Fund	JT1200031
		SU515676 – Shaker Square 2000A GF Pledge	
		Transfer Out	\$ 140,000.00
	TO:	30A912 – Shaker Square 2000A Debt Service	
		DS039974 – Shaker Square 2000A Debt Service	
		Revenue Transfer	\$ 140,000.00

A cash transfer from the General Fund is necessary to cover the County's portion of the 2012 principal and interest payment that was made in the second quarter of 2012 for the Shaker Square bonds. The County appropriates a guaranty for the annual debt service of the County issued bonds (\$173,700 in 2012). The reduction in property values at Shaker Square has decreased the amount of revenue available to pay the annual debt service. The County is required to cover the deficiency for the semi-annual debt payments with General Fund dollars.

H.	FROM:	51A404 – County Parking Garage	JT1200031
		CT571125 – Huntington Park Garage	
		Transfer Out	\$ 187,129.61
	TO:	30A900 – Bond Retirement General Obligation	
		DS039990 – Debt Service Bond Retirement General Obligation	
		Revenue Transfer	\$ 187,129.61

A cash transfer is requested to the Debt Retirement fund from the Huntington Park Garage. A transfer is made to reimburse the Debt Retirement Fund for the Garage Fund's portion of the 2004 General Obligation Bond and 2005 General Obligation Refunding Bond debt service payment. The transfer covers the related principal and interest payment for 2012.

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0255

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution authorizing the execution of a Cooperative Agreement for Community Center between the County and the Village of Highland Hills regarding the joint use by the Village and the County of the Village Municipal Building as a Community Center for governmental and civic purposes and a related Escrow Agreement among the County, the Village and The Bank of New York Mellon Trust Company, N.A., relating to the County's contribution to the acquisition and equipping of that Community Center, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto; authorizing and directing the County Fiscal Officer to make payments in accordance with and in furtherance of those agreements; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Village of Highland Hills, Ohio (the Village), acting under authority of Article XVIII, Sections 3 and 7 of the Ohio Constitution, the Village's Charter, Sections 307.15 and 755.16 of the Revised Code, and an ordinance passed by the Village Council (the Village Ordinance), has offered to enter into a cooperative agreement with the County with respect to the operation, maintenance and shared use of the Village's municipal building as a community center (the Community Center) for governmental and civic purposes (the Cooperative Agreement); and

WHEREAS, this Council finds and determines that the Community Center has the capacity to serve governmental and civic purposes of a broader community and that the sharing of the Community Center can contribute substantially to fulfilling those needs, and the purposes and functions as a "community center", as contemplated by Section 755.16 of the Revised Code; and

WHEREAS, the Cooperative Agreement provides for the Village and the County to coordinate their efforts and to cooperate in the operation and maintenance of the Community Center and the refinancing of certain obligations previously incurred by the

Village to finance or refinance the costs of the acquisition and equipping of the municipal building, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto (the Refinanced Village Bonds), in order to achieve cost and other efficiencies and objectives of the County and the Village and to maximize the benefit of the provision of such facility to all those who work and reside in the County and the Village; and

WHEREAS, as its contribution to the cooperative venture, the County has agreed to issue unvoted general obligation bonds (the County Bonds) and, upon and subject to the terms and conditions set forth in the Cooperative Agreement, to deliver sufficient proceeds of the County Bonds to the Village to enable the Village to defease and retire the Refinanced Village Bonds; and

WHEREAS, the defeasance of the Refinanced Village Bonds will also enable the County to proceed with additional unvoted general obligation financings that it intends to undertake that will provide significant additional cost savings and other benefits to the County and its residents; and

WHEREAS, this Council has determined accordingly that it is in the best interest of the County to (i) enter into the Cooperative Agreement with the Village, (ii) enter into a related escrow agreement with the Village and The Bank of New York Mellon Trust Company, N.A., as escrow trustee (the Escrow Trustee) to provide for the defeasance and retirement of the Refinanced Village Bonds, and (iii) authorize and direct the County Fiscal Officer to make payments from proceeds of the County Bonds in furtherance of and in accordance with the Cooperative Agreement and the Escrow Agreement; and

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

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

“Cooperative Agreement” means the Cooperative Agreement for Community Center between the County and the Village, as it may be modified from the form on file with the Clerk of Council and signed by the County Executive and the County Fiscal Officer in accordance with Section 2.

“County Executive” means the County Executive of the County.

“Escrow Agreement” means the Escrow Agreement among the County, the Village and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and signed by the County Executive and the County Fiscal Officer in accordance with Section 3.

“Escrow Fund” means the Village of Highland Hills Refinanced 2005 Bonds Escrow Fund established pursuant to Section 5 of the Village Ordinance and the Escrow Agreement.

“Escrow Trustee” means The Bank of New York Mellon Trust Company, N.A., as the initial escrow trustee with respect to the Refinanced Village Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, *“Escrow Trustee”* shall mean the successor Escrow Trustee.

“Original Village Bonds” means the Village’s \$2,565,000 Building Improvement and Refunding Bonds, Series 2005, dated October 18, 2005, issued for the purpose of acquiring and equipping a Village municipal building, renovating and constructing and reconstructing improvements thereto, including necessary appurtenances thereto.

“Refinanced Village Bonds” means the \$1,690,000 of the Original Village Bonds now outstanding that are stated to mature on or after December 1, 2014.

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.

SECTION 2. Approval of Cooperative Agreement and Related Actions.

Pursuant to the authority provided by Article X, Section 3 of the Ohio Constitution, Article I, Section 1.01 of the County’s Charter and Sections 307.15 and 755.16 of the Revised Code, this Council hereby approves the Cooperative Agreement 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, County Fiscal Officer and the Director of Law, the Prosecuting Attorney or an Assistant County Prosecutor on behalf of the County, all of which shall be conclusively evidenced by the signing of the Cooperative Agreement or amendments to the Cooperative Agreement. The County Executive and County Fiscal Officer are authorized and directed to sign and deliver the Cooperative Agreement, in the name and on behalf of the County and in their official capacities, and the County Fiscal Officer authorized and directed to provide for the payment of the amounts payable by the County pursuant to the Cooperative Agreement and in carrying out its undertakings thereunder from the proceeds of the County Bonds and/or other money lawfully available and appropriated or to be appropriated for that purpose.

SECTION 3. Approval of Escrow Agreement and Related Actions. Pursuant to the authority provided by Article X, Section 3 of the Ohio Constitution, Article I, Section 1.01 of the County’s Charter and Sections 307.15 and 755.16 of the Revised

Code, this Council hereby approves the Escrow Agreement 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, the County Fiscal Officer the Director of Law, the Prosecuting Attorney or an Assistant County Prosecutor on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments to the Escrow Agreement. The County Executive and the County Fiscal Officer are authorized and directed to sign and deliver the Escrow Agreement, in the name and on behalf of the County and in their official capacities, and the County Fiscal Officer is authorized and directed to provide for the payment of the amounts payable by the County pursuant to the Escrow Agreement and in carrying out its undertakings thereunder from the proceeds of the County Bonds and/or other money lawfully available and appropriated or to be appropriated for that purpose.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Escrow Trustee is hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the County Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to County, the County Fiscal Officer or any other officer of the County, on behalf of the County and in his official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, from any funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 4. Approval and Execution of Related Documents. The County Executive, County Fiscal Officer, the Prosecuting Attorney and the Director of Law, or such other County officials as shall be designated by those officials, as appropriate, are each authorized and directed to sign any certificates or documents, and to take such other actions as are desirable, advisable, necessary or appropriate, to consummate the transactions contemplated by this Resolution, the Cooperative Agreement and the Escrow Agreement.

SECTION 5. Prior Acts Ratified and Confirmed. Any actions previously taken by County officials or agents in furtherance of the matters set forth in this Resolution are hereby approved, ratified and confirmed.

SECTION 6. Open Meeting. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0243

Sponsored by: County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Board of Developmental Disabilities	A Resolution approving a purchase agreement and quitclaim deed transferring title for property located at 1414 Elbur Road, Lakewood, Permanent Parcel No. 315-01-001, to Cuyahoga County Board of Developmental Disabilities; authorizing the County Executive to execute the purchase agreement, quitclaim deed and all other documents required consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works on behalf of Cuyahoga County Board of Developmental Disabilities has submitted a purchase agreement for Council's approval whereby Cuyahoga County, Ohio, is conveying title by quitclaim deed to the property located at 1414 Elbur Road in the City of Lakewood, Permanent Parcel Number 315-01-001, to the Cuyahoga County Board of Developmental Disabilities (BODD); and

WHEREAS, pursuant to the terms of the purchase agreement, all documents necessary to complete this conveyance shall be presented to Cuyahoga County Board of Developmental Disabilities on or before December 1, 2012, and the quitclaim deed shall be recorded on or about but not after December 31, 2012; and

WHEREAS, this property (operated as a group home) has been under the control and operation of the BODD since its purchase on August 15, 1984 and it is in the best interest of the County to convey title to said parcel to this entity; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes a purchase agreement and quitclaim deed conveying title to the property located at 1414 Elbur Road in the City of Lakewood, Permanent Parcel Number 315-01-001, to the Cuyahoga County Board of Developmental Disabilities for an amount of \$1.00.

SECTION 2. That the County Executive is authorized to execute a purchase agreement, quitclaim deed and all documents related to this conveyance and consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

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

Journal _____
_____, 20__

QUITCLAIM DEED

CUYAHOGA COUNTY, OHIO, the Grantor, for valuable consideration paid, grant(s) to CUYAHOGA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES, its successors and assigns, the Grantee, whose tax-mailing address is 1275 Lakeside Avenue, Cleveland, Ohio 44114, the following described premises, situated in the City of Lakewood, County of Cuyahoga, State of Ohio:

And known being part of Sublot Nos. 1 and 2 in the Bailey Brewer and French Subdivision of part of Original Rockport Township Section No. 21 as shown by the recorded plat in volume 52 of Maps, Page 34 of Cuyahoga County Records, and together forming a parcel of land, bounded and described as follows:

Beginning of the Westerly side of Elbur Avenue at the Southeasterly corner of said Sublot No. 2; thence Northerly along the Westerly side of Elbur Avenue, 84 feet; thence Westerly in a direct line and parallel to the Southerly line of Sublot Nos. 1 and 2, 91 feet to a point; thence Southerly parallel to the Westerly line of Elbur Avenue to the Southerly line of Sublot No. 1; thence Easterly along the Southerly line of Sublots Nos. 1 and 2 to the place of beginning be the same more or less, but subject to all legal highways.

Permanent Parcel No. 315-01-001

Address: 1414 Elbur Road, Lakewood, Ohio 44107

Prior Instrument Reference: Volume 43756, Page 0006, Cuyahoga Recorder's Office

Executed this _____ day of _____

COUNTY OF CUYAHOGA, OHIO:

Edward FitzGerald, County Executive

Date: _____

Approved as to Legal Form:

Majeed G. Makhlouf, Director of Law

In _____ (city/town), County
of _____, State of Ohio, on the
_____ day of _____,
20____, before me, a Notary Public in and
for the above state and county, personally
appeared Edward FitzGerald, County
Executive, known to me or proved to be the
person named in and who executed the
foregoing instrument, and being first duly
sworn, such person acknowledged that he
or she executed said instrument in his/her
authorized capacity for the purposes therein
contained as his or her free and voluntary
act and deed.

NOTARY PUBLIC

My Commission Expires: _____

(Execution in accordance with Chapter 5301 of the Revised Code)

**PURCHASE AGREEMENT
BETWEEN
CUYAHOGA COUNTY, OHIO
AND
CUYAHOGA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES**

1. **BUYER:** Cuyahoga County Board of Developmental Disabilities ("BUYER") having examined the following described property (the "Property") and being willing to accept same in its "AS IS" CONDITION, does hereby offer to buy the Property from Cuyahoga County, Ohio ("SELLER"):
2. **PROPERTY:** Situated at 1414 Elbur Road in the City of Lakewood, County of Cuyahoga, State of Ohio, Permanent Parcel Number 315-01-001. The term Property includes the land, all rights, easements, privileges and appurtenances, including all buildings and fixtures and the following items if now on the property, all in their "AS IS" CONDITION: all electrical, heating, plumbing and bathroom fixtures; ceiling fans; central and thru-wall air conditioning units; mailbox; all awning, screens, storm sashes, curtain rods, drapery, hardware, landscaping, TY aerial, radiator covers, build-in appliances; all existing wall to wall carpeting, garage door openers and controls, smoke detectors and fire detection and suppression systems.
3. **PURCHASE PRICE:** In consideration of amounts paid by BUYER, the SELER agrees to sell and the BUYER agrees to pay SELLER the sum of \$1.00.
4. **CLOSING:** All documents necessary to complete this transaction shall be placed with the BUYER on or before December 1, 2012, and the Deed shall be recorded on or about but not after December 31, 2012.
5. **POSSESSION:** SELLER shall deliver possession and occupancy to BUYER on filing of the deed.
6. **TITLE:** SELLER shall convey to BUYER title to the Property in fee simple by furnishing a quitclaim deed, as described in the Ohio Revised Code Section 5302.11 when closing occurs. BUYER shall have no ability to make the SELLER cure any defects in title. BUYER shall take the property subject to all zoning restrictions, easements, conditions of records and defects in title, if any.
7. **PROPERTY MAINTENANCE AND UTILITIES:** BUYER shall maintain the Property, including improvements, lawn, shrubs, trees, plumbing fixtures, electrical wiring, furnaces, and other mechanical equipment (including major appliances such as refrigerators, stoves, garbage disposals, etc.) in its present condition before closing and transfer of possession. SELLER shall be responsible for maintaining property insurance on the Property until closing.

8. **CHARGES:** BUYER shall pay all of the following:
- a) all utility charges to the date of title transfer or date of possession whichever is later; and
 - b) secure and pay in full for new property insurance effective on the date of title transfer, and
 - c) recording fees for the Deed; and
 - d) any repairs or replacements of plumbing, gas or electrical facilities required by the utility provider at the time of title transfer.
9. **CONDITION OF PROPERTY:** PURCHASER HAS EXAMINED THE PROPERTY AND AGREES THAT IT IS BEING PURCHASED IN IT'S "AS IS" PRESENT PHYSICAL CONDITION. SELLER makes no covenant, representation, or warranty as to the suitability of the Property for any purpose whatsoever or as to the physical condition of the Property. BUYER understands that the Property may contain lead paint and asbestos and other environmental hazards. BUYER expressly assumes all responsibility for the existence of any environmental hazards, hazardous substances or other dangerous substances or conditions at the Property. Accordingly, SELLER, its agents and employees shall have no liability for any actions, omissions, or negligence, whether active or passive, for injury or loss suffered by BUYER or any third party arising from any environmental hazards, hazardous substances, or other dangerous substances which may be released at the Property. BUYER releases SELLER for any liability to the maximum amount permitted under Environmental Law or any other Law.
10. **DAMAGES:** In the event the Property is damaged in excess of ten percent (10%) of the replacement cost by fire or other hazards prior to the recording of the Deed, the BUYER agrees to bear the risk of loss until recording of the deed.
- BUYER releases SELER from and agrees to be solely responsible for any and all claims, damages, expenses and liabilities of whatever nature, including, but not limited to, attorney fees and costs, arising under this Agreement.
11. **ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between the parties, and supersedes any prior agreements, written or oral, with regard to the Property that is subject of this Agreement. The representations, warranties and agreements in this Agreement shall survive the transfer of title. There are no other conditions, representations, warranties or agreements, expressed or implied.
12. **PARTIES BOUND AND BENEFITED:** The agreement resulting from the acceptance of this offer shall bind and benefit the parties thereto and their respective heirs, personal representatives, executors, administrators, successors and assigns.
13. **AUTHORIZED REPRESENTATIVE:** The individuals signing on behalf of the parties to this Agreement are authorized to execute this Agreement on behalf of BUYER and the SELLER. BUYER recognizes and agrees that no public official or employee of SELLER may be deemed to have apparent authority to bind the SELLER to any contractual obligations not properly authorized pursuant to County's Contracting and Purchasing Procedures. The


signatory parties agree that this Agreement has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of such party, enforceable in accordance with its terms.

14. **GOVERNING LAW:** This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

15. **SEVERABILITY:** If any provision of this Agreement is invalid or unenforceable for any reason, it shall be divisible as to such provision and the remainder of this Agreement shall be and remain valid and binding as though such provision was not included herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands by their duly authorized respective officer(s), and affixed the seals of said parties:

CUYAHOGA COUNTY BOARD OF DEVELOPMENTAL DISABILITIES:

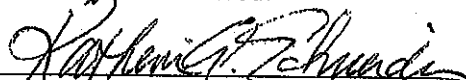

Terrence M. Ryan, Ph.D., Superintendent

Date: 11/7/12

Approved as to Legal Form:


Chuck Corea, In-House Attorney

In Cleveland (city/town), County of Cuyahoga, State of Ohio, on the 7th day of November, 2012, before me, a Notary Public in and for the above state and county, personally appeared Terrence M. Ryan, PhD, Superintendent, known to me or proved to be the person named in and who executed the foregoing instrument, and being first duly sworn, such person acknowledged that he or she executed said instrument in his/her authorized capacity for the purposes therein contained as his or her free and voluntary act and deed.


NOTARY PUBLIC

My Commission Expires: 7-19-2014.

Katherine A. Schnelder
Notary Public, State of Ohio
Recorded in Cuyahoga Cty.
My Commission Expires 7-19-2014.

COUNTY OF CUYAHOGA, OHIO:

Edward FitzGerald, County Executive

Date: _____

Approved as to Legal Form:

Majeed G. Makhlouf, Director of Law

In _____ (city/town), County
of _____, State of Ohio, on the
_____ day of _____,
20____, before me, a Notary Public in and
for the above state and county, personally
appeared Edward FitzGerald, County
Executive, known to me or proved to be the
person named in and who executed the
foregoing instrument, and being first duly
sworn, such person acknowledged that he
or she executed said instrument in his/her
authorized capacity for the purposes therein
contained as his or her free and voluntary
act and deed.

NOTARY PUBLIC

My Commission Expires: _____

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0244

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution approving revised Right-of-Way plans in connection with replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130 th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; approving acquisition of required Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, the County Executive/Department of Public Works has recommended approval of the revised Right-of-Way plans in connection with the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; and

WHEREAS, legislation declaring that public convenience and welfare required the rehabilitation of Bellaire Road Bridge No. 24 over Big Creek was adopted on May 21, 1996, by the Board of County Commissioners in Resolution No. 962007; and

WHEREAS, subsequently, the Ohio EPA had caused revisions to be made to the construction plans which resulted in the necessary revisions to the Right-of-Way plans; and

WHEREAS, the changes in the Right-of-Way plans will include 5 additional property owners, while deleting 4 prior property owners that were necessary for the project completion; and

WHEREAS, revisions to the Right-of-Way plans will not result in any changes to the funding nor create an increase to the budget for the project.

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

SECTION 1. The County Council hereby approves the revised Right-of-Way plans in connection with the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale.

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

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

SECTION 4. It is necessary that this Resolution become immediately effective in order to maintain the schedule of the project in order to maintain project funding deadlines, and the Right-of-Way acquisition cannot begin until authority is granted. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

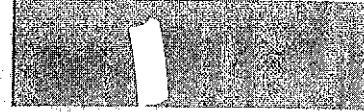
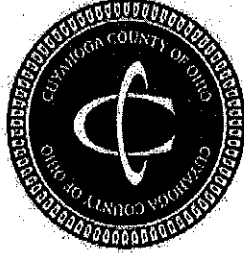
Date

Clerk of Council

Date

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

Journal _____
_____, 2012



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Jamal Husani, P.E.
Type of Request:	Other		
Request Prepared by:	Fred Whatley	Telephone No.	348-3840

SUMMARY OF REQUESTED ACTION:

Scope of Work Summary

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

The Department of Public Works is seeking the following in connection with the rehabilitation of Bellaire Road Bridge No. 24:

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

Legislation declaring that the public convenience and welfare required the rehabilitation of Bellaire Road Bridge No. 24 over Big Creek was adopted on May 21, 1996, being Resolution 962007. Said Resolution was amended by Resolution No. 041201, on March 23, 2004, to include the Village of Linndale.

Resolution No. 093658 was adopted on September 3, 2009, which approved the original right-of-way plans and authorized the acquisition of necessary right-of-way. Thereafter, the Ohio EPA did not approve the construction plans and changes were made. These changes necessitated changes in the right-of-way plans. Thus, the Department of Public Works is requesting approval of the revised right-of-way plans and the authority to acquire under the revised plans.

The changes in the right-of-way plans will include 5 new property owners, while deleting 4 property owners that were included on the old plans. Two parcels, 1 of which has already been acquired, stay the same. Four other parcels on the old plans remain on the revised plans with minor changes.

Since Friday, October 26, 2012, and continuing until the Resolution granting the requested action is either adopted or rejected, the Department of Public Works has posted and provided continuous notice of the following on its website:

- a. The Department of Public Works has submitted the revised plans for the rehabilitation of Bellaire Road Bridge No. 24 for County Council approval and that the same are available for viewing on said website;
- b. The Department of Public Works intends to acquire right-of-way for said improvement;
- c. As part of the approval of the revised right-of-way plans, the Department of Public Works will be seeking a finding that special assessments will be neither levied nor collected to pay for any part of the County's costs of said improvement;
- d. That a First Reading of the Resolution to approve the revised right-of-way plans will be made by the Cuyahoga County Council at its meeting scheduled to begin at 5:00 p.m. on November 27, 2012; and,
- e. That general public access and ability to review the revised right-of-way plans is provided via an electronic link as indicated.

2. The primary goals of this project are to rehabilitate Bellaire Road Bridge No. 24 which goes over Big Creek and to replace the double concrete box end sections through which Big Creek flows under the bridge.

3. The rehabilitation of Bellaire Road Bridge No. 24, including replacing the double concrete box end sections through which Big Creek flows, is in keeping with the statutory mandates of RC 5591.02 and RC 5591.21, said mandates providing that: "The ... [County] shall construct and keep in repair all necessary bridges in municipal corporations on all county roads and improved roads that are of general and public utility, running into or through the municipal corporations, and that are not on state highways" [RC 5591.02]; and, "... the ... [County] shall construct and keep in repair necessary bridges over streams and public canals on or connecting state, county, and improved roads" [RC 5591.21].

B. Procurement

1. N/A
2. N/A
3. N/A

C. Contractor and Project Information

1. N/A
2. N/A
3. a. The location of the project is in the City of Cleveland and Village of Linndale.
b. The project is located in Council Districts 3 and 4.

D. Project Status and Planning

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

E. Funding

1. As noted above, this Legislative Action Request does not involve a contract. There will be a subsequent, separate Legislative Action Request to award settlement amounts for and/or appropriate the required parcels. The estimated cost for construction and engineering of the project is \$4,029,100.00, with 80%, up to a maximum of \$3,222,480.00 being provided by ODOT in Federal Funds. The remainder, as well as costs for right-of-way (estimated to be \$100,000.00) will be paid by the County (Road and Bridge Fund).

2. N/A
3. N/A

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The purposes/outcomes of this request are to obtain approval of revised right-of-way plans, authority to acquire required right-of-way, and, a finding that special assessments are not to be levied nor collected to pay any part of the County's costs of these improvements.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: **Explanation:**

Total Amount Requested:

\$

ATTACHMENTS:

[Click to download](#)

[Revised Right of Way Plans](#)

History

Time

Who

Clerk of the Board

Approval


Copyright 2001-2009

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0245

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution authorizing a revenue generating agreement with City of Maple Heights for maintenance of storm and sanitary sewerage systems located in County Sewer District No. 9; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the City of Maple Heights desires to retain Cuyahoga County to perform certain services in the City of Maple Heights to aid with the sanitary and storm sewer maintenance program as a part of Sewer District No. 9; and,

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer recommends approval of a revenue generating agreement with the City of Maple Heights for sanitary and storm sewer maintenance located in Sewer District No. 9; and,

WHEREAS, pursuant to ORC 307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and,

WHEREAS, Cuyahoga County has agreed to provide sanitary and storm sewer maintenance and repair services for the City of Maple Heights; and,

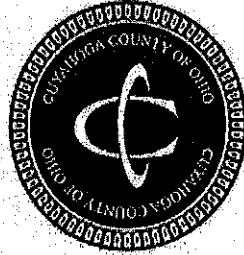
WHEREAS this is an ongoing agreement that will continue until terminated by either party upon one year written notice; and,

WHEREAS, the County will collect funds for the City of Maple Heights for maintenance of the sewer system; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the City of Maple Heights' sewer system.

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

SECTION 1. That the Cuyahoga County Council hereby approves the revenue generating agreement with the City of Maple Heights for sanitary and storm sewer maintenance and repair services located in Cuyahoga County Sewer District No. 9.



Item Details:

Agency/Dept. Name: County Engineer/Sanitary Engineering Division
Agency/Dept. Head Name: Jamal Husani

Type of Request: Agreement/Amendment

Request Prepared by: Anastasia Gilha
Telephone No.: 216-443-8203

SUMMARY OF REQUESTED ACTION:

A. SCOPE OF WORK SUMMARY

1. Department of Public Works requesting the approval of an agreement with the City of Maple Heights for Storm and Sanitary Maintenance for the sewerage system. There is no cost associated with this specific contract. The agreement is effective immediately upon approval with the anticipated date of November 5, 2012, **declaring the necessity that this Resolution become immediately effective.**

2. The primary goal of this Agreement is to set forth the responsibilities of the respective parties under the Agreement as well as establish a rate which the County will charge the City of Maple Heights for services.

3. Under the provision of the Ohio Revised Code Section 6117.02, this County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements.

B. PROCUREMENT

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

C. CONTRACTOR AND PROJECT INFORMATION

1a. The address for contact is:

City of Maple Heights
City Engineer
5353 Lee Road
Maple Heights, OH 44137

1b. Maple Heights is located in Council District 8.

2a. The owner is the City of Maple Heights.

2b. N/A

D. PROJECT STATUS AND PLANNING

1. N/A

2. N/A

3. N/A

4. N/A

5. N/A

E. FUNDING

1. As noted, there is no cost associated with this specific contract with the City of Maple Heights.

2. N/A

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The primary goal is to establish an Agreement with the City of Maple Heights, in County Sewer District No. 9, authorizing a revenue generating agreement for maintenance of their storm and sanitary sewerage system. This Agreement sets forth the responsibilities of the respective parties as well as establish a rate which the County will charge the City of Maple Heights for services.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: Explanation:

Other N/A

Total Amount Requested:

\$

ATTACHMENTS:

[Click to download](#)

[Maple Hts Agreement for Sanitary and Storm](#)

History

Time

Who

Clerk of the Board

Approval

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0246

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing an amendment to Contract No. CE1200155-01 with Joshen Paper & Packaging Co. for furnishing and delivery of 20# white reprographic paper for various County departments for the period 3/1/2012 - 2/28/2013 to extend the time period to 2/28/2015 and for additional funds in the amount not-to-exceed \$450,000.00; authorizing the County Executive to execute the amendment and all other documents required consistent with this Resolution.
---	--

WHEREAS, the County Executive FitzGerald/Department of Public Works has recommended an amendment to Contract No. CE1200155-01 with Joshen Paper & Packaging Co. for furnishing and delivery of 20# white reprographic paper for various County departments for the period 3/1/2012 – 2/28/2013 to extend the time period to 2/28/2015, and for additional funds in the amount not-to-exceed \$450,000.00; and

WHEREAS, funding for this amendment is 100% from internal service fund.

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

SECTION 1. The County Council hereby approves the amendment to Contract No. CE1200155-01 with Joshen Paper & Packaging Co. for furnishing and delivery of 20# white reprographic paper for various County departments for the period 3/1/2012 – 2/28/2013 to extend the time period to 2/28/2015 and for additional funds in the amount not-to-exceed \$450,000.00.

SECTION 2. That the County Executive is hereby authorized to execute all documents required in connection with the amendment.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

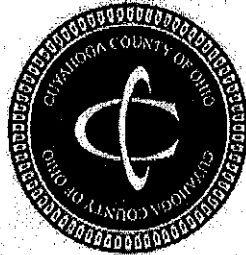
Date

Clerk of Council

Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Department Central Services	of Agency/Dept. Head Name:	STAN KOSILESKY
Type of Request:	Contract/Amendment		
Request Prepared by:	SHEILA PURCHASING ANALYST	Telephone No.	216-443-3066
SUMMARY OF REQUESTED ACTION:			
**OPD has reviewed this item on 9/20/12 and determined that it is ok to process in accordance with county policies/procedures/ordinances.			
Title: PUBLIC WORKS 2012 JOSHEN CONTRACT AMENDMENT CE1200155 RQ21254			
A. SCOPE OF WORK SUMMARY			
1. Cuyahoga County Department of Public Works, submitting a request to amend Contract No. CE1200155-01 with Joshen Paper & Packaging Co., for Reprographic Paper for various County buildings for the period of March 1, 2012 - February 28, 2013 to extend the term to February 28, 2015, utilizing the two (2) one (1) year renewal option years; no additional funds required. 2 (price not-to-exceed \$450,000.00 each year). The primary goal is to keep Cuyahoga County supplied with best and lowest cost reprographic paper.			
B. PROCUREMENT			
1. The procurement method was a RFB. The total value of the RFB is \$450,000.00. 2. The RFB was closed on November 8, 2011 with the SBE participation goal @ 15%. 3. There were 5 bids pulled from OPD and 2 submitted for review with Joshen being the lowest and best bid.			
C. CONTRACTOR AND PROJECT INFORMATION			
Joshen Paper & Packaging Co. 5808 Grant Ave. Cleveland, Ohio 44105 (216) 441-5600			

Council District N/A

Michelle Reiner, CEO

D. PROJECT STATUS AND PLANNING

1. The project is a service of an existing project.

E. FUNDING

1) The project is funded 100% by an internal service fund of Public Works. 2) The schedule of payments is by invoice as submitted. 3. This is a request for amendment. If approved, an amendment will follow to extend contract date term only with no increase to the contract. No history.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Other

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

Financial Information:

Funding source:

Other

Explanation:

INTERNAL SERVICE FUND

Total Amount Requested:

\$900,000.00

ATTACHMENTS:

Click to download

- ACK
- BB
- EVALUATION
- AMEND LETTER
- MAN FORM
- BID.COM
- NON COLL
- OWNERSHIP
- W9
- MANDATED FORM
- BOND
- MANDATED
- SBE
- SIGN
- OPD APPROVED
- AMENDMENT

History

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0247

Sponsored by: Council Executive FitzGerald/Department of Public Works	A Resolution authorizing an award to a property owner in the amount of \$135,000.00 as settlement for property rights in connection with the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township for Parcel No. 15WD, S & T; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, the County Executive/Department of Public Works has recommended an award to a property owner as settlement for property rights in connection with the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township in the amount of \$135,000.00 for Parcel No. 15WD (Warranty Deed including .6642 acres of land), S (Sewer Easement consisting of .0013 acres) & T (Temporary Easement consisting of .0214 acres); and,

WHEREAS, the Stearns Grade Separation project consists of the construction of a grade separation/bridge over the Norfolk Southern Railroad lines which cross Stearns Road in Olmsted Township; and,

WHEREAS, the County Engineer has negotiated a settlement with the property owner, Linda Smith, for \$135,000.00, an amount that exceeds the approved appraisal fair market value estimate as determined by the Ohio Department of Transportation (ODOT) pre-qualified appraisers; and,

WHEREAS, the excess amount to be paid is based on the payoff of the property owner's current mortgage; and,

WHEREAS, ODOT and the Federal Highway Administration authorized the early acquisition of this parcel pursuant to R2012-0022, and the Department of Public Works intends to acquire the remainder of the required Right-of-Way in approximately 1 year; and,

WHEREAS, as with the remainder of the right-of-way to be acquired, ODOT will reimburse to the County 80 percent of the eligible costs of this acquisition in Federal 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 award to property owner, Linda Smith, as settlement for property rights in connection with the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township in the amount of \$135,000.00 for Parcel No. 15WD, S & T.

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

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

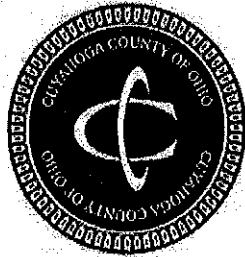
Date

Clerk of Council

Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Jamal Husani, P.E.
Type of Request:	Other		
Request Prepared by:	Fred Whatley	Telephone No.	348-3840

SUMMARY OF REQUESTED ACTION:

A. Scope of Work Summary

1. Public Works Department requesting approval of the settlement agreement and authorization for the County Executive to execute the attached "Contract for Sale and Purchase of Real Property" in order to acquire necessary right-of-way from the following property owner in the amount listed, all in connection with the Stearns Grade Separation project which consists of the construction of a grade separation/bridge over the Norfolk Southern Railroad lines which cross Stearns Road in Olmsted Township, Ohio:

Owner - Linda Smith;

Parcel 15-WD (Warranty Deed-this purchase includes .6642 acres of land, the residence and an out building), S (Sewer Easement-consisting of .0013 acres) and T (Temporary Easement-.0214 acres), leaving a residue parcel of 1.2684 acres which will remain owned by Ms.Smith;

Fair Market Value Estimate = \$119,650.00 (see, attached Review Appraisal and Summary Right of Way Appraisal Report);

Administrative Settlement Amount to be paid = \$135,000.00 (see, attached Administrative Settlement authorization executed by Daniel J. Dougherty, Real Estate Administrator for District 12, ODOT).

Amount **EXCEEDS** the Fair Market Value Estimate by \$15,350.00.

The excess amount is based on the payoff of the owner's current mortgage of \$135,000.00.

2. The primary goal of this project is to provide a grade separation over the Norfolk Southern Railway lines so that traffic, especially emergency vehicles, can safely and expeditiously travel on Stearns Road.

3. N/A

B. Procurement

1. The acquisition process is as follows. An ODOT pre-qualified appraiser appraises the

property. The initial appraisal is then reviewed by an ODOT pre-qualified review appraiser. Then the County's acquisition consultant (TranSystems, which is also ODOT pre-qualified) negotiates with the owner for the purchase of the property.

The administrative settlement amount is reasonable because: 1) It covers the outstanding amount of the property owner's existing mortgage on the property; 2) It is far less costly than filing an appropriation action in Probate Court and litigating to a jury verdict; 3) it has been approved by ODOT for reimbursement (see, attachment); and, 4) It is in keeping with the US Department of Transportation, Federal Highway Administration's "Temporary Waiver of Methodology for Calculating Replacement Housing Payments of Negative Equity," effective in 2009 and extended through the end of 2012.

Additional costs for relocation to decent, safe and sanitary housing will be forthcoming. These costs will include a Relocation Replacement Housing Payment of approximately \$16,500.00, together with moving and incidental expenses of approximately \$5,000.00. Additionally, there will be personal property moving expenses of another family member for personal property in the outbuilding, costing approximately \$1,000.00.

2. N/A

3. N/A

C. Contractor and Project Information

1. The address of the property owner is:

Linda Smith

7931 Stearns Road

Olmsted Township, Ohio 44138

Council District 1

2. N/A

3. a. The location of the project is the Stearns Road Grade Crossing of the Norfolk Southern Railroad in Olmsted Township, Cuyahoga County, Ohio.

b. The project is located in Council District 1.

D. Project Status and Planning

1. This project is the second for a grade separation over the Norfolk Southern Railway lines. The previous project was on Fitch Road.

2. As noted in R2012-0022, ODOT and the Federal Highway Administration authorized the early acquisition of this parcel. The Department of Public Works intends to acquire the remainder of the required Right-of-Way in approximately 1 year.

3. N/A

4. N/A

5. N/A

E. Funding

1. As with the remainder of right-of-way to be acquired, ODOT will reimburse to the County 80 percent of the eligible costs of this acquisition in Federal Funds.

2. N/A

3. N/A

Resolution 060501, adopted February 2, 2006 declared the public convenience and welfare for this project, and EA2011-1085 authorized entering into a Local Public Agency (LPA) Agreement with the State of Ohio, Department of Transportation (ODOT) (Agreement No. 24174) for the reimbursement of engineering, right-of-way acquisition and construction costs eligible for Federal participation for the construction of the grade separation of Stearns Road at the Norfolk Southern Railroad (PID 80729) in Olmsted Township. R2012-

0022 approved the Right-of-Way Legend sheet for this property (Permanent Parcel No. 264-21-020), Parcel No. 15-WD, S, T, and authorized the acquisition of said parcel.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Purpose/Outcome - To acquire Parcel 15 in the project consisting of the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: **Explanation:**
Other Road and Bridge

Total Amount Requested:

\$

ATTACHMENTS:

Click to download

- [Contract for Sale and Purchase of Real Property](#)
- [Review Appraisal and Summary Right of Way Appraisal Report](#)
- [ODOT Administrative Settlement authorization](#)
- [W-9](#)
- [Requisition](#)

History

Time

Who

Approval

Clerk of the Board

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0248

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution authorizing a Next Stage Fund Pilot Loan in the amount not-to-exceed \$700,000.00 to Sparkbase, Inc. for building and deploying loyalty solutions directly to large scale merchants; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents required in connection with said loan and consistent with this Resolution.
--	--

WHEREAS, the County Executive/Department of Development has recommended the Next Stage Fund Pilot Loan in the amount not-to-exceed \$700,000.00 to Sparkbase, Inc. for building and deploying loyalty solutions directly to large scale merchants; and,

WHEREAS, the purpose of the Next Stage Fund Pilot Loan is to help Sparkbase, Inc. modify, enhance, and expand the technology infrastructure required to grow existing sales and reach commercial scale; and,

WHEREAS, Sparkbase, Inc. will use the proceeds to launch its loyalty marketing solutions including Loyalty Star and PayCloud in two new markets; and,

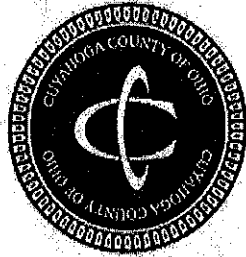
WHEREAS, Sparkbase, Inc. is committing to creating 15 jobs within 3 years and retaining 40 jobs; and,

WHEREAS, the \$700,000.00 loan is at a fixed interest rate of seven percent (7.00%) for three (3) years with two (2) extension options; and,

WHEREAS, the loan will be funded 100% by the Cuyahoga County Western Reserve Fund.

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

SECTION 1. That the Cuyahoga County Council hereby approves of and authorizes the Next Stage Fund Pilot Loan in the amount not-to-exceed \$700,000.00 to Sparkbase, Inc. for building and deploying loyalty solutions directly to large scale merchants.



Item Details:

Agency/Dept. Name:	Department of Development	Agency/Dept. Head Name:	Larry Benders
Type of Request:	Other		
Request Prepared by:	Gregory Zucca	Telephone No.	216-443-8067

SUMMARY OF REQUESTED ACTION:

Title: Department of Development; 2012; Sparkbase, Inc.; Next Stage Fund Pilot Loan;

A. Scope of Work:

- 1.) Department of Development requesting approval of a Next Stage Fund Pilot Loan with Sparkbase, Inc. in the amount not to exceed \$700,000.00 and requesting authority for the Director to execute all documents required in connection with said loan.
- 2.) The primary goals of the project is to support and retain a maturing high growth company, accelerate commercialization, increase business revenue growth, create high paying jobs, and generate program income.

B. Procurement:

- 1.) The loan is to be considered by the Cuayhoga County Community Improvement Corporation Economic Development Loan Committee on October 10, 2012. The Committee recommendation will be provided prior to the meeting.

C. Contractor and Project Information:

- 1.) The current address of the borrower is:
Sparkbase, Inc.
3615 Superior Avenue
Building 44, 4th Floor
Cleveland, OH 44114
County Council District #7
- 2.) The principals of the borrower are:
Douglas Hardman, CEO – 34.1%
Geoffry Hardman, President – 22.7%

D. Project Status:

- 1.) The project is new to the County.

E. Funding:

- 1.) The project is funded 100% by the Cuyahoga County Western Reserve Fund
- 2.) The schedule of loan disbursements is by invoice in accordance with the project budget as defined within the loan agreement.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Sparkbase, Inc. is a financial software company that developed a leading loyalty processing and customer marketing solution for merchants. In addition to processing gift and reward card transactions, Sparkbase offers customized gift and loyalty solutions for businesses that want to create, analyze and optimize reward campaigns. Based in County District 7 and located in the city of Cleveland, Sparkbase will use a \$700,000 Next Stage Fund Pilot Loan to build and deploy loyalty solutions directly to large scale merchants.

Sparkbase developed a unique software-as-a-service processing network for specialty gift cards, customer loyalty, and community rewards programs. Loyalty Star is a single platform technology that offers gift card transaction processing and also provides a streamlined method for managing and receiving loyalty/reward offers. When optimized with the Paycloud mobile wallet application, the system has ability to send customized offers and rewards to customers and notify them via their smart phone. Merchants receive cost-effective solutions to acquire customers and increase revenue through optimized promotions and loyalty programs. And customers receive innovative solutions for identifying merchants, subscribing to loyalty programs and managing all rewards offers through cards, websites and/or their smartphones.

The Cuyahoga County Next Stage Fund will provide a loan to help Sparkbase modify, enhance, and expand the technology infrastructure required to grow existing sales and reach commercial scale. The company will use the proceeds to launch its loyalty marketing solutions including Loyalty Star and PayCloud in two new markets. The \$700,000 loan is at a fixed interest rate of seven percent (7.00%) for three (3) years with two (2) extension options. Interest only payments will be made in the first year, after which principle and all accrued interest will be amortized over the remaining term of the loan. Sparkbase anticipates the project will create 60 jobs within five years and increase its annual payroll by \$4,419,000.

The Next Stage Fund was developed by the Cuyahoga County Department of Development and reviewed by the County Council as part of the Western Reserve Fund (O2011-0049). The application was reviewed and analyzed through a due diligence process conducted by Jumpstart, Inc. and the Department of Development.

The loan is to be reviewed and considered by the Cuyahoga County Community Improvement Corporation Economic Development Loan Committee on October 10, 2012. The Committee recommendation will be provided after the October 10th meeting.

The Next Stage Fund provides capital to market-ready high-growth companies with

consistent revenue and well positioned to achieve rapid commercial sales growth. The goal of the program is to support and retain maturing high growth companies, accelerate commercialization, increase business revenue growth, and create high paying jobs. The Next Stage Fund builds on the success of the NCO Technology Fund and leverages the pipeline of companies within the Northeast Ohio Entrepreneurial Network.

Principal Owners:

Douglas Hardman, CEO – 34.1%
Geoffry Hardman, President – 22.7%

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: Explanation:

General Fund

Total Amount Requested:

\$700,000

ATTACHMENTS:

Click to download

[Term Sheet](#)

History

Time

Who

Clerk of the Board

Approval

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0249

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution making an award on RQ23900 to Economic and Community Development Institute, Inc. in the amount of \$550,000.00 for management of the Cuyahoga County Microenterprise Revolving Loan Fund for the period 2/1/2013 - 1/31/2014; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution.
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WHEREAS, the County Executive/Department of Development has recommended an award on RQ23900 to the Economic and Community Development Institute, Inc. in the amount of \$550,000.00 for the management of the Cuyahoga County Microenterprise Revolving Loan Fund for the period 2/1/2013 - 1/31/2014; and

WHEREAS, the procurement method for this project was an RFP, which was approved under Deputy Chief Approval No. DC2012-94CA; and

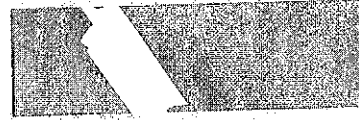
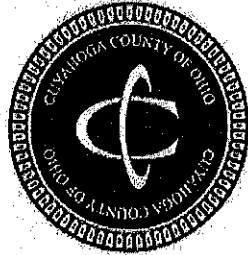
WHEREAS, this project funded by Community Development Block Grant funds (\$250,000.00), and by the Western Reserve Fund (\$300,000.00).

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

SECTION 1. That the Cuyahoga County Council makes an award on RQ23900 to the Economic and Community Development Institute, Inc. in the amount of \$550,000.00 for the management of the Cuyahoga County Microenterprise Revolving Loan Fund for the period 2/1/2013 - 1/31/2014.

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

SECTION 3. It is 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.



Item Details:

Agency/Dept. Name:	Department of Development	Agency/Dept. Head Name:	Larry Benders
Type of Request:	Agreement/Amendment		
Request Prepared by:	Gregorgy Zucca	Telephone No.	216-443-8067
SUMMARY OF REQUESTED ACTION:			
<u>A. Scope of Work:</u>			
1.) Department of Development recommending an award on RQ 23900 to the Economic and Community Development Institute, Inc. and to enter into a contract in the amount of \$550,000.00 for the management of the Cuyahoga County Microenterprise Revolving Loan Fund for the period February 1, 2013 to January 31, 2014, (Resolution No. DC2012-94 - authority to seek proposals.)			
2.) The primary goal of the project is to provide access to capital and intensive financial counselling for microenterprise businesses and entrepreneurs unable to obtain traditional financing. Microloans will be made to qualified small businesses that can be capitalized with modest loans and can attain traditional financing within three to five years. The goal is to transform traditionally unbankable microenterprise businesses into bankable small businesses with positive cash flow.			
<u>B. Procurement:</u>			
1.) The procurement method for this project was RFP# 23900. The total value of the RFP is \$550,000.00			
2.) The above procurement method was closed on June 20, 2012.			
<u>C. Contractor and Project Information:</u>			
1.) The address of the vendor's headquarters office: Economic and Community Development Institute, Inc. 1655 Old Leonard Avenue Columbus, Ohio 43219			
2.) The chief executive officer for ECDI is Ms. Inna Kinney.			
3a.) The address of the vendor's Cleveland office:			

Economic and Community Development Institute, Inc.
2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115
3b.) Council District #7

D. Project Status:

1.) The project is the official launch of the Cuyahoga County Western Reserve Fund, Microenterprise Fund. The project will reoccur annually.

E. Funding:

1.) The project is funded 45.5% (\$250,000.00) by Community Development Block Grant funds and 54.5% (\$300,000.00) by the Western Reserve Fund.
2.) The schedule of disbursements will be by invoice in accordance with the contract and the project budget to be defined within the contract.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

OVERVIEW

1. Vendor: Economic and Community Development Institute (ECDI) is a nonprofit economic development organization based in Columbus, Ohio with an office located in Cleveland focused on micro lending in Cuyahoga County. Founded in 2004, ECDI is a US Treasury Department certified Community Development Financial Institution and is the 7th largest US Small Business Administration Intermediary microlender in the country. Since 2004, ECDI has made nearly \$11 million in loans to 650 small businesses in central Ohio, and created or retained 1,660 jobs.

ECDI's microenterprise development services are targeted toward unbanked or underbanked populations, including low income individuals or those with little or no credit. ECDI has also tailored services to assist immigrants, minorities, women, and other underserved populations. Through ECDI's comprehensive business development programming – including training, technical assistance, access to capital, and access to markets – a total of 2,000 business have been assisted.

2. Project Summary: The County issued RFP#23900 for the purpose of providing access to capital and financial counseling for microenterprise businesses and entrepreneurs unable to obtain traditional financing. The County will enter into a contract with ECDI for the purpose of establishing and administering the Cuyahoga County Microenterprise Revolving Loan Fund as well as provide technical assistance to startup and established small businesses. Loans made from the MRLF will range from \$500 to \$100,000, have terms from 6 to 60 months, and have interest rates of 7.25%. All principal and interest repayments will be revolved into the loan fund and relent to new entrepreneurs.

3. Project Location & Council District: all of Cuyahoga County

4. Partners in Project: Huntington Bank, The Cleveland Foundation, Cleveland Federal Reserve Bank, US Small Business Administration, City of Cleveland, Cleveland Neighborhood Development Corporation, The Hispanic Chamber of Commerce

METRICS

1. Jobs Created/Retained: Create 25 jobs with a minimum of 11 low to moderate-income jobs

2. Economic Impact: Leverage County funding at a ratio of at least 1:1, making an

additional \$456,500 in loan capital available to Cuyahoga County entrepreneurs

3. Community Benefit: Provide pre- and post-loan technical assistance to both potential borrowers and portfolio companies in the form of one-on-one help with finalizing the business plan, cash flow analysis, financial projections, profit-and-loss statements, and budgeting.

COSTS

1. Total Project Costs: \$550,000.00

2. Loan Amount: \$500 to \$100,000

3. Sources and Uses:

Sources

Cuyahoga County Western Reserve Fund - \$300,000.00 (55%)

Community Development Block Grant - \$250,000.00 (45%)

Uses

Microloans - \$456,500 (83%)

Administration, Technical Assistance - \$93,500 (17%)

TERMS

1. Interest Rate: 7.25%

2. Term/Repayment: 6 to 60 months

3. Forgiveness Terms: N/A

4. Security/Collateral/Guarantor(s): Personal Guarantees

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source:	Explanation:
Other	CDBG and Cuyahoga County Western Reserve Fund

Total Amount Requested:

\$550,000.00

ATTACHMENTS:

Click to download

- [Final RFP](#)
- [Award Letter](#)
- [Bidder Compliance Form](#)
- [Dept Acknowledgement Form](#)
- [Contract Cover](#)
- [ECDI MRLF Contract](#)
- [Bidder's RFP Response](#)
- [Non-Collusion Affidavit](#)
- [Certificate of Liability Insurance](#)
- [Workers Comp Certificate](#)

**CUYAHOGA COUNTY
TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Department of Development PROPOSAL DUE DATE: June 20, 2012
 RFP TITLE: Microenterprise Revolving Loan Fund RFP #: DV-12-23900 SBE: 0%

TO BE COMPLETED BY OPD	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER						USER DEPT.
	IG/ETHICS REGISTRATION COMPLETE	SBESUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	
VENDOR NAME & ADDRESS Economic and Community Development Institute (ECDI) 6701 Carnegie Avenue Suite 100 Cleveland, OH 44103	NR						

SBE WAIVED

Department Director Name _____ Date _____
 Department Director Signature of Approval _____

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0250

Sponsored by: County Executive FitzGerald/Department of Human Resources	A Resolution authorizing an amendment to Contract No. CE1200241-01 with Caremark PCS Health, L.L.C. for pharmacy benefit management services for the period 1/1/2012 - 12/31/2014 for additional funds in the amount not-to-exceed \$3,500,000.00; authorizing the County Executive to execute the amendment and all other documents required consistent with this Resolution.
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WHEREAS, the County Executive FitzGerald/Department of Human Resources has recommended an amendment to Contract No. CE1200241-01 with Caremark PCS Health, L.L.C. for pharmacy benefit management services for the period 1/1/2012 – 12/31/2014 for additional funds in the amount not-to-exceed \$3,500,000.00; and

WHEREAS, funding for this amendment is 100% from the General Fund.

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

SECTION 1. The County Council hereby approves an amendment to Contract No. CE1200241-01 with Caremark PCS Health, L.L.C. for pharmacy benefit management services for the period 1/1/2012 – 12/31/2014 for additional funds in the amount not-to-exceed \$3,500,000.00.

SECTION 2. That the County Executive is hereby authorized to execute all documents required in connection with the amendment.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

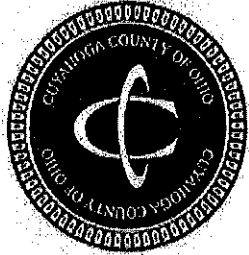
Date

Clerk of Council

Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name: Office of Human Resources
Agency/Dept. Head Name: Elise Hara
Type of Request: Contract/Amendment
Request Prepared by: Michael Brown
Telephone No.: 216-698-6436

SUMMARY OF REQUESTED ACTION:

Department of Human Resources requesting permission to amend contract CE1200241 with Caremark PCS Health, LLC. for the prescription drug plan for employees of Cuyahoga County in the amount not-to-exceed \$3,500,000.00. **Title:** Human Resources 2012 Caremark PCS Health, LLC contract amendment for additional funds in the amount not-to-exceed \$3,500,000.00 for the prescription drug plan for employees of Cuyahoga County.

A. Scope of Work Summary 1. Human Resources requesting approval to amend the current contract with Caremark PCS Health, LLC to increase the contract by \$3,500,000.00. 2. The primary goals of the project are to administer the County's prescription drug plan for its employees and dependents. **B. Procurement** 1. The procurement method for this project was RFP 20292. The total value of the RFP is \$33,070,329.00. 2. The (above procurement method) was closed on June 14, 2011.

3. The proposed contract amendment received a justification on October 5, 2012. The approval letter is attached for review. **C. Contractor and Project Information** 1. The addresses of all vendors are: Caremark PCS Health L.L.C. One CVS Drive Woonsocket, Rhode Island 02895 Council District N/A Humana, Inc. 500 West Main Street Louisville, Kentucky 40202 Council District N/A Express Scripts C/O Express Scripts Inc. One Express Way St. Louis, MO 63121 Council District N/A 2. The owners for the vendor is CVS Caremark, this is a publically traded company. 3. The address or location of the project is: Cuyahoga County Benefits Division The Sterling Building 1255 Euclid Avenue, Suite 310 Cleveland, Ohio 44115 3.b. The project is located in Council District 07 **D. Project Status and Planning** 1. The project is part of our Prescription Plan for County employees. 2. The project's term has already begun on January 1, 2012.

E. Funding 1. The project is funded 100% by the General Fund. 2. The schedule of payments is monthly.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Resolution making awards on RFP20292 (R2011-0277) to various providers for group healthcare benefits for County employees and their eligible dependents, including medical and pharmacy benefit management services for the period January 1, 2012 through December 31, 2014; Justification approved by the Office of Procurement and Diversity on October 5, 2012.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

RFP (Request for Proposal)

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

more usage

Financial Information:

Funding source: Explanation:

General Fund

Total Amount Requested:

\$

ATTACHMENTS:

Click to download

- [Resolution](#)
- [Electronic Signature](#)
- [Liability Insurance](#)
- [Auditors Findings](#)
- [Compliance](#)
- [Secretary of State](#)
- [Financials](#)
- [Workers Comp](#)
- [Principle Owners](#)
- [W9](#)
- [Justification](#)
- [History](#)
- [Cover](#)
- [Eval](#)

History

Time

Who

Office of Procurement &
Diversity

Approval

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

Contractor: Caremark PCS Health, LLC

Contract/Agreement No.: CE1200241

Time Period: 1/1/12 – 12/31/14

Service Description: Prescription Drug Plan for County employees and their eligible dependents, including pharmacy benefit management services

Original Contract/Agreement Amount: \$33,070,329.00

Prior Amendment(s) Amount(s): None

Performance Indicators: Filling prescriptions for County employees that are on the Formulary list (including additions and deletions). Sending weekly reports and transactions.

Actual performance versus performance indicators (include statistics): Meeting the needs of County employees. 100% completion of reports on timely basis with no complaints.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Rarely make mistakes with a large contingent of consumers. Maintains all the requirements set forth in the contract.

Department of Human Resources
User Department

October 8, 2012
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0251

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution approving The MetroHealth System Year 2013 Budget, in accordance with Ohio Revised Code Section 339.06(B), with the understanding that the allocation of County funds to the System will be made through adoption of the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Fiscal Officer/Office of Budget & Management submit for approval The MetroHealth System Year 2013 Budget, in accordance with Ohio Revised Code Section 339.06(B), with the understanding that the allocation of County funds to the System will be made through adoption of the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013; and,

WHEREAS, that if the amount appropriated to the county hospital in the annual appropriation measure for the County for the ensuing fiscal year differs from the amount shown in the approved budget, the County may require the board of county hospital trustees to revise the hospital budget accordingly. The board of trustees shall not expend such funds until its budget for that calendar year is submitted and approved by the County; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby approves The MetroHealth System Year 2013 Budget, in accordance with Ohio Revised Code Section 339.06(B), with the understanding that the allocation of County funds to the System will be made through adoption of the Biennial Operating Budget and Capital Improvements Program Annual Update for 2013.

SECTION 2. That the Clerk of Council be, and she is, hereby instructed to transmit a copy of this Resolution to Matthew Rubino, Director, Office of Budget and Management; Dr. John Brennan, President and CEO, The MetroHealth

System and Jeff Rooney, Interim Chief Financial Officer, The MetroHealth System.

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

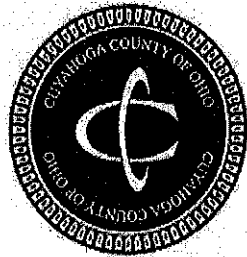
County Council President Date

County Executive Date

Clerk of Council Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Office of Budget and Management	Agency/Dept. Head Name:	Matthew Rubino
Type of Request:	Other		
Request Prepared by:	Colleen Brown	Telephone No.:	8191
SUMMARY OF REQUESTED ACTION:			
<p>The Office of Budget & Management is requesting approval of the MetroHealth Systems 2013 Operating Budget at the November 27, 2012 Council Meeting. According to the Ohio Revised Code Code Section 339.06 (B), "annually, the County shall approve a budget for the county hospital by the first day of December." A copy of the MetroHealth's 2013 Operating Budget submission is attached.</p>			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
<p>The County adopts the budget as submitted with the understanding that the allocation of county funds to the MetroHealth System will be made through the 2012 - 2013 Biennial appropriation measure adopted by the Council at the December 13, 2011.</p>			
<p>The current projected 2013 allocation for MetroHealth is \$36.08 million.</p>			
Explanation for late submittal:			

Contract/Agreement Information:

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

Financial Information:

Funding source:	Explanation:
Total Amount Requested:	\$

(in \$000s)

	2009 Actual	2010 Actual	2011 Actual	2012 Projected	2013 Budget
Net Patient Revenue	\$632,666	\$648,313	\$669,420	\$682,761	\$721,135
Other Revenue	72,474	83,499	82,916	71,493	79,254
Total Revenue	705,140	731,812	752,336	754,254	800,388
Salaries & Fringe Benefits	458,654	480,028	508,635	510,171	535,947
Department Expenses	150,421	158,739	166,492	163,766	175,289
General Expenses	58,337	69,203	73,769	70,129	74,153
Total Expenses	667,412	707,970	748,896	744,066	785,389
Operating Income/(Loss)	\$37,728	\$23,842	\$3,440	\$10,188	\$15,000
Discharges	27,394	26,726	26,583	27,671	28,010
Outpatient/Emergency Visits	880,163	888,935	950,000	977,523	1,066,910
Surgeries	15,307	15,086	15,765	16,608	17,964
Deliveries	2,969	2,902	2,847	2,892	2,866
Employees	6,140	6,307	6,156	6,170	6,231



The MetroHealth System

County Appropriation (\$ in thousands)	2012 Recommended	2013 Base Budget	2013 Budget Approved Req.	2013 Recommended
General Funds	\$ 36,100	\$ 36,100	\$ 0	\$ 36,100
All Funds	\$ 36,100	\$ 36,100	\$ 0	\$ 36,100

Mission Statement

MetroHealth is an academic health care system committed to our communities by saving lives, restoring health, promoting wellness, and providing outstanding, life-long care accessible to all.

2012-2013 Initiatives

- Increase access to care for patients through improved ambulatory operations
- Obtain a Medicaid waiver to improve health insurance coverage for the citizens of Cuyahoga County and to leverage the County subsidy to MetroHealth
- Continuously improve quality and operational efficiency
- Continue growth and development of the patient centered medical home to improve health status and control costs of care
- Develop new locations throughout the county to be convenient and accessible to more patients
- Plan for the renewal of the main campus and environs
- Enhance financial performance to sustain MetroHealth's mission

Key Performance Measure

Measure (\$ in thousands)	2011 Actual	2012 Estimate	2013 Budget
Uncompensated Care Provided (at Cost)	\$ 121,485	\$ 129,830	\$ 136,876
Hospital Discharges	26,583	27,671	28,010
Observations	10,719	9,168	9,280
Outpatient Physician Visits	846,627	873,276	959,936
Emergency Room Visits	103,373	104,247	106,974
Operating Income (excludes Net Investment Income)	\$ 3,440	\$ 10,188	\$ 15,000

As has been the trend in recent years, we expect continued growth in the volume of uncompensated care provided to the community.

Funding Sources

Funding (\$ in thousands)	% All Funds	2011 Estimate	% All Funds	2012 Estimate	% All Funds	2013 Budget
Patient Care (which includes Medicare, Medicaid, commercial reimbursement, as well as HCAP and UPL)	89.0%	\$ 669,420	90.5%	\$ 682,761	95.6%	\$ 721,135
County Appropriation	4.8%	\$ 36,031	4.8%	\$ 36,100	4.8%	\$ 36,100
Other Operating Income (which includes research grants, parking lot, cafeteria revenue)	6.2%	\$ 46,885	4.7%	\$ 35,393	5.7%	\$ 43,153
COMBINED TOTAL:	100%	\$ 752,336	100%	\$ 754,254	100%	\$ 800,388

Staffing Levels

Divisions (\$ in thousands)	2011 Actual	2012 Estimate	2013 Budget
Total All Fund FTE's	5,615	5,460	5,509
Total All Fund Salaries	\$ 410,707	\$ 411,437	\$ 433,302

FTEs vary throughout the year and the numbers reported reflect year-end averages as reported on MetroHealth financial statements.

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0252

Sponsored by: **County Executive FitzGerald/Fiscal Officer/Office of Budget & Management**

A Resolution amending Resolution No. R2012-0182 dated 9/25/2012, which accepted the rates as determined by the Budget Commission and which authorized the necessary tax levies and certified them to the County Fiscal Officer; to change the General Fund Inside Millage from 0.43 to 0.60 and the General Fund Bond Retirement Inside Millage from 1.02 to 0.85; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Council of Cuyahoga County, Ohio, met in regular session on the 11th of September, 2012; and,

WHEREAS, this County Council, in accordance with the provision of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2013; and,

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

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

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

SECTION 1. That the rates as determined by the Budget Commission in its recertification be, and the same are, hereby amended and accepted.

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

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

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

Tax Levy	Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund	0.60	0
General Fund – Bond Retirement	0.85	0.17
Health & Human Services	0	2.90
Board of Developmental Disabilities	0	3.90
Health & Welfare	0	4.80
County Library	0	2.50
	1.45	14.27

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

SECTION 4. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0253

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

A Resolution making an award on RQ25734 to Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$669,566.00 for prevention and treatment of young children and their families of the Early Childhood Mental Health Program for the period 1/1/2013 - 12/31/2013; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Early Childhood recommends an award on RQ25734 to Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$669,566.00 for prevention and treatment of young children and their families of the Early Childhood Mental Health Program for the period 1/1/2013 – 12/31/2013; and,

WHEREAS, funding for this project is 100% by the Health and Human Services Levy Funds; and,

WHEREAS, County Council has determined that awarding RQ25734 to Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County is in the best interest of the County; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ25734 to Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$669,566.00 for prevention and treatment of young children and their families of the Early Childhood Mental Health Program for the period 1/1/2013 – 12/31/2013.

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

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

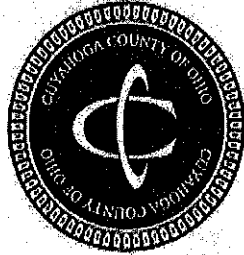
Date

Clerk of Council

Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name: Administrator's Office/Office of Early Childhood
Agency/Dept. Head Name: Dr. Rebekah Dorman

Type of Request: Contract/Amendment

Request Prepared by: Marcos Cortes
Telephone No.: 698-2586

SUMMARY OF REQUESTED ACTION:

Submitting a contract with Alcohol, Drug Addiction and Mental Health Board of Cuyahoga County in the amount of \$669,566.00 for Early Childhood Mental Health Program for the period January 1, 2013 to December 31, 2013.

Title: Office of Early Childhood/Invest in Children 2013 Alcohol, Drug Addiction & Mental Health Services Board Contract Early Childhood Mental Health Program (N/A)

A. Scope of Work Summary

1. Office of Early Childhood/Invest in Children is requesting approval of contract with the Alcohol, Drug Addiction & Mental Health Services Board for the anticipated cost of \$669,566.00. The anticipated start-completion dates are January 1, 2013 to December 31, 2013.
2. The primary goals of the project are:
Promote healthy social and emotional development of young children.
Prevention and early intervention of mental health difficulties.
Treatment of mental health conditions among very young children in the context of their families.
3. N/A

B. Procurement

1. The procurement method for this project was other. The total value is \$669,566.00
2. NA
3. The Other than Full and Open Competition Form was submitted on November 5, 2012 to be heard on November 7, 2012.

C. Contractor and Project Information

1. Alcohol, Drug Addiction & Mental Health Services Board of Cuyahoga County
2012 W.25th Street 6th Floor
Cleveland, OH 44113
2. William Denihan, Chief Executive Officer
- 3.a The Early Childhood Mental Health Program Is offered County Wide
- 3.b.The project is offered County wide.

D. Project Status and Planning

1. The project reoccurs annually.
2. N/A
3. N/A
4. The project's term will begin on January 1, 2013.
- 5.N/A

E. Funding

1. The project is funded 100% by Health and Human Services Levy Funding.
2. The schedule of payments is by invoice.
3. N/A

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The goals of the Early Childhood Mental Health (ECMH) program are to identify children, ages 0 to 6, in need of ECMH services, ensure timely access to ECMH services, engage the family in a treatment plan, and assure that necessary follow-up and transition services occur. Early childhood mental health services encompass a continuum of approaches in working with young children and their families that include the promotion of healthy social and emotional development, the prevention and early intervention of mental health difficulties and the treatment of health conditions among very young children in the context of their families.

Principal Owners:

Alcohol, Drug Addiction & Mental Health Services of Cuyahoga County

Primary Contact:

William Denihan, Chief Executive Officer
Alcohol, Drug Addiction and Mental Health Services Board
2012 W.25th Street, 6th floor
Cleveland, OH 44113

Explanation for late submittal:

N/A

Contract/Agreement Information:

Procurement Method:

Other

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

N/A

Financial Information:

Funding source: Other	Explanation: 100% Health and Human Services Levy
Total Amount Requested: \$669,566.00	

ATTACHMENTS:

- Click to download
- [ECMH Contract CY2013](#)
 - [Contract Cover](#)
 - [Department Acknowledgement form](#)
 - [Auditor's Findings](#)
 - [Contract History](#)
 - [Contract Evaluation](#)

History	Who	Approval
Time	Office of Procurement & Diversity	

12/14/2009 10:00 AM



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

Contractor: Alcohol and Drug Addiction & Mental Health Services Board

Contract/Agreement No.: CE1100109-01
Time Period: January 1, 2012 through September 30, 2012

Service Description: The goals of the ECMH program are to identify children, ages 0 through 6, in need of ECMH services, ensure timely access to ECMH services, engage the family in a treatment plan, and assure that necessary follow-up and transition services occur. Early childhood mental health services encompass a continuum of approaches in working with young children and their families that include the promotion of healthy social and emotional development, the prevention and early intervention of mental health difficulties and the treatment of health conditions among very young children in the context of their families.

Original Contract/Agreement Amount: \$ 669,566.00

Prior Contract(s) Amount(s): \$669,556 (2011)

Prior Amendment(s) Amount(s): N/A

Performance Indicators:

Total anticipated to be served: 390

Total number of unduplicated children served in 2012, January through September.
Total number of units of service (assessment and treatment) provided to children and families in 2012, January through September.

We can only report out on the data available. The final quarter of the year is not complete and there is no information yet available. We are reporting on the first three quarters of the project.

Actual performance versus performance indicators (include statistics):

602 unduplicated children served in 2012, January through September (4th quarter numbers not yet complete). We are far ahead of our anticipated number of the 390 anticipated to be served. The large numbers leave us with waiting lists which we are working to address.

3,527.96 of units of service (assessment and treatment) provided to children and families in 2012, January through August. (4th quarter numbers not yet complete).

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0254

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution making an award on RQ25710 to Starting Point in the amount not-to-exceed \$646,571.00 for direct services to develop and deliver programs for the Teacher Education and Compensation Helps Professional Development System for the period 1/1/2013 - 12/31/2013; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Early Childhood recommends an award on RQ25710 to Starting Point in the amount not-to-exceed \$646,571.00 for direct services to develop and deliver programs for the Teacher Education and Compensation Helps Professional Development System for the period 1/1/2013 - 12/31/2013; and,

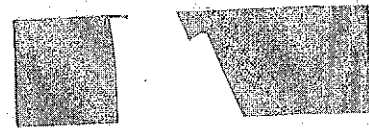
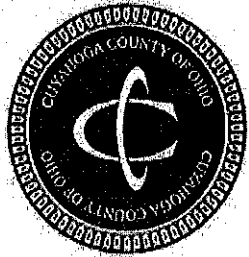
WHEREAS, funding for this project is 100% by the Health and Human Services Levy Funds; and,

WHEREAS, County Council has determined that awarding RQ25710 to Starting Point is in the best interest of the County; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ25710 to Starting Point in the amount not-to-exceed \$646,571.00 for direct services to develop and deliver programs for the Teacher Education and Compensation Helps Professional Development System for the period 1/1/2013 - 12/31/2013.



Item Details:

Agency/Dept. Name: Administrator's Office/Office of Early Childhood
Agency/Dept. Head Name: Rebekah Dorman

Type of Request: Contract/Amendment

Request Prepared by: Naklaa Robinson
Telephone No.: (216) 443-6573

SUMMARY OF REQUESTED ACTION:

Submitting a contract with Starting Point in the amount not-to-exceed \$646,571.00 for management and coordination of the Center Professional Development and TEACH programs for the Invest in Children Initiative for the period January 1, 2013 through December 31, 2013.

Title: Office of Early Childhood 2013 Starting Point Contract Professional Development & T.E.A.C.H. **A. Scope of Work Summary**1. Office of Early Childhood requesting approval of a contract with Starting Point for the anticipated cost of \$646,571.00, not-to-exceed. The anticipated start-completion dates of this portion of the project are 01/01/2013-12/31/2013. The primary goal of the project is to develop programs and services that are core elements to having a quality Early Care and Education Professional Development System for Child Care Centers, in addition to planning; policy and procedural development; oversight and implementation of the Teacher Education and Compensation Help (T.E.A.C.H.) Program **B. Procurement**1. Procurement is by RFP exemption. Starting Point has been designated by the State of Ohio as Cuyahoga County's child care resource and referral agency and the services provided under this contract are complementary to this role and serve to leverage existing state funds. **C. Contractor and Project Information**1. The address of the vendor is: Starting Point
 4600 Euclid Avenue, Suite 500
 Cleveland, OH 44103
 Council District 72. The Executive Director for the contractor/vendor is Billie Osborne-Fears **D. Project Status and Planning**1. The project reoccurs annually. **E. Funding**1. The project is funded 100% by Health and Human Services levy funds. 2. The schedule of payments is monthly by invoice.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Under the terms of this agreement, Starting Point is charged with managing and coordinating an Early Care and Education Professional Development System that works to improve the quality of child care in center based settings in Cuyahoga County. There are three major strategies employed by that system to achieve this end: 1) Working directly with centers to improve quality by providing technical assistance and training. Starting Point staff will visit centers and conduct a quality assessment of the care provided. They will then work with the provider to develop a quality improvement plan and monitor progress towards achieving the goals of the plan until all goals are met. 2) Working with individual classroom personnel to improve their early care and education credentials (TEACH program); Scholarships will be provided to individuals working on the CDA or Bachelor's degree. 3) Encouraging and supporting centers to participate in the State of Ohio's voluntary tiered rating system called Step Up to Quality (SUTQ). The SUTQ rating system offers a one-star, two-star, or three-star rating to centers that meet benchmarks of superior quality. New centers that wish to participate will receive special technical assistance and training in order to qualify for their star rating. Existing star-rated centers will receive support in maintaining their rating. At the end of this contract, the following outcomes are expected to have been achieved:

- 200 centers will be recruited into professional development activities
- Scholarships will be provided to 56 individuals enrolled in the TEACH program
- 160 centers will have received, or will be working toward, a SUTQ star-rating.

Starting Point
4600 Euclid Ave. Ste #500
Cleveland, Oh 44103
Billie Osborne Fears, Executive Director
(216) 575-0061

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Other

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

The prior contract covered service expenses for a two-year period. The current request constitutes a one-year agreement.

Financial Information:

Funding source:

Other

Explanation:

Health and human services levy

Total Amount Requested:

\$646,571.00

ATTACHMENTS:

[Click to download](#)

Cuyahoga County
Contract Evaluation Form

(To be completed in its entirety by user department for all contract renewals or amendments)

Contractor: Starting Point
Contract No: CE 1100057-01,02,04
Time Period: January 1, 2011 through December 31, 2012

Service Description: Administration and management of the Early Care and Education Professional Development System and the Teacher Education and Compensation Helps (T.E.A.C.H.) programs for the Office of Early Childhood.

Original Contract Amount: \$625,412.00

Amendment I Amount: \$20,000.00

Amendment II Amount: \$644,521.00

Performance Indicators: Include the following:

- Enroll 36 TEACH scholars.
- Maintain an information system for contractors and providers.
- Develop and implement early care and education provider recruitment activities.
- Attend periodic briefing meetings with appropriate OEC staff to ensure continuity of service delivery and effective program management.
- Collect, update and report data on the T.E.A.C.H. Program, activities, and outcomes and submit program and financial reports to OEC as requested.
- Work with evaluation team and OEC staff to develop evaluation component to determine impact of professional development on improving quality of care.
- Continue to refine coordinated plan and materials for recruiting providers for participation in professional development activities.
- Review, revise and develop Child Development Associate credential (CDA) training modules that align with the State of Ohio Early Childhood Core Knowledge and Competencies, Step Up to Quality and Center for Early Childhood Development requirements.
- Develop and revise train-the-trainer modules that align with the State of Ohio Early Learning Childhood Core Knowledge and Competencies, Step Up To Quality and Center for Early Childhood Development requirements.
- Develop and implement Leadership Development training.
- Implement a voluntary tiered rating system, Step-Up to Quality, that includes providing assessments, TA, college scholarships, community based training, Quality Achievement Awards, and staff professional development.
- Administer community based training that leads to the Child Development Associate credential and meets Step Up To Quality and Center for Early Childhood Development requirements.
- Sponsor Early Childhood Leadership Development Summit.
- Disseminate information and materials to community, providers, and parents to increase awareness of the importance of quality child care and early education.
- Hold recognition event for early care and education staff completing training and encourage continued participation.
- Negotiate and monitor master contracts (i.e., subcontracts) with trainers, colleges, Ohio Child Care Resource and Referral Association to maintain an Early Care and Education Professional Development System for Licensed Child Care Centers.
- Staff and support countywide Center Professional Development Committee.
- Maintain a lending library of educational resources and materials.
- Collect, update, and report data on the System's operations, activities and outcomes.
- Submit required quarterly program and monthly financial reports, including performance measure as finalized through the Goal 3 Committee.

- Ensure accountability for the use of all funds provided as a result of this agreement.
- Recruitment and participation of 200 centers in professional development activities.
- Assessment of 50 infant/toddler and preschool classrooms in centers using the Thelma Harms Environment Rating Scales (ITERS and ECERS).
- Revise or create 140 center Quality Improvement Plans based on the results of the environment rating scales assessments.
- The provision of 2 to 24 technical support visits per year (to be determined by ODJFS) for centers seeking a Star rating, to assist them in achieving the Step Up To Quality benchmarks and indicators of quality care.
- Track participating child care centers enrolled in Step-Up to Quality and receiving Quality Achievement Awards.
- Administer community-based training that leads to the CDA to 500 early care and education practitioners.

Actual performance versus performance indicators (include statistics):

- Starting Point has enrolled 46 TEACH (AAS and Bachelors degrees) scholars to date.
- Starting Point maintains an information system for contractors and providers (the Ohio Professional Development registry).
- Starting Point developed and implemented early care and education provider recruitment activities.
- Starting Point attended periodic briefing meetings with appropriate OEC staff to ensure continuity of service delivery and effective program management.
- Starting Point collected, updated and reported data on the T.E.A.C.H. Program, activities, and outcomes and submit program and financial reports to OEC as requested.
- An evaluation component for this contract was not implemented in 2011 but Starting point continued to work with OEC staff to determine appropriate indicators to be reported on an ongoing basis.
- Starting Point continues to refine a coordinated plan and materials for recruiting providers for participation in professional development activities (ie. Quarterly training calendar).
- Starting Point revised the Child Development Associate credential (CDA) training modules, as appropriate, so that they align with the State of Ohio Early Childhood Core Knowledge and Competencies; Step Up to Quality Center for Early Childhood Development requirements.
- Starting Point revised the train-the-trainer modules, as appropriate, so that they align with the State of Ohio Early Learning Childhood Core Knowledge and Competencies, Step Up To Quality and Center for Early Childhood Development requirements
- Starting Point developed and implemented Leadership Development training.
- Starting Point continues to play a primary role in the implementation of Ohio's voluntary tiered rating system, Step-Up to Quality, including providing assessments, TA, college scholarships, community based training, and staff professional development.
- Starting Point administers community based training that leads to the Child Development Associate credential and meets Step Up To Quality and Center for Early Childhood Development requirements
- Starting Point sponsored an Early Childhood Leadership Development Summit.
- Starting Point disseminated information and materials to community, providers, and parents to increase awareness of the importance of quality child care and early education (ie. The Good Child Care Book).
- Starting Point held a recognition event for early care and education staff completing training.
- Starting Point negotiated master contracts (i.e., subcontracts) with trainers, colleges, Ohio Child Care Resource and Referral Association to maintain an Early Care and Education Professional Development System for Licensed Child Care Centers.
- The countywide Center Professional Development Committee has discontinued meeting as the OEC has engaged in strategic planning resulting in a new organization structure for Invest in Children. Professional development will continue to be a focus within the new structure of the Invest in Children goal committees.
- Starting Point maintains a lending library of educational resources and materials.

- Starting Point collects, updates, and reports data on the System's operations, activities and outcomes.
- Starting Point submitted required quarterly program and monthly financial reports, including performance measure as finalized through the Goal 3 Committee.
- Starting Point provided the required documentation to justify expenses to the program and use of all funds.
- Starting Point has revised and added training to address the Ohio Early Learning Content Standards, approved Ohio Department of Education training, and the State of Ohio Early Childhood Core Knowledge and Competencies including adding all training offerings to the Ohio Professional Development Registry.
- 128 centers are currently participating in Step Up to Quality.
- Starting point assessed 13 infant/toddler and preschool classrooms in centers using the Thelma Harms Environment Rating Scales (ITERS and ECERS).
- Starting Point assisted with revising or creating 100 center Quality Improvement Plans based on the results of the environment rating scales assessments.
- Starting Point provided 70 technical support visits per year (to be determined by ODJFS) for centers seeking a Star rating, to assist them in achieving the Step Up To Quality benchmarks and indicators of quality care.
- Starting Point continues to track participating child care centers enrolled in Step-Up to Quality and receiving Quality Achievement Awards.
- 291 early care and education practitioners are enrolled in CDA training.

Rating of overall performance of contractor (check one)

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

Justification of Rating:

Starting Point is on track to meet or exceed its contract deliverables.

Mark S. V. P.
User Department

11/13/12
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0215

<p>Sponsored by: Council President Connally on behalf of The MetroHealth System</p>	<p>A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2013, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Ohio Revised Code Section 339.05 authorizes the Board of Trustees of The MetroHealth System to annually adopt bidding procedures and purchasing policies to obtain supplies, equipment and services routinely used in the operations of the Hospital, which, upon said adoption and the approval of the County Executive and County Council, may be followed by the Board of Trustees in lieu of following the competitive bidding procedures of Ohio Revised Code Section 307.86 to 307.92.; and

WHEREAS, Ohio Revised Code Section 339.05 specifically authorizes the Board of Trustees of The MetroHealth System to annually adopt bidding procedures and purchasing policies for services provided through a joint purchasing arrangement; and,

WHEREAS, The MetroHealth System seeks to participate in one or more joint purchasing associations available to health care facilities in order to obtain the favorable volume pricing available to the member institutions, thereby reducing the Hospital's overall expense for supplies, equipment and services; and

WHEREAS, on August 22, 2012, The MetroHealth System Board of Trustees adopted Resolution 18428, as amended by Resolution 18461, adopted on October 24, 2012, approving annual joint purchasing policies and procedures.

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

SECTION 1. The County Council hereby approves The MetroHealth System's adoption of a purchasing policy which authorizes the System's membership and participation in one or more joint purchasing associations for the purpose of acquiring such supplies, equipment and services routinely used in the operations of the Hospital which are available through group purchasing arrangements in order to achieve economies, for the 2013 Calendar Year.

SECTION 2. That the purchases of such supplies, equipment and services through joint purchasing arrangements shall be exempt from the competitive bidding procedures of Ohio Revised Code Section 307.86.

SECTION 3. The MetroHealth System's current purchasing policy expires December 31, 2012, and in order that critical services provided by The MetroHealth System may continue uninterrupted, provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: October 9, 2012
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC008
November 27, 2012

Approval of certain modifications requested by the Cuyahoga County government to the annual purchasing policies and procedures previously authorized under Resolution # 18428

RESOLUTION 18461

WHEREAS, the Board of Trustees of The MetroHealth System has been presented a recommendation for certain modifications requested by the Cuyahoga County government to the annual purchasing policies and procedures previously authorized under Resolution # 18428; and WHEREAS, the Board's Finance Committee has reviewed this recommendation and now recommends its approval.

NOW, THEREFORE BE IT RESOLVED, The Board of Trustees of The MetroHealth System hereby approves certain modifications requested by the Cuyahoga County government to the annual purchasing policies and procedures previously authorized under Resolution # 18428, for products required for participation in group/joint procurement arrangements.

Accordingly, Resolution # 18428 is replaced in its entirety with the following:

For the calendar year 2013, and for the purpose of acquiring supplies, equipment, and services routinely used in the operations of the System, the System may obtain membership and participate in either:

- a.) One or more group purchasing organizations (each a "GPO") sponsored by non-profit organizations, for all products available through such GPOs, provided that the terms and conditions of such participation, and the GPO's policies and procedures, are evaluated and determined to be in the best interest of the System; and,
- b.) One or more state or federally operated joint purchasing programs (each a "JPP"), for purchase of all products available through such JPPs.

The System may pay GPO and JPP participation or membership fees and costs, if any, out of general operating funds.

BE IT FURTHER RESOLVED, The Chief Executive Officer and President or his designees are hereby authorized to negotiate and execute agreements and other documents, and develop and execute procedures consistent with this resolution.

AYES: Ms. Clemo, Dr. Fountain, Mr. McDonald, Mr. Monnolly, Mr. Moss
Mr. Spain, Dr. Silvers, Ms. Whiting

NAYS: None

ABSTAINED: None

ABSENT: None

DATE: October 24, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0227

<p>Sponsored by: County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Board of Developmental Disabilities</p>	<p>A Resolution authorizing an assignment of leases from Cuyahoga County to the Cuyahoga County Board of Developmental Disabilities, effective 10/1/2012, in connection with various contracts with North Coast Community Homes, Inc. for the lease/purchase of various properties for use as group homes for persons with developmental disabilities; authorizing the County Executive to execute the assignment of leases and all other documents required consistent with this Resolution, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County leases 52 properties from North Coast Community Homes, Inc. for use by the Cuyahoga County Board of Developmental Disabilities for the purpose of providing residences for individuals with developmental disabilities; and,

WHEREAS, the term of the leases is for 25 years with the option to purchase the leased properties any time after ten years after the commencement of the leases and prior to the termination of the leases; and,

WHEREAS, the Cuyahoga County Board of Developmental Disabilities desires the County to assign 52 leased properties for the purpose of purchasing the properties prior to the termination of the respective leases; and,

WHEREAS, the 52 leased properties that are subject to the Assignment of Leases are as follows:

- 1) No. CE03551 with Center Ridge House, located at 28700 Center Ridge Road, Westlake, for the period 4/8/1988 - 4/7/2013;
- 2) No. CE04031 with Richmond House, located at 1435 Richmond Road, Lyndhurst, for the period 12/15/1987 - 12/14/2012;
- 3) No. CE04227 with Bellbrook House, located at 5936 West 130th Street, Brook Park, for the period 9/22/1988 - 8/21/2013;
- 4) No. CE04224 with Lee House, located at 5041 Lee Road, Maple Heights, for the period 6/15/1988 - 6/14/2013;
- 5) No. CE04226 with South Bend House, located at 1653 and 1655 South Bend Drive, Rocky River, for the period 2/11/1988 - 2/10/2013;

- 6) No. CE04225 with Lander House, located at 1455 Lander Road, Mayfield Heights, for the period 6/20/1988 - 6/19/2013;
- 7) No. CE04223 with Nottingham House, located at 17702 Nottingham Road, Cleveland, for the period 6/20/1988 - 6/19/2013;
- 8) No. CE04459 with Bagley House, located at 19080 Bagley Road, Middleburg Heights, for the period 1/4/1989 - 1/3/2014;
- 9) No. CE04541 with Euclid House, located at 23050 Euclid Avenue, Euclid, for the period 10/18/1989 - 10/17/2014;
- 10) No. CE04592 with Highland House, located at 427 Richmond Road, Richmond Heights, for the period 9/25/1989 - 9/24/2014;
- 11) No. CE04591 with Ridge House, located at 7009 West Sprague Road, Parma, for the period 9/19/1989 - 9/18/2014;
- 12) No. CE04593 with Sprague House, located at 7001 West Sprague Road, Parma, for the period 9/19/1989 - 9/18/2014;
- 13) No. CE05008 with Albion House, located at 11607 Pearl Road, Strongsville, for the period 1/25/1990 - 1/24/2015;
- 14) No. CE05035 with Lamson House fka Granger House, located at 7325 Lamson Road, Oakwood Village, for the period 4/11/1990 - 4/10/2015;
- 15) No. CE05209 with Cedar House, located at 29400 Cedar Road, Pepper Pike, for the period 8/8/1990 - 8/7/2015;
- 16) No. CE05270 with Beachwood House, located at 24212 Cedar Road, Beachwood, for the period 8/8/1990 - 8/7/2015;
- 17) No. CE05370 with Bedford House, located at 5526 Richmond Road, Bedford Heights, for the period 11/1/1990 - 10/31/2015;
- 18) No. CE05509 with Southwest House, located at 211 East Schaaf Road, Brooklyn Heights, for the period 12/13/1990 - 12/12/2015;
- 19) No. CE05520 with Dover House, located at 263 Dover Center Road, Bay Village, for the period 10/30/1990 - 10/29/2015;
- 20) No. CE05555 with Van Aken House, located at 2980 Van Aken Boulevard, Cleveland, for the period 3/18/1991 - 3/17/2016;
- 21) No. CE05638 with Columbia House, located at 2855 Columbia Road, Westlake, for the period 12/13/1990 - 12/12/2015;
- 22) No. CE05639 with Edendale House, located at 1374 Edendale Road, Cleveland Heights, for the period 10/29/1991 - 10/28/2016;
- 23) No. CE05828 with Hillside House, located at 98 Hillside Road, Seven Hills, for the period 9/6/1991 - 9/5/2016;
- 24) No. CE05827 with Jackson House, located at 29949 Jackson Road, Orange Village, for the period 9/9/1991 - 8/8/2016;
- 25) No. CE05850 with Warrington House, located at 3270 Warrington Road, Shaker Heights, for the period 9/4/1991 - 9/3/2016;
- 26) No. CE05920 with Monticello House, located at 4520 Monticello Road, South Euclid, for the period 11/18/1991 - 11/17/2016;
- 27) No. CE05966 with Royalton House, located at 7575 Royalton Road, North Royalton, for the period 11/8/1991 - 11/7/2016;
- 28) No. CE06006 with Independence House, located at 4711 East Sprague Road, Independence, for the period 10/3/1991 - 10/2/2016;

- 29) No. CE06107 with Maple House, located at 250 Maplawn Drive, Berea, for the period 2/12/1992 - 2/11/2017;
- 30) No. CE06106 with Oak House, located at 26365 Tryon Road, Oakwood Village, for the period 6/19/1992 - 6/18/2017;
- 31) No. CE06108 with Wilson House, located at 785 Miner Road, Highland Heights, for the period 11/1/1991 - 10/31/2016;
- 32) No. CE06106 with Wood House, located at 26405 Tryon Road, Oakwood Village, for the period 7/2/1992 - 7/1/2017;
- 33) No. CE06135 with Broadway House, located at 1310 Broadway, Bedford, for the period 10/7/1991 - 10/5/2016;
- 34) No. CE06288 with Grand House, located at 19853 Grand Boulevard, Euclid, for the period 6/29/1992 - 6/28/2017;
- 35) No. CE06289 with SOM House, located at 1777 SOM Center Road, Gates Mills, for the period 1/1/1992 - 12/31/2016;
- 36) No. CE06290 with Terrace House, located at 19855 Grand Boulevard, Euclid, for the period 6/15/1991 - 6/14/2017;
- 37) No. CE06310 with Stearns House, located at 6797 Stearns Road, North Olmsted, for the period 2/12/1992 - 2/11/2017;
- 38) No. CE06382 with Fairview House, located at 4579 West 210th Street, Fairview Park, for the period 4/20/1992 - 4/19/2017;
- 39) No. CE06383 with Parkgate House, located at 9035 Parkgate, Cleveland, for the period 1/5/1993 - 1/4/2018;
- 40) No. CE06448 with Smith House, located at 6809 Smith Road, Middleburg Heights, for the period 8/19/1992 - 8/18/2017;
- 41) No. CE06611 with Solon House, located at 37025 Aurora Road, Solon, for the period 12/16/1992 - 12/15/2017;
- 42) No. CE06623 with Wallings House, located at 2491 East Wallings Road, Broadview Heights, for the period 9/16/1992 - 11/15/2017;
- 43) No. CE06664 with Jennings House, located at 22900 Jennings Road, Warrensville Heights, for the period 12/2/1992 - 12/1/2017;
- 44) No. CE06663 with Walton House, located at 14700 Alexander Road, Walton Hills, for the period 12/16/1992 - 12/15/2017;
- 45) No. CE06702 with Parma House, located at 7211 West 130th Street, Parma, for the period 6/2/1993 - 6/1/2018;
- 46) No. CE07663 with Moreland House, located at 35450 Chagrin Boulevard, Moreland Hills, for the period 11/10/1994 - 11/9/2019;
- 47) No. CE08041 with Seven Hills House, located at 6577 Broadview Road, Seven Hills, for the period 8/3/1995 - 8/2/2020;
- 48) No. CE08376 with Howe House, located at 18005 Howe Road, Strongsville, for the period 10/1/1996 - 9/30/2021;
- 49) No. CE09393 with Taft House, located at 740 Taft Road, Bedford, for the period 2/23/1998 - 2/22/2023;
- 50) No. CE09831 with Verona House, located at 4285 Verona Road, South Euclid, for the period 10/23/1998 - 10/22/2023;
- 51) No. CE0700923 with Green House, located at 1905 Green Road, Cleveland, for the period 12/17/2004 - 12/16/2029; and

- 52) No. CE0400924 with Memphis House, located at 9401 Memphis Avenue, Brooklyn, for the period 1/19/2005 - 1/18/2030.

WHEREAS, if approved, the Assignment of Leases shall become effective on October 1, 2012; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby approves the County's assignment of the following 52 leases between the County and North Coast Community Homes to the Cuyahoga County Board of Developmental Disabilities:

- 1) No. CE03551 with Center Ridge House, located at 28700 Center Ridge Road, Westlake, for the period 4/8/1988 - 4/7/2013;
- 2) No. CE04031 with Richmond House, located at 1435 Richmond Road, Lyndhurst, for the period 12/15/1987 - 12/14/2012;
- 3) No. CE04227 with Bellbrook House, located at 5936 West 130th Street, Brook Park, for the period 9/22/1988 - 8/21/2013;
- 4) No. CE04224 with Lee House, located at 5041 Lee Road, Maple Heights, for the period 6/15/1988 - 6/14/2013;
- 5) No. CE04226 with South Bend House, located at 1653 and 1655 South Bend Drive, Rocky River, for the period 2/11/1988 - 2/10/2013;
- 6) No. CE04225 with Lander House, located at 1455 Lander Road, Mayfield Heights, for the period 6/20/1988 - 6/19/2013;
- 7) No. CE04223 with Nottingham House, located at 17702 Nottingham Road, Cleveland, for the period 6/20/1988 - 6/19/2013;
- 8) No. CE04459 with Bagley House, located at 19080 Bagley Road, Middleburg Heights, for the period 1/4/1989 - 1/3/2014;
- 9) No. CE04541 with Euclid House, located at 23050 Euclid Avenue, Euclid, for the period 10/18/1989 - 10/17/2014;
- 10) No. CE04592 with Highland House, located at 427 Richmond Road, Richmond Heights, for the period 9/25/1989 - 9/24/2014;
- 11) No. CE04591 with Ridge House, located at 7009 West Sprague Road, Parma, for the period 9/19/1989 - 9/18/2014;
- 12) No. CE04593 with Sprague House, located at 7001 West Sprague Road, Parma, for the period 9/19/1989 - 9/18/2014;
- 13) No. CE05008 with Albion House, located at 11607 Pearl Road, Strongsville, for the period 1/25/1990 - 1/24/2015;
- 14) No. CE05035 with Lamson House fka Granger House, located at 7325 Lamson Road, Oakwood Village, for the period 4/11/1990 - 4/10/2015;

- 15) No. CE05209 with Cedar House, located at 29400 Cedar Road, Pepper Pike, for the period 8/8/1990 - 8/7/2015;
- 16) No. CE05270 with Beachwood House, located at 24212 Cedar Road, Beachwood, for the period 8/8/1990 - 8/7/2015;
- 17) No. CE05370 with Bedford House, located at 5526 Richmond Road, Bedford Heights, for the period 11/1/1990 - 10/31/2015;
- 18) No. CE05509 with Southwest House, located at 211 East Schaaf Road, Brooklyn Heights, for the period 12/13/1990 - 12/12/2015;
- 19) No. CE05520 with Dover House, located at 263 Dover Center Road, Bay Village, for the period 10/30/1990 - 10/29/2015;
- 20) No. CE05555 with Van Aken House, located at 2980 Van Aken Boulevard, Cleveland, for the period 3/18/1991 - 3/17/2016;
- 21) No. CE05638 with Columbia House, located at 2855 Columbia Road, Westlake, for the period 12/13/1990 - 12/12/2015;
- 22) No. CE05639 with Edendale House, located at 1374 Edendale Road, Cleveland Heights, for the period 10/29/1991 - 10/28/2016;
- 23) No. CE05828 with Hillside House, located at 98 Hillside Road, Seven Hills, for the period 9/6/1991 - 9/5/2016;
- 24) No. CE05827 with Jackson House, located at 29949 Jackson Road, Orange Village, for the period 9/9/1991 - 8/8/2016;
- 25) No. CE05850 with Warrington House, located at 3270 Warrington Road, Shaker Heights, for the period 9/4/1991 - 9/3/2016;
- 26) No. CE05920 with Monticello House, located at 4520 Monticello Road, South Euclid, for the period 11/18/1991 - 11/17/2016;
- 27) No. CE05966 with Royalton House, located at 7575 Royalton Road, North Royalton, for the period 11/8/1991 - 11/7/2016;
- 28) No. CE06006 with Independence House, located at 4711 East Sprague Road, Independence, for the period 10/3/1991 - 10/2/2016;
- 29) No. CE06107 with Maple House, located at 250 Maplelawn Drive, Berea, for the period 2/12/1992 - 2/11/2017;
- 30) No. CE06106 with Oak House, located at 26365 Tryon Road, Oakwood Village, for the period 6/19/1992 - 6/18/2017;
- 31) No. CE06108 with Wilson House, located at 785 Miner Road, Highland Heights, for the period 11/1/1991 - 10/31/2016;
- 32) No. CE06106 with Wood House, located at 26405 Tryon Road, Oakwood Village, for the period 7/2/1992 - 7/1/2017;
- 33) No. CE06135 with Broadway House, located at 1310 Broadway, Bedford, for the period 10/7/1991 - 10/5/2016;
- 34) No. CE06288 with Grand House, located at 19853 Grand Boulevard, Euclid, for the period 6/29/1992 - 6/28/2017;
- 35) No. CE06289 with SOM House, located at 1777 SOM Center Road, Gates Mills, for the period 1/1/1992 - 12/31/2016;
- 36) No. CE06290 with Terrace House, located at 19855 Grand Boulevard, Euclid, for the period 6/15/1991 - 6/14/2017;
- 37) No. CE06310 with Stearns House, located at 6797 Stearns Road, North Olmsted, for the period 2/12/1992 - 2/11/2017;

- 38) No. CE06382 with Fairview House, located at 4579 West 210th Street, Fairview Park, for the period 4/20/1992 - 4/19/2017;
- 39) No. CE06383 with Parkgate House, located at 9035 Parkgate, Cleveland, for the period 1/5/1993 - 1/4/2018;
- 40) No. CE06448 with Smith House, located at 6809 Smith Road, Middleburg Heights, for the period 8/19/1992 - 8/18/2017;
- 41) No. CE06611 with Solon House, located at 37025 Aurora Road, Solon, for the period 12/16/1992 - 12/15/2017;
- 42) No. CE06623 with Wallings House, located at 2491 East Wallings Road, Broadview Heights, for the period 9/16/1992 - 11/15/2017;
- 43) No. CE06664 with Jennings House, located at 22900 Jennings Road, Warrensville Heights, for the period 12/2/1992 - 12/1/2017;
- 44) No. CE06663 with Walton House, located at 14700 Alexander Road, Walton Hills, for the period 12/16/1992 - 12/15/2017;
- 45) No. CE06702 with Parma House, located at 7211 West 130th Street, Parma, for the period 6/2/1993 - 6/1/2018;
- 46) No. CE07663 with Moreland House, located at 35450 Chagrin Boulevard, Moreland Hills, for the period 11/10/1994 - 11/9/2019;
- 47) No. CE08041 with Seven Hills House, located at 6577 Broadview Road, Seven Hills, for the period 8/3/1995 - 8/2/2020;
- 48) No. CE08376 with Howe House, located at 18005 Howe Road, Strongsville, for the period 10/1/1996 - 9/30/2021;
- 49) No. CE09393 with Taft House, located at 740 Taft Road, Bedford, for the period 2/23/1998 - 2/22/2023;
- 50) No. CE09831 with Verona House, located at 4285 Verona Road, South Euclid, for the period 10/23/1998 - 10/22/2023;
- 51) No. CE0700923 with Green House, located at 1905 Green Road, Cleveland, for the period 12/17/2004 - 12/16/2029; and
- 52) No. CE0400924 with Memphis House, located at 9401 Memphis Avenue, Brooklyn, for the period 1/19/2005 - 1/18/2030.

SECTION 2. That the County Executive is authorized to execute an Assignment of Leases agreement with the Cuyahoga County Board of Developmental Disabilities in accordance with this Resolution and to take any other measures necessary to effectuate the assignments authorized herein to take place as of October 1, 2012.

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: October 23, 2012

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

Journal CC008

November 27, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0233

<p>Sponsored by: County Executive FitzGerald/Department of Law and Councilmembers Germana, Miller, Jones and Simon</p>	<p>A Resolution making an award on RQ24839 to Hylant Group, Inc. in the amount not-to-exceed \$3,600,000.00 for risk management services and insurance brokerage and premiums through and including December 31, 2015; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Law has recommended an award on RFP 24839 to Hylant Group, Inc. in the amount not-to-exceed \$3,600,000.00 for risk management services and insurance brokerage and premiums through and including December 31, 2015; and,

WHEREAS, the Hylant Group, Inc. will be utilizing the Pinkney-Perry Insurance Agency, Inc. as its SBE partner; and,

WHEREAS, County Council has determined that awarding RFP 24839 to Hylant Group, Inc. is in the best interest of the County; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RFP 24839 to Hylant Group, Inc. in the amount not-to-exceed \$3,600,000.00 for all risk management services and insurance brokerage and premiums. The effective date of the Contract shall be the date of its execution by the County Executive upon adoption of this Resolution by County Council, and the Contract shall continue through and including December 31, 2015. Any amounts due under the contract, however, shall not commence until January 1, 2013, and no appropriations shall be needed for the year 2012 for this Contract.

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

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 13, 2012

Committee(s) Assigned: Finance & Budgeting

Additional Sponsorship Requested: November 16, 2012

Journal CC008

November 27, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0234

Sponsored by: County Executive FitzGerald/Department of Health and Human Services/ Division of Senior and Adult Services and Councilmembers Jones, Conwell and Miller	A Resolution making awards on RQ23838 to various municipalities and providers in the total amount not-to-exceed \$2,376,110.00 for various services for the Community Social Services Program for the period 1/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreements, contracts and all other documents required in connection with said awards and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Senior and Adult Services has recommended an award on RQ23838 to various municipalities and providers for various services for the Community Social Services Program for the time period 1/1/2013-12/31/2014 as follows:

A) City of Euclid in the amount not-to-exceed \$36,652.00 for Transportation Services,

B) City of Lakewood in the amount not-to-exceed \$73,904.00 for Adult Development, Congregate Meals and Transportation Services,

C) City of Maple Heights in the amount not-to-exceed \$86,408.00 for Congregate Meals and Transportation Services,

D) City of Parma Heights in the amount not-to-exceed \$169,862.00 for Congregate Meals and Transportation Services,

E) Catholic Charities Community Services Corporation on behalf of the St. Martin de Porres Family Center in the amount not-to-exceed \$144,064.00 for Adult Development and Transportation Services,

F) Community Partnership on Aging in the amount not-to-exceed \$33,212.00 for Congregate Meals and Transportation Services,

G) The East End Neighborhood House Association in the amount not-to-exceed \$113,342.00 for Adult Development and Transportation Services,

H) Eliza Bryant Village in the amount not-to-exceed \$117,146.00 for Adult Day Care and Transportation Services,

I) The Golden Age Centers of Greater Cleveland in the amount not-to-exceed \$294,582.00 for Adult Development and Transportation Services,

J) Goodrich Gannett Neighborhood Center in the amount not-to-exceed \$109,500.00 for Adult Development, Congregate Meals and Transportation Services,

K) The Harvard Community Services Center in the amount not-to-exceed \$120,644.00 for Adult Development, Congregate Meals and Transportation Services,

L) The Mandel Jewish Community Center of Cleveland in the amount not-to-exceed \$184,718.00 for Adult Development and Transportation Services,

M) Murtis Taylor Human Services System in the amount not-to-exceed \$61,600.00 for Adult Development Services,

N) The Salvation Army in the amount not-to-exceed \$117,764.00 for Adult Development, Congregate Meals and Transportation Services,

O) Senior Citizen Resources, Inc. in the amount not-to-exceed \$97,106.00 for Adult Development and Transportation Services,

P) Senior Outreach Services in the amount not-to-exceed \$50,130.00 for Adult Development and Transportation Services,

Q) University Settlement, Incorporated in the amount not-to-exceed \$153,582.00 for Adult Development, Congregate Meals and Transportation Services,

R) West Side Community House in the amount not-to-exceed \$411,894.00 for Adult Development, Congregate Meals and Transportation Services; and,

WHEREAS, the total amount awarded for this project is not-to-exceed \$2,376,110.00; and,

WHEREAS, funding for this project is 100% from the Health and Human Services Levy funds; and,

WHEREAS, County Council has determined that awarding RQ23838 to various municipalities and providers for various services for the Community Social Services Program is in the best interest of the County; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ23838 to various municipalities and providers in the total amount not-to-exceed \$2,376,110.00 for various services for the Community Social Services Program for the time period 1/1/2013-12/31/2014 as follows:

A) City of Euclid in the amount not-to-exceed \$36,652.00 for Transportation Services,

B) City of Lakewood in the amount not-to-exceed \$73,904.00 for Adult Development, Congregate Meals and Transportation Services,

C) City of Maple Heights in the amount not-to-exceed \$86,408.00 for Congregate Meals and Transportation Services,

D) City of Parma Heights in the amount not-to-exceed \$169,862.00 for Congregate Meals and Transportation Services,

E) Catholic Charities Community Services Corporation on behalf of the St. Martin de Porres Family Center in the amount not-to-exceed \$144,064.00 for Adult Development and Transportation Services,

F) Community Partnership on Aging in the amount not-to-exceed \$33,212.00 for Congregate Meals and Transportation Services,

G) The East End Neighborhood House Association in the amount not-to-exceed \$113,342.00 for Adult Development and Transportation Services,

H) Eliza Bryant Village in the amount not-to-exceed \$117,146.00 for Adult Day Care and Transportation Services,

I) The Golden Age Centers of Greater Cleveland in the amount not-to-exceed \$294,582.00 for Adult Development and Transportation Services,

J) Goodrich Gannett Neighborhood Center in the amount not-to-exceed \$109,500.00 for Adult Development, Congregate Meals and Transportation Services,

K) The Harvard Community Services Center in the amount not-to-exceed \$120,644.00 for Adult Development, Congregate Meals and Transportation Services,

L) The Mandel Jewish Community Center of Cleveland in the amount not-to-exceed \$184,718.00 for Adult Development and Transportation Services,

M) Murtis Taylor Human Services System in the amount not-to-exceed \$61,600.00 for Adult Development Services,

N) The Salvation Army in the amount not-to-exceed \$117,764.00 for Adult Development, Congregate Meals and Transportation Services,

O) Senior Citizen Resources, Inc. in the amount not-to-exceed \$97,106.00 for Adult Development and Transportation Services,

P) Senior Outreach Services in the amount not-to-exceed \$50,130.00 for Adult Development and Transportation Services,

Q) University Settlement, Incorporated in the amount not-to-exceed \$153,582.00 for Adult Development, Congregate Meals and Transportation Services; and,

R) West Side Community House in the amount not-to-exceed \$411,894.00 for Adult Development, Congregate Meals and Transportation Services.

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

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 13, 2012
Committee(s) Assigned: Health, Human Services & Aging

Additional Sponsorship Requested: November 15, 2012

Journal CC008
November 27, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0235

Sponsored by: County Executive FitzGerald/Office of Procurement & Diversity	A Resolution making an award on RQ25385 to Hewlett-Packard Company in the amount not-to-exceed \$653,391.44 for 750 HPZ220 computer workstations for the Department of Information Technology; authorizing the County Executive to execute the contract and all other documents required in connection with said award and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Office of Procurement & Diversity has recommended an award on RQ25385 to Hewlett-Packard Company in the amount not-to-exceed \$653,391.44 for the purchase of 750 – HPZ220 computer workstations for the Department of Information Technology; and,

WHEREAS, the General Fund is covering a majority of this project along with various other funds; and,

WHEREAS, County Council has determined that awarding RQ25385 to Hewlett-Packard Company is in the best interest of the County; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ RQ25385 to Hewlett-Packard Company in the amount not-to-exceed \$653,391.44 for the purchase of 750 – HPZ220 computer workstations for the Department of Information Technology.

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

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0237

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution amending Resolution No. R2012-0162 dated 8/28/2012, which made awards to various municipalities for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013, to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Development has recommended to amend Resolution No. R2012-0162 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to the City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project; and

WHEREAS, the grant awards are funded 100% from the Federal CDBG funds and payments are made by submission of reimbursement requests and based on paid invoices; and

WHEREAS, it is necessary that this Resolution become immediately effective because this project has begun.

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

SECTION 1. The County Council hereby approves the amendment to Resolution No. R2012-0162 to change the total amount from \$1,492,641.88 to \$1,842,641.88 and to make an award to the City of Rocky River in the amount of \$350,000.00 for the Linda Street Improvement Project, a Tier 1 Project.

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

SECTION 3. It is necessary that this Resolution become immediately effective because this project has begun. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: November 13, 2012
Committee(s) Assigned: Economic Development & Planning

Journal CC008
November 27, 2012

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0239

Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services	A Resolution authorizing amendments to contracts with various providers for emergency assistance services for the period 9/1/2012 - 8/31/2014 for additional funds in the total amount not-to-exceed \$700,000.00; authorizing the County Executive to execute the amendments and all other documents required consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Children of Family Services has recommended to amend contracts with various providers for emergency assistance services for the period 9/1/2012 – 8/31/2014 and for additional funds in the total amount not-to-exceed \$700,000.00 as follows:

- 1) No. CE1200402-01 with A-Z Furniture Co. Inc. in the amount not-to-exceed \$102,000.00;
- 2) No. CE1200403-01 with Dave's Supermarket in the amount not-to-exceed \$40,000.00;
- 3) No. CE1200404-01 with Silverman Brothers, Inc. in the amount not-to-exceed \$48,000.00;
- 4) No. CE1200405-01 with West 25th Furnishings and Appliances, Inc. in the amount not-to-exceed \$238,000.00; and
- 5) No. CE1200560-02 with Burlington Coat Factory Warehouse Corporation in the amount not-to-exceed \$272,000.00; and

WHEREAS, the primary goal of the program is for emergency assistance services (food, clothing, and household/children furniture items) that are required to mitigate risk of abuse/neglect and/or to facilitate placement of children outside their own homes; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical service provided by the 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. The County Council hereby approves the amendments to contracts with various providers various providers for emergency assistance services for the period

9/1/2012 – 8/31/2014 and for additional funds in the total amount not-to-exceed \$700,000.00 as follows:

- 1) No. CE1200402-01 with A-Z Furniture Co. Inc. in the amount not-to-exceed \$102,000.00;
- 2) No. CE1200403-01 with Dave's Supermarket in the amount not-to-exceed \$40,000.00;
- 3) No. CE1200404-01 with Silverman Brothers, Inc. in the amount not-to-exceed \$48,000.00;
- 4) No. CE1200405-01 with West 25th Furnishings and Appliances, Inc. in the amount not-to-exceed \$238,000.00; and
- 5) No. CE1200560-02 with Burlington Coat Factory Warehouse Corporation in the amount not-to-exceed \$272,000.00.

SECTION 2. That the County Executive is hereby authorized to execute all documents required in connection with the amendments.

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provide by Cuyahoga County can continue, and to continue the usual daily operation of a County entity. Provided this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 13, 2012
Committee(s) Assigned: Health, Human Services & Aging

Journal CC008
November 27, 2012

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0026

Sponsored by: County Executive FitzGerald and Councilmembers Jones and Germana	An Ordinance establishing the Cuyahoga County Debarment Law, Procedures and Review Board; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article 3, Section 9, Subsections 4 and 9 of the Cuyahoga County Charter empowers the Cuyahoga County Council to establish procedures governing the making of County contracts and to establish the procedures for making public improvements; and,

WHEREAS, Article 3, Section 9, Subsection 3 of the Cuyahoga County Charter empowers the Cuyahoga County Council to establish boards and commissions as the Council determines to be necessary for the efficient administration of the County; and,

WHEREAS, it is necessary for Cuyahoga County to establish its debarment procedures to ensure fairness and good government in the County's contracting.

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

SECTION 1: HOME RULE POWERS ASSERTED.

Notwithstanding any requirements or conflicting provisions of any other law or regulation, Cuyahoga County hereby exercises its home rule powers to establish its own Debarment Law and empowers the Cuyahoga County Inspector General and the Cuyahoga County Debarment Review Board to administer the Debarment Law in accordance with this Ordinance.

SECTION 2: SCOPE OF DEBARMENT.

(A) Prohibitions on Debarred Contractors.

1. **No Submission of Offers.** A contractor debarred under this Ordinance may not submit any bids, proposals, statements of qualifications, or any other offers to contract with, enter into an agreement with, or to in any other way do business with Cuyahoga County for the duration of the debarment period regardless of whether the work under the proposed

contract or agreement will take place after expiration of the debarment period.

2. **No Contracting with the County.** A contractor debarred under this Ordinance may not enter into any contract or agreement with the County for the duration of the debarment period.
3. **No Subcontracting on County Contracts.** A contractor debarred under this Ordinance may not serve as a subcontractor on any county contract or agreement for the duration of the debarment period.

(B) Prohibitions on County Contractors.

No contractor may subcontract any work on a county project to a debarred contractor. A contractor who knowingly subcontracts work to a debarred contractor shall be subject to automatic debarment for a period of three years.

(C) Prohibitions on County.

1. The County may not contract with, enter into an agreement with, or otherwise do business with a debarred contractor.
2. The County may not allow any of its contractors to subcontract with any debarred contractor on a county project.
3. The County shall automatically disqualify any and all bids, proposals, statements of qualifications, or any other offers received from a debarred contractor during the period of debarment.

SECTION 3: GROUNDS FOR DEBARMENT.

(A) Five-Year Debarment. From the effective date of this Ordinance through December 31, 2014, the Cuyahoga County Inspector General may debar, for a period of five years, a contractor for a conviction of or a civil judgment within the preceding five years anywhere in the United States, its territories, or outlying areas, for any of the following:

- i. Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public contract or subcontract;
- ii. Violation of any federal, state, or local ethics laws, regulations, or policies;

- iii. Violation of any federal or state antitrust statutes, regulations, or policies;
- iv. Violation of any federal, state, or local laws, regulations, or policies relating to the submission of bids, proposals, statements of qualifications, or any other type of offers;
- v. Collusion to restrain competition by any means;
- vi. Embezzlement;
- vii. Theft;
- viii. Forgery;
- ix. Bribery;
- x. Falsification;
- xi. Destruction of records;
- xii. Making false statements;
- xiii. Tax evasion;
- xiv. Criminal violation of any federal, state, or local tax laws;
- xv. Violation of any federal, state, or local laws intended to protect against abusive debt collection practices, such as the federal Fair Debt Collection Practices Act;
- xvi. Receiving stolen property;
- xvii. Intentionally affixing a label indicating that a product was made in a jurisdiction when the product was not made in that jurisdiction;
- xviii. Any other cause listed in Section 3(B) or Section 3(C) of this Ordinance; or
- xix. Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a contractor.

(B) Effective January 1, 2015, and thereafter, the Cuyahoga County Inspector General may debar, for a period of five years, a contractor for a

conviction of or a civil judgment within the preceding five years anywhere in the United States, its territories, or outlying areas, for any cause listed in Section 3(A) or Section 3(B) provided that the conviction or civil judgment took place on or after the effective date of this Ordinance.

(C) **Three-Year Debarment.** The Cuyahoga County Inspector General may debar, for a period three years, a contractor, based upon a reasonable belief, for any of the following within the preceding three years:

- i. Violation of the terms of a public contract or subcontract in a serious manner, such as:
 - a. Willful or reckless failure to perform in accordance with the terms of one or more contracts; or
 - b. A history of failure to perform, or of unsatisfactory performance of, one or more contracts;
- ii. Violation of the terms, conditions, or requirements of a Small Business Enterprise program, a Disadvantaged Business program, a Minority and Female Business Enterprise program, or any other similar program, including, but not limited to, acting as a front company by purporting to be a Small Business Enterprise, a Disadvantaged Business, a Minority or Female Business, a Veteran owned business, or any other such type of business when not in fact;
- iii. Violation of prevailing wage laws;
- iv. Submission of false information in connection with any bids, proposals, statements of qualifications, or any other offers to the County or any other public or private entity;
- v. Abuse of the selection process by repeatedly withdrawing bids or proposals before purchase orders or contracts are issued or failing to accept orders based upon firm bids;
- vi. Attempting to influence a public employee to breach ethical conduct standards or to influence contract award;
- vii. Commission of an unfair trade practice under any federal, state, or local laws;
- viii. Failure to cooperate in monitoring contract performance by refusing to provide information or documents required in a contract or failing to respond to complaints;

- ix. Failure to cooperate with a Cuyahoga County or any other public investigation or audit;
- x. Filing a lawsuit against Cuyahoga County that a court finds to be frivolous or filed in bad faith;
- xi. Provided that the tax or court-cost liability is determined to finality and the contractor is delinquent in making payment, delinquent taxes or court costs as follows:
 - a. Delinquent federal or state taxes in an amount that exceeds \$3,000; or
 - b. Any delinquent Cuyahoga County taxes or court costs in any amount;
- xii. Any other cause listed in Section 3(A) or Section 3(B) of this Ordinance without regard to whether there is a conviction or civil judgment against the contractor for such cause;
- xiii. Violation of any other responsible business practice; or
- xiv. Any other cause determined by the Inspector General to be sufficiently serious and compelling so as to represent lack of good faith or responsibility by the contractor.

(D) 18- Month Debarment. The Cuyahoga County Inspector General may debar, for a period of 18 months, a contractor, based upon a reasonable belief, for any of the following within the preceding 18 months:

- i. Breach or violation of any contract or agreement with the County; or
- ii. Commission of an act of moral turpitude in its business practices not provided for in Section 3, subsections A and B herein.

(E) SINGLE DEBARMENT PER INCIDENT.

The Inspector General may not debar a contractor under this Ordinance more than once for the same incident. However, if a contractor is debarred under Section 3(C) or Section 3(D) and the contractor is later convicted or subjected to a civil judgment for the same incident for which the contractor was debarred, the Inspector General may automatically extend the duration of the debarment to five years. If the Inspector General extends the duration of any debarment under this provision, the contractor may appeal the extension to the Debarment Review Board and from there to the Cuyahoga County Court of Common Pleas under Ohio Revised Code

Chapter 2506 in the same manner as it has the right to appeal the initial debarment under Section 7 of this Ordinance.

(F) TERM OF DEBARMENT IF EXTENUATING CIRCUMSTANCES EXIST.

If the Inspector General is satisfied that extenuating circumstances warrant a reduction in the duration of a debarment, the Inspector General may reduce the duration of a debarment as follows:

- i. The Inspector General may reduce the duration of a five-year debarment under Section 3(A) or Section 3(B) to a three-year debarment;
- ii. The Inspector General may reduce the duration of a three-year debarment under Section 3(C) to an 18-month debarment; or
- iii. The Inspector General may reduce the duration of an 18-month debarment under Section 3(D) to a one-year debarment.

If the Inspector General reduces the duration of a debarment as provided herein, the Inspector General must expressly identify the extenuating circumstances in the Notice of Debarment.

SECTION 4. ACTIONS OF ASSOCIATED PERSONS OR ENTITIES GIVING RISE TO DEBARMENT OR SUSPENSION OF CONTRACTORS.

If a contractor is an entity, it shall be subject to debarment under this Ordinance if the actions or inactions giving rise to debarment are of a person or entity (hereinafter "associated person" or "associated entity") that has a substantial interest in the contractor entity or whose actions should be attributed to the contractor. The Inspector General shall consider the actions of an associated person or associated entity in determining whether the contractor shall be debarred. The Inspector General may determine that the associated person or entity has a substantial interest in the contractor entity or that its actions should be attributed to the contractor entity, and may thus debar the contractor entity, if any of the following exists:

- i. The associated person or associated entity has either a direct or beneficial ownership or control of five percent or more of the contractor entity;
- ii. The associated person or associated entity is an officer, director, or otherwise involved in the management of the contractor entity;

- iii. The associated person or associated entity has participated in contract negotiations, is a signatory to a contract, or has the authority to establish, control, or manage the contract performance or labor practices of the contractor;
- iv. The associated person or associated entity is a parent, subsidiary, or other affiliate of the contractor entity;
- v. The associated person or associated entity provided any seed money or other monetary support within the last five years to the contractor entity;
- vi. The associated person or associated entity provided any loans, except for loans provided by federally chartered banks and credit unions, (whether paid or unpaid) within the last five years to the contractor entity; or
- vii. Any other action of an associated person or associated entity demonstrating that the associated person or entity has a substantial interest in the contractor entity or that their actions should be attributed to the contractor entity.

SECTION 5. DEBARMENT WEB SITE.

The County shall give notice of debarment under this Ordinance on the County's web site as follows:

- i. The Agency of Inspector General shall maintain a listing on its web site of all debarred contractors. The listing shall include the date of the issuance of the debarment and the expiration thereof.
- ii. The Cuyahoga County Office of Procurement and Diversity shall provide a link on its web site to the Agency of Inspector General's list of debarred contractors.
- iii. The Agency of Inspector General shall exercise good faith efforts to expeditiously remove contractors from the list of debarred contractors upon the expiration of the debarment period or reversal of the Agency's debarment of a contractor.

SECTION 6: THE CUYAHOGA COUNTY DEBARMENT REVIEW BOARD.

(A) Establishment. There is hereby established the Cuyahoga County Debarment Review Board. It shall consist of the following five members:

1. The Cuyahoga County Fiscal Officer;
2. A member of the Cuyahoga County Council appointed by the Council President as soon as practicable after the enactment of this Ordinance and immediately following each organizational meeting of the Cuyahoga County Council, who shall serve until his or her successor is appointed; and
3. Three residents of Cuyahoga County appointed by the County Executive and confirmed by the Cuyahoga County Council. None of these members may be an employee of Cuyahoga County while serving on the Board. Members shall have appropriate experience and qualifications to serve on this Board, such as, but not limited to, experience in contracting, law, arbitration, or prior service on public boards. Subject to Council's approval, the County Executive may remove any of these three members for inefficiency, neglect of duty, malfeasance, or if they no longer qualify to serve on the Board. The term of each member shall be five years, and the terms shall be staggered so that no term expires less than one year of the expiration of any other term. No member shall serve more than two consecutive terms. Of the terms for the initial appointees, one shall be appointed for a term of five years commencing on February 1, 2013, and expiring on January 31, 2018, one shall be appointed for a term of four years commencing on February 1, 2013, and expiring on January 31, 2017, and one shall be appointed for a term of three years commencing on February 1, 2013, and expiring on January 31, 2016. All subsequent terms shall commence on February 1st of the year in which the term expires. If a vacancy occurs for any unexpired term, the vacancy shall be filled in the same manner as a regular appointment through appointment by the County Executive subject to Council's confirmation, and the new member's term shall last through the end of the unexpired term for which he or she is appointed.

(B) Jurisdiction. The Cuyahoga County Debarment Review Board shall review and determine—including the powers to affirm, reverse, modify, and remand—any matters that are submitted for its consideration pursuant to the Cuyahoga County Code of Ordinances.

(C) Alternates. The County officials serving on the Cuyahoga County Debarment Review Board shall have alternates appointed as follows:

1. The County Executive shall appoint two alternates to act in the place of the Cuyahoga County Fiscal Officer on the Debarment Review Board and attend meetings, with full voting rights, if the Fiscal Officer is unavailable or has a conflict of interest on a matter pending before the Board.

2. The Council President shall appoint two Council members to serve as a pool of alternates to act in the place of the appointed Council member on the Debarment Review Board and attend meetings, with full voting rights, if the appointed Council member is unavailable or has a conflict of interest on a matter pending before the Board.

(D) Officers. The Fiscal Officer shall serve as Chairperson of the Debarment Review Board. If the Fiscal Officer is absent from any meeting, the Board shall choose one of its members to chair that meeting. For purposes of this section, the Fiscal Officer shall include his or her alternates.

(E) Compensation. The members of the Debarment Review Board shall not receive compensation for their service on the Board. Members of the Debarment Review Board shall be entitled to reimbursement of reasonable and necessary expenses incurred by them in the exercise of their duties.

(F) Clerk of the Debarment Review Board. The County Executive shall designate a staff person to serve as the Clerk of Debarment Review Board. The Clerk shall be responsible for publishing the agendas and meeting notices and shall record and publish the minutes.

(G) Agendas and Meeting Notices. The Clerk of the Debarment Review Board shall publish the notice and agenda for each Board meeting on the County's web site no later than 6:00 p.m. on the second business day before the Board meeting. The Board may amend the agenda and may also consider items not on the agenda by a vote of a majority of the members present either personally or through their alternates.

(H) Regular Meetings. The Debarment Review Board shall schedule regular meetings to take place at least once every two months at a determined time by the Board. If no business is pending before the Board, the Clerk of the Board may cancel any regular meeting for lack of sufficient business pending before the Board by publishing the cancellation notice on the County's web site.

(I) Special Meetings. The Debarment Review Board may conduct special meetings at a time other than its regularly scheduled meeting times. In the event of an emergency as determined by the Fiscal Officer, the Board may conduct a meeting with less notice than that required under Section 6(G) herein. For any special or emergency meeting, in addition to the notice requirements of Section 6(G), the Clerk of the Board shall also send notice to all news media organizations that request to be notified of such meetings.

(J) Public Meetings. The meetings of the Debarment Review Board shall be open to the public. The Board shall also provide an opportunity for public comment on matters before the Board toward the beginning of the meeting. The Board may require presenters to register with the Board before

speaking and may set time limits on presentations, which may be extended at the discretion of the Chairperson.

(K) Executive Sessions. The Debarment Review Board may go into executive session to discuss and consider matters permitted to be discussed or considered in executive sessions under the Ohio Open Meetings Act. A motion to go into executive session must state the topic(s) of the executive session and approved by a majority of the members present through a roll call vote.

(L) Minutes. The Clerk of the Debarment Review Board shall prepare and publish the minutes of each Board meeting on the County's web site within a week of their approval.

(M) Journal. The Clerk of the Debarment Review Board shall maintain a Journal of the Board, containing the notices, agendas, and minutes of all Board meetings. The journal may be maintained electronically through an electronic system.

(N) Quorum. A quorum of the Debarment Review Board shall consist of three members attending personally or through their alternates.

(O) Vote Required for Board Actions. Board action shall require the affirmative vote of any three members attending personally or through their alternates. Amendments to items before the Board and parliamentary motions may be adopted by a majority of those present, provided that a quorum is present.

(P) Rules of Procedure. The Debarment Review Board may adopt its own Rules of Procedure.

SECTION 7. DEBARMENT PROCEDURES.

The following procedures shall govern the debarment process:

(A) Debarment by the Inspector General:

i. Notice of Potential Debarment and Opportunity for Contractor to Respond.

a. Prior to debarment, the Inspector General shall provide a written "Notice of Potential Debarment" to the contractor. The Notice of Potential Debarment shall include all of the following:

1. A notice that the Inspector General is considering debarring the contractor;

2. A notice that if the contractor is debarred, the contractor will not be able to enter into any contracts or agreements with the County and that it will not be able to submit any bids, proposals, statements of qualifications, or any other offers to the County;
3. A notice that if the contractor is debarred, the contractor will be barred from doing any work as a subcontractor on a county contract or agreement;
4. A notice that if the contractor is debarred, the County will automatically disqualify any bids, proposals, statements of qualifications, or any other offers from the contractor;
5. A notice of the grounds for the potential debarment;
6. A notice of the duration of the potential debarment;
7. A notice that the contractor has the right to submit written materials and evidence to the Inspector General to explain why the contractor should not be debarred;
8. A notice of the due date and time by which any written materials and evidence submitted by the contractor must be received by the Inspector General. The due date and time may not be less than 14 calendar days and no more than 60 calendar days from the Inspector General's mailing or other means of transmitting the notice to the contractor; and
9. A notice that the contractor has the right to request a meeting with the Inspector General or his or her representative to explain the contractor's evidence and why the contractor should not be debarred. The Notice shall specify the location and two dates on which the meeting may take place if the contractor were to request a meeting. The Notice shall also specify the means

and deadline by which the contractor may request the meeting and choose one of the two dates provided by the Inspector General in the Notice. The Notice shall also provide that if the contractor does not request the meeting by the deadline and in the manner provided for in the Notice, the contractor shall be deemed to have waived its right to the meeting.

ii. Inspector General's Decision on Debarment.

- a. After expiration of the time period provided in the Notice of Potential Debarment in which the contractor may respond to the Notice of Potential Debarment, the Inspector General shall render a decision on the potential debarment within a reasonable time period under the circumstances.
- b. If the Inspector General determines not to debar the contractor, the Inspector General shall issue a written notice of his/her determination to the contractor.
- c. If the Inspector General determines to debar the contractor, the Inspector General shall do all of the following:
 1. The Inspector General shall add the contractor on the listing of debarred contractors on its web site and shall issue a written "Notice of Debarment" to the Contractor.
 2. The Notice of Debarment shall include all of the following:
 - i. A notice that the contractor has been debarred;
 - ii. A notice that the debarred contractor may not submit any bids, proposals, statements of qualifications, or any other such offers to the County or otherwise enter into any contract or agreement with the County;
 - iii. A notice that the debarred contractor may not do any work as a subcontractor on any county contract or agreement;

- iv. A notice that the County will automatically disqualify any bids, proposals, statements of qualifications, or any other contractual offers to the County from the debarred contractor;
- v. A notice of the duration of the debarment, including the starting and expiration dates of the debarment;
- vi. A notice that the debarred contractor may appeal the debarment to the Debarment Review Board within 30 days by filing the original copy of its Notice of Appeal with the Inspector General and a copy with the Clerk of the Debarment Review Board;
- vii. A notice of the exact due date on which the 30th day falls and by which the Notice of Appeal must be received by the Inspector General and the Clerk of the Debarment Review Board;
- viii. A notice that the Notice of Appeal must include, with sufficient detail and factual background, the specific assignments of error upon which the debarred contractor seeks to rely in its appeal before the Debarment Review Board;
- ix. A notice that the debarred contractor bears the burden of proof before the Debarment Review Board;
- x. A notice that the debarred contractor has the right to introduce testimony and to cross-examine witnesses at the hearing before the Debarment Review Board;
- xi. A notice that if the debarred contractor intends to introduce evidence before the Debarment Review Board that was not submitted to the Inspector General, the debarred contractor must identify all such evidence with specificity and include

copies of any written evidence in its Notice of Appeal;

- xii. A notice that the debarred contractor may not introduce any evidence at the hearing before the Debarment Review Board that was not submitted to the Inspector General in response to the Notice of Potential Debarment or included with its Notice of Appeal as provided in subsection xi herein; and
- xiii. A notice that a debarred contractor's failure to file its Notice of Appeal as provided herein within the 30-day time period as provided in the Notice of Debarment is a jurisdictional failure that may not be otherwise remedied.

iii. Appeal to the Debarment Review Board.

- a. A contractor may appeal the Inspector General's decision to affirm the debarment to the Cuyahoga County Debarment Review Board within 30 days of the Inspector General's issuance of the decision.
- b. The Debarment Review Board shall set the appeal for a hearing in an open meeting within a reasonable time period.
- c. The debarred contractor shall bear the burden of proof before the Debarment Review Board.
- d. The debarred contractor shall have the right to introduce testimony and to cross-examine witnesses at the hearing.
- e. The Debarment Review Board shall render its decision on the appeal within a reasonable time period.

iv. Appeal to the Cuyahoga County Court of Common Pleas.

- a. If the Debarment Review Board affirms the Inspector General's debarment, the debarred contractor may appeal the Board's decision to the Cuyahoga County Court of Common Pleas within 30 days of the Board's issuance of its decision.

b. The appeal to the Court of Common Pleas shall be governed by Revised Code Chapter 2506.

(B) Suspensions of Contractors: The Inspector General may suspend, without additional review, for a period not to exceed one year, a contractor currently suspended or debarred by any of the following, provided that such suspension may not last longer than the underlying suspension or debarment:

(A) The United States Government or any board, commission, committee, department, agency, or other authority thereof;

(B) The District of Columbia, Puerto Rico or any of the 50 States or any board, commission, committee, department, agency, or other authority thereof;

(C) Any quasi-governmental entity, including, but not limited to, non-profit, private corporations, such as JobsOhio or the Indiana Economic Development Corporation, established by any of the 50 States, the District of Columbia, or Puerto Rico; or

(D) Any political subdivision or other governmental or quasi-governmental board, commission, committee, corporation, or other such entity in the United States, including, but not limited to, counties, municipalities, villages, townships, school districts, housing authorities, solid waste districts, sewer districts, port authorities, boards of developmental disabilities, boards of health, boards of alcohol, drug and mental health services, land banks, and community development corporations.

(E) Any public or private educational institutions.

(C) DEBARMENT DURATION TO INCLUDE SUSPENSION.

If a contractor suspended by the Inspector General is later debarred by the Inspector General for the same incident, the duration of the suspension shall count toward the duration of the debarment so that the total combined duration of the debarment and suspension for the same incident does not exceed the total duration of debarment allowed for the same incident.

SECTION 8. PROSPECTIVE APPLICATION.

Any debarment under this Ordinance shall not act to invalidate otherwise properly authorized county contracts entered before the enactment of this Ordinance.

SECTION 9. GOOD FAITH IN EXERCISING DISCRETION

The Cuyahoga County Inspector General and Debarment Review Board shall exercise their discretion under this Ordinance in good faith to ensure consistent application among similarly situated contractors.

SECTION 10. IMPACT OF REVERSAL OR EXPIRATION OF DEBARMENT.

A debarment under this Ordinance that is either expired or reversed by the Debarment Review Board or a court under R.C. Chapter 2506 may no longer be used for any purposes against the debarred contractor.

SECTION 11. EXCEPTIONS AND EXEMPTIONS.

(A) Emergency Contracts and Purchases.

The prohibitions outlined in this Ordinance shall not apply to any contracts made for any emergency events pursuant to Section 3.16 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance.

(B) Sole Source Contracts.

If a County contracting authority is unable to identify more than one source through which a purchase or contract may be made, and the sole source is on the Debarred Contractors' List, the contracting authority may apply to the Cuyahoga County Council for an exemption from the requirements of this Ordinance. If Council is satisfied with the sole-source status of the contractor and the need for the proposed contract or purchase, it may grant the exemption by adopting a resolution.

SECTION 12. TRAINING.

The Inspector General shall train vendors on the County's debarment requirements and procedures as part of the vendor ethics trainings required by the Ethics Ordinance.

SECTION 13. COMPLIANCE WITH FEDERAL AND STATE DEBARMENT REQUIREMENTS.

The Inspector General shall take all steps necessary to ensure that the County is in compliance with all mandatory federal and state debarment obligations to which the County is subject.

SECTION 14. It is necessary that this Ordinance become immediately effective in order that critical services being provided by Cuyahoga County can continue without interruption, and to continue the usual daily operation of the County. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

