



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JULY 12, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
6:00 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) June 28, 2011 Meeting
- 7. MESSAGES FROM THE COUNTY EXECUTIVE**
 - a) Contracts executed by County Executive
- 8. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**
 - a) M2011-0040: A Motion confirming the County Executive's appointment of J. B. Silvers, Ph.D. to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

Committee Assignments and Chairs: Human Resources, Appointments & Equity – Conwell and Health, Human Services & Aging – Brady

**9. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER
SUSPENSION OF RULES**

- a) R2011-0220: A Resolution amending the 2011 Annual Appropriation Measure 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) R2011-0221: A Resolution authorizing awards on RQ19761 to various appraisers for 2012 sexennial reappraisal and annual maintenance; authorizing the County Executive to enter into contracts consistent with said awards; and declaring the necessity that this Resolution become immediately effective:

1) each in the amount of \$42,900.00 for the period 5/23/2011 - 12/31/2012:

- a) Daniel P. Forrester
- b) Edward D. Horton
- c) Wayne F. Levering
- d) Rosemary A. Schneider

2) for the period 7/5/2011 - 12/31/2012:

- e) Daniel F. Bubb Jr. in the amount of \$104,000.00
- f) John Q. Ebert in the amount of \$96,000.00
- g) James Robert Wardell in the amount of \$124,000.00

3) each in the amount of \$48,000.00 for the period 8/15/2011 - 12/31/2012:

- h) John Andrews
- i) George Gerald Burke
- j) Mark A. Butler
- k) Richard W. Carey
- l) Anthony Colabianchi
- m) Gregory W. Conte
- n) James P. Evans

- o) Timothy A. Finkler
- p) Thomas P. Hogan
- q) Christina L. Kapusi
- r) Paul Kinczel
- s) John Koz
- t) John F. Lenehan
- u) Christopher J. Loftus
- v) Bruce J. Mamer
- w) Paul McLaughlin
- x) Maria Joanne Neal
- y) Judith Patriski
- z) Stanley R. Patriski
- aa) Debbie A. Pattie
- ab) Ronald C. Retych
- ac) Daniel Rocco
- ad) Andrea Jo Roff
- ae) Kristin Sarkisian
- af) Thomas W. Shepard
- ag) David W. Ward
- ah) Crystal A. Williams
- ai) Gregory P. Zimmer

Sponsor: County Executive FitzGerald/Fiscal Officer

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

- a) R2011-0222: A Resolution _____ findings and recommendations of a Fact-finder concerning negotiations between the County and the Service Employees International Union, District 1199, for 2011 wage re-opener negotiations covering approximately 123 employees in nine classifications in the Department of Public Works, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/
Department of Law

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

- a) R2011-0223: A Resolution declaring that public convenience and welfare requires resurfacing of Taylor Road from Euclid Avenue to the East Cleveland South Corporation Line in the City of East Cleveland; total estimated construction cost \$1,375,000.00; finding that special assessments are not to be levied and collected to pay for any part of the County's costs of said improvement; and authorizing the County

Executive to enter into an agreement of cooperation with City of East Cleveland in connection with said project.

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

- b) R2011-0224: A Resolution authorizing the County Executive to enter into an agreement of cooperation with Village of Bratenahl for replacement of Lakeshore Boulevard Bridge No. 188.

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

- c) R2011-0225: A Resolution authorizing the County Executive to enter into a Local Public Agency agreement with Ohio Department of Transportation for local replacement and rehabilitation of the following bridges: Miles Road Bridge over the Chagrin River in the City of Bentleyville, Monticello Boulevard Bridge over the Rocky River in the City of North Olmsted, Hilliard Road Bridge over the Rocky River in the City of Lakewood and Cedar Point Road Bridge over the West Branch of Euclid Creek in the City of South Euclid; and declaring the necessity that this Resolution become immediately effective.

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

- d) R2011-0226: A Resolution authorizing the County Executive to approve an additional settlement in the amount of \$150.00 in connection with the appropriation of property rights for the grading, draining and paving of Bainbridge Road from S.O.M. Center Road to the Solon East Corporation Line in the City of Solon for Parcel No. 113T, and declaring the necessity that this Resolution become immediately effective.

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

- e) R2011-0227: A Resolution authorizing the County Executive to approve an additional settlement in the amount of \$310.00 in connection with the appropriation of property rights for the grading, draining and paving of Bainbridge Road from S.O.M. Center Road to the Solon East Corporation Line in the City of Solon for Parcel No. 129T, and declaring the necessity that this Resolution become immediately effective.

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

- f) R2011-0228: A Resolution authorizing an award on RQ19570 to Town Center Construction, LLC, in the amount of \$360,900.00 for construction of an Energy Center at the Cuyahoga County Fairgrounds in connection with the Fairgrounds Wind Turbine Project; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

- g) R2011-0229: A Resolution amending Resolution No. R2011-0034 dated 1/25/2011, which authorized an economic development loan in the amount not-to-exceed \$800,000.00 for construction of a facility to be located on Cornell Road, Cleveland, to change the name of the borrower from SDC University Circle Developer LLC to SDC University Circle LL LLC; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

- h) R2011-0230: A Resolution authorizing a Brownfields Redevelopment Fund loan in the amount not-to-exceed \$1,000,000.00 to Miceli-Lograsso Development III LLC for a Phase II Expansion Project, located at 2800 East 90th Street, Cleveland; authorizing the Director or Deputy Chief of Staff to execute all documents required in connection with said loan; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

- i) R2011-0231: A Resolution authorizing the County Executive to enter into a contract with Toshiba Business Solutions - OH in the amount of \$4,000,000.00 for Countywide enterprise digital and print management services using "green" friendly technology for the period 7/1/2011 - 6/30/2016, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Information Services Center

- j) R2011-0232: A Resolution authorizing the County Executive/Office of Procurement & Diversity to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the period 5/1/2011 - 4/30/2013, in accordance with Ohio Revised Code Section 5513.01(B); and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

- k) R2011-0233: A Resolution authorizing the County Executive to enter into a contract with Berea Children's Home in the amount not-to-exceed \$507,600.00 for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Juvenile Court

- l) R2011-0234: A Resolution authorizing an award on RQ19343 to First Energy Solutions in the amount of \$5,500,000.00 for the purchase of electric utility services for County-owned facilities for the period 6/1/2011 – 5/31/2012; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

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

- a) R2011-0212: A Resolution amending Resolution No. R2011-0087 dated 3/8/2011, which amended the 2011 Annual Appropriation Measure by approving additional appropriation decreases, to rescind a decrease in appropriations; 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

- b) R2011-0218: A Resolution adopting the Annual Tax Budget, including the Cuyahoga County Library Budget, for the year 2012, 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

- c) R2011-0219: A Resolution authorizing the County Executive to enter into a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,325,520.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2009 Continuum of Care Homeless Assistance Programs for the period 12/1/2010 - 11/30/2015, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Office of Homeless Services

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

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

- a) O2011-0029: An Ordinance amending Ordinance No. O2011-0016 to establish the organizational structure of the Department of Law.

Sponsor: County Executive FitzGerald/Department of Law

- b) O2011-0030: An Ordinance amending Ordinance No. O2011-0014 establishing the Board of Control, establishing procedures governing the making of County contracts and the purchasing of County supplies and equipment, providing procedures for the making of public improvements, establishing procedures under which the County Executive may employ experts and consultants in connection with the administration of the affairs of the County; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald and Councilmember Miller

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

- a) O2011-0027: An Ordinance amending Ordinance No. O2011-0010 to establish divisions and sections within the Department of Public Works.

Sponsor: County Executive FitzGerald/Department of Public Works

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

15. MISCELLANEOUS COMMITTEE REPORTS

16. MISCELLANEOUS BUSINESS

17. PUBLIC COMMENT UNRELATED TO AGENDA

18. ADJOURNMENT

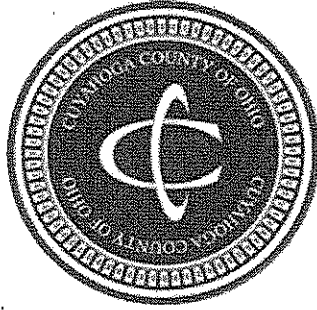
NEXT MEETINGS

WORK SESSION:

TUESDAY, JULY 26, 2011
4:00 PM / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, JULY 26, 2011
6:00 PM / COUNCIL CHAMBERS



MINUTES

CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JUNE 28, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
6:00 PM

1. CALL TO ORDER

In the absence of Council President Connally, Council Vice-President Simon presided over the meeting. The meeting was called to order at 6:00 p.m.

2. ROLL CALL

Council Vice-President Simon asked the Clerk to call the roll. Councilmembers Gallagher, Schron, Conwell, Rogers, Greenspan, Miller, Germana and Simon were in attendance. Council President Connally and Councilmembers Brady and Jones were absent. A quorum was determined.

A motion was then made by Council Vice-President Simon, seconded by Mr. Miller and approved by unanimous vote to excuse Council President Connally and Mr. Brady from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council Vice-President Simon requested a moment of silent meditation to reflect on the positive work of the County, followed by a video montage. Council Vice President Simon then called on Mr. Germana who requested a moment of silent meditation be dedicated in memory of Donna Smallwood, founder of the Donna Smallwood Activity Center for senior citizens in Parma, who passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Michael Kelly, representing GLASS, Inc., addressed Council regarding issues of concern to him relating to Resolution No. R2011-0216.

Mr. Jim Carr, Olmsted Township Trustee, addressed Council regarding issues of concern to him relating to Resolution No. R2011-0211.

Mr. Richard Storey, Olmsted Township resident, addressed Council regarding issues of concern to him relating to Ordinance No. O2011-0024.

6. APPROVAL OF MINUTES

- a) June 14, 2011 Meeting

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the June 14, 2011 meeting.

7. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- a) The County's first Ethics Training for vendors will be held on June 30, 2011. Council is invited to participate;
- b) A report has been drafted regarding the first six months of the new County governance;
- c) In connection with the midyear budget hearings, which begin this week, there are approximately 200 fewer employees which equate to a savings of approximately \$10M for the County. Despite reductions in staff there have been no reductions in services;
- d) A Town Hall meeting is scheduled in Parma Heights at the Cassidy Theatre.

8. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2011-0039: A Motion confirming the County Executive's appointment of Lawrence Benders to serve on the Cleveland/Cuyahoga County Workforce Investment Board, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

Council Vice-President Simon referred Motion No. M2011-0039 to the Human Resources, Appointments & Equity Committee and to the Economic Development & Planning Committee.

M2011-0040: A Motion confirming the County Executive's appointment of J. B. Silvers, Ph.D. to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

Council Vice-President Simon referred Motion No. M2011-0040 to the Human Resources, Appointments & Equity Committee and to the Health, Human Services & Aging Committee.

9. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Ms. Conwell, seconded by Mr. Miller and approved by unanimous vote to suspend Rule 9D and to place on final passage Motion No. M2011-0038.

- a) M2011-0038: A Motion confirming the County Executive's appointment of Wade Steen to serve on the Cuyahoga County Community Improvement Corporation Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

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

On a motion by Council Vice-President Simon with a second by Mr. Schron, Motion No. M2011-0038 was considered and approved by unanimous vote.

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

The following Resolution was requested to be referred to Committee by Mr. Miller.

- a) R2011-0212: A Resolution amending Resolution No. R2011-0087 dated 3/8/2011, which amended the 2011 Annual Appropriation Measure by approving additional appropriation decreases, to correct typographical errors; and declaring the necessity that this Resolution become immediately effective.

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

After a first reading by the Clerk, Council Vice-President Simon referred Resolution No. R2011-0212 to the Finance & Budgeting Committee.

A motion was then made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2011-0213.

- b) R2011-0213: A Resolution amending the 2011 Annual Appropriation Measure 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. Rogers with a second by Ms. Conwell, Resolution No. R2011-0213 was considered and adopted by unanimous vote.

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

[Note: Item No. 11 was taken out of order after Item No. 19 on the agenda.]

A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2011-0214.

- a) R2011-0214: A Resolution rejecting findings and recommendations of a Fact-finder concerning negotiations between the County and the Ohio Patrolmen's Benevolent Association for a successor contract covering approximately 530 employees in the classification of Correction Officer, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Sheriff

A motion was made by Council Vice-President Simon, seconded by Mr. Miller and approved by unanimous vote to move to Executive Session for the purpose of discussing with the Law Director matters concerning findings of a Fact-finder, and for no other purpose whatsoever. Executive Session was then called to order by Council Vice-President Simon at 7:15 p.m. The following members were present: Councilmembers Gallagher, Schron, Conwell, Rogers, Simon, Greenspan, Miller and Germana. The following additional attendees were present: County Executive Ed FitzGerald, Clerk of Council Jeanne Schmotzer, Law Director Majeed Makhoulf, Assistant Law Director Christopher Russ, Director of Human Resources Elise Hara, Assistant Law Director Ed Morales and Deputy Clerk of Council Nikima Barnhill. At 7:50 p.m., a motion was made by Mr. Miller, seconded by Mr. Schron and unanimously approved to adjourn Executive Session. Council Vice-President Simon then reconvened the regular meeting.

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0214 was considered and adopted by unanimous vote.

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

- a) R2011-0215: A Resolution authorizing the County Executive to enter into an amendment to Agreement No. AG1000313-02, 03 with City of Euclid for the HOME Rehabilitation and Resale of Single-Family Homes Program for the period 10/1/2010 - 12/31/2012 to change the terms, effective 4/1/2011, and for additional funds in the amount of \$105,966.00; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Council Vice-President Simon referred Resolution No. R2011-0215 to the Economic Development & Planning Committee.

- b) R2011-0216: A Resolution authorizing awards on RQ20209 to Alabasi Construction Incorporated in the amount of \$1,466,661.00 and to Scharon Electric Company, Inc. in the amount of \$106,970.00 for heating unit replacement and associated energy conservation activities at the Westerly Apartments, located at 14300 Detroit Avenue, Lakewood, in connection with the Home Weatherization Assistance Program for the period 8/1/2011 - 11/30/2011; authorizing the County Executive to enter into contracts consistent with said awards; and declaring the necessity that this Resolution become immediately effective. (Executive Approval No. EA2011-0474 - authority to seek proposals.)

Sponsor: County Executive FitzGerald/Department of Development

Council Vice-President Simon referred Resolution No. R2011-0216 to the Economic Development & Planning Committee.

- c) R2011-0217: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

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

Council Vice-President Simon referred Resolution No. R2011-0217 to the Finance & Budgeting Committee and to the Health, Human Services & Aging Committee.

- d) R2011-0218: A Resolution adopting the Annual Tax Budget, including the Cuyahoga County Library Budget, for the year 2012, and declaring the necessity that this Resolution become immediately effective.

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

Council Vice-President Simon referred Resolution No. R2011-0218 to the Finance & Budgeting Committee.

- e) R2011-0219: A Resolution authorizing the County Executive to enter into a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,325,520.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2009 Continuum of Care Homeless Assistance Programs for the period 12/1/2010 - 11/30/2015, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Office of Homeless Services

Council Vice-President Simon referred Resolution No. R2011-0219 to the Health, Human Services & Aging Committee.

13. COMMITTEE REPORT AND RECOMMENDATION TO WITHDRAW RESOLUTION FROM CONSIDERATION

At the request of County Executive FitzGerald, the Chief Information Officer and the recommendation of the Finance & Budgeting Committee, Resolution No. R2011-0151 was considered for withdrawal from consideration.

- a) R2011-0151: A Resolution authorizing the County Executive to enter into a contract with Cranel Incorporated dba Versitec in the amount not-to-exceed \$785,643.60 for maintenance on various Kodak and Fujitsu equipment for various County departments for the period 1/1/2011 - 12/31/2013.

Sponsor: County Executive FitzGerald/Information Services Center

Committee Assignment and Chair: Finance & Budgeting – Miller

A motion was then made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to withdraw Resolution No. R2011-0151 from consideration.

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

A motion was made by Mr. Miller, seconded by Mr. Greenspan and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2011-0200, R2011-0201, R2011-0202, R2011-0203, R2011-0204, R2011-0206, R2011-0207, R2011-0208, R2011-0209, R2011-0210 and R2011-0211.

- a) R2011-0200: A Resolution adopting an operating budget for the Human Resource Commission, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Human Resource Commission

Committee Assignments and Chairs: Human Resources, Appointments & Equity – Conwell and Finance & Budgeting – Miller

On a motion by Council Vice-President Simon with a second by Ms. Conwell, Resolution No. R2011-0200 was considered and adopted by unanimous vote.

- b) R2011-0201: A Resolution authorizing the County Executive to enter into an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$5,000.00 for assessment and health monitoring of playgrounds located in East Cleveland in connection with the Brownfields Assessment Coalition Grant Program for the period 8/1/2008 - 9/30/2012.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignments and Chairs: Economic Development & Planning – Schron and Environment & Sustainability – Rogers

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2011-0201 was considered and adopted by unanimous vote.

- c) R2011-0202: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900765-01 with City of Shaker Heights for the City Building ADA Improvement Project for the FY2009 Municipal Grant Program for the period 6/1/2009 - 12/31/2010 to extend the time period to 6/30/2011, 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

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2011-0202 was considered and adopted by unanimous vote.

d) R2011-0203: A Resolution authorizing the County Executive to enter into amendments to contracts with various political subdivisions for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2009 - 6/30/2011 to exercise an option to extend the time period to 8/31/2011; authorizing additional funds; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE0900723-01 with Cleveland Municipal School District.
- 2) No. CE0900740-01 with Cuyahoga Community College District.
- 3) No. CE0900741-01 with Cuyahoga Community College District.
- 4) No. CE0900724-01 with Mayfield City School District and for additional funds in the amount not-to-exceed \$10,500.00.

Sponsor: County Executive FitzGerald/Department of Workforce Development

Committee Assignment and Chair: Economic Development & Planning –
Schron

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2011-0203 was considered and adopted by unanimous vote.

e) R2011-0204: A Resolution authorizing the County Executive to enter into a state contract with Staples Contract & Commercial, Inc. in the amount not-to-exceed \$1,715,534.00 for office supplies for various County departments for the period 7/1/2011 - 6/30/2013, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

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

On a motion by Mr. Schron with a second by Council Vice-President Simon, Resolution No. R2011-0204 was considered and adopted by unanimous vote.

At the request of the Law Director and the recommendation of the Finance & Budgeting Committee, Resolution No. R2011-0205 was considered for withdrawal from consideration.

- f) R2011-0205: A Resolution authorizing an award on RQ20118 to CBS Outdoor, Inc. in the amount of \$69,005.88 for advertising services on Greater Cleveland Regional Transit Authority buses for the Veterans Service Commission Outreach Program for the period 4/4/2011 - 3/4/2012; authorizing the County Executive to enter into a contract consistent with said award; 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

A motion was then made by Mr. Miller, seconded by Council Vice-President Simon and approved by unanimous vote to withdraw Resolution No. R2011-0205 from consideration.

- g) R2011-0206: A Resolution authorizing the County Executive, on behalf of Common Pleas Court and Corrections Planning Board, to enter into agreements with various County departments for various programs in connection with the FY2012 Community Correction Act Grant Program for the period 7/1/2011 - 6/30/2012, and declaring the necessity that this Resolution become immediately effective:

- 1) Cuyahoga County Sheriff's Office in the amount not-to-exceed \$113,500.00 for offender apprehension services for the Intensive Special Probation Felony Diversion Program.
- 2) Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$174,345.00 for intensive out-patient substance abuse treatment services for offenders in the Early Intervention Program.
- 3) Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$109,500.00 for administration and fiscal agent services for the Dually Diagnosed Offender Intensive Outpatient and Aftercare Program.
- 4) Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$32,200.00 for forensic liaison services for the Offenders with Developmental Disabilities Program.

Sponsors: County Executive FitzGerald, Common Pleas Court/ Corrections Planning Board and Councilmembers Simon and Jones

Committee Assignment and Chair: Justice Affairs – Simon

On a motion by Mr. Schron with a second by Council Vice-President Simon, Resolution No. R2011-0206 was considered and adopted by unanimous vote.

- h) R2011-0207: A Resolution authorizing an award on RQ19874 to Oriana House, Inc. in the amount of \$744,000.00 for a Cognitive Skills Development Program for the period 7/1/2011 - 6/30/2014; authorizing the County Executive, on behalf of Common Pleas Court and Corrections Planning Board, to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald, Common Pleas Court/ Corrections Planning Board and Councilmembers Simon and Jones

Committee Assignment and Chair: Justice Affairs – Simon

On a motion by Council Vice-President Simon with a second by Ms. Conwell, Resolution No. R2011-0207 was considered and adopted by unanimous vote.

- i) R2011-0208: A Resolution authorizing the County Executive to enter into memoranda of understanding with various social service providers designating them as approved providers in the Cuyahoga Tapestry System of Care Provider Services Network for the period 6/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective:

- 1) Ace Away Pest Control/Animal Man Wild Life Services, LLC
- 2) Building Bridges Murals, Inc.
- 3) Cleveland Eastside Ex-Offender Coalition
- 4) Cleveland Urban Minority Alcoholism Drug Abuse Outreach Project
- 5) Golden Ciphers
- 6) In the Hood Foundation Inc.
- 7) Jackson Express Services, LLC
- 8) L.E.V.Y. Social Programs, Inc.
- 9) Making a Difference Consulting, LLC
- 10) MGW Resource Center
- 11) No Limit Leaders
- 12) Quality Care Residential Homes, Inc.
- 13) The East End Neighborhood House Association
- 14) The Sanctuary Christian Entertainment Complex, Inc.
- 15) University Settlement Incorporated
- 16) V.O.I.C.E. Consulting (Vision, Opportunity, Investment, Commitment, Enterprise)

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

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

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2011-0208 was considered and adopted by unanimous vote.

- j) R2011-0209: A Resolution authorizing the County Executive to enter into an agreement with The Ohio State University on behalf of its Ohio State University Extension-Cuyahoga County in the amount not-to-exceed \$247,000.00 for educational program services for the period 1/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Ms. Conwell with a second by Council Vice-President Simon, Resolution No. R2011-0209 was considered and adopted by unanimous vote.

- k) R2011-0210: A Resolution authorizing and directing the Cuyahoga County Fiscal Officer to make the necessary levy pursuant to Ohio Revised Code Section 5901.11, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Office of Budget & Management and Veterans Service Commission

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2011-0210 was considered and adopted by unanimous vote.

- l) R2011-0211: A Resolution changing the scope of the project to include the improvement of Barrett Road Culvert No. 12; approving surveys, construction plans, right-of-way plans, profiles, cross-sections, estimates of costs, specifications, and Right-of-Way Plat M-4997; authorizing the County Executive to acquire the necessary right-of-way and to proceed with the widening and reconstruction of Barrett Road from Spafford Road to the Berea West Corporation Line, replacement of Barrett Road Culvert Nos. 8, 9, 10 and 11 and improvement of Barrett Road Culvert No. 12 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2011-0211 was considered and adopted by unanimous vote.

15. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR THIRD
READING ADOPTION

- a) R2011-0195: A Resolution ratifying Contract No. CP03937-01 with Equity Residential Properties Management Corp. for lease of office space located at 1701 East 12th Street, Cleveland, for use by Department of Senior & Adult Services for the period 6/1/2001 - 1/31/2005; approving the transfer and encumbrance of funds in the amount not-to-exceed \$312,005.91 for payment of rent through 9/30/2011; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

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

On a motion by Council Vice-President Simon with a second by Ms. Conwell, Resolution No. R2011-0195 was considered and adopted by unanimous vote.

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

A motion was made by Ms. Conwell, seconded by Mr. Miller and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2011-0028.

- a) O2011-0028: An Ordinance amending Ordinance No. O2011-0015 to expire on or before 12/31/2011 providing for the approval and adoption of Human Resources Policies & Procedures for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human
Resources

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

On a motion by Council Vice President Simon with a second by Mr. Miller, Ordinance No. O2011-0028 was considered and adopted by unanimous vote.

A motion was then made by Council Vice-President Simon, seconded by Mr. Miller and approved by unanimous vote to excuse Mr. Jones from the meeting.

17. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that there are copies of the budget hearing schedule available by the door.

18. MISCELLANEOUS BUSINESS

Mr. Miller gave a six-month recap of the accomplishments of Council since inauguration. He further stated that the next six months will have a focus on economic development.

Council Vice-President Simon reported that the City of South Euclid passed a re-zoning ordinance for commercial development at the Oakwood Country Club site, which will have a great impact on both Council Districts 10 and 11.

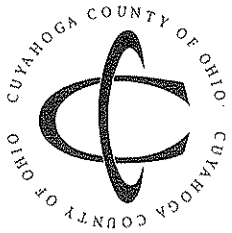
Mr. Schron reported that there will be a wind turbine and wind energy conference in Northeast Ohio on Wednesday, July 12th and Thursday, July 13th.

19. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment.

20. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Schron, the meeting was adjourned at 7:50 p.m., without objection.



EDWARD FITZGERALD
Cuyahoga County Executive

July 7, 2011

C. Ellen Connally
Council President
County Administration Building
1219 Ontario Ave
Cleveland, Ohio 44113

Madame President Connally,

The attached document lists the items that I have approved and signed in June 2011. This list includes: the contracts, purchases or sales executed; all grants or loans made or received for more than \$50,000; and the change orders and amendments in which the total additions exceeds \$50,000.

Please contact David Merriman at (216) 263-4606 if you would like additional information on any of these contracts or items.

Respectfully submitted,

A handwritten signature in black ink that reads 'Edward FitzGerald'.

Edward FitzGerald
County Executive

Items approved in June 2011:

| Item | Requestor | Summary |
|------|---|---|
| 1. | Common Pleas Court/ Corrections Planning Board | Requesting approval to apply for, accept and expend grant funds from State of Ohio, Office of Criminal Justice Services in the amount of \$230,000.00 for the Edward Byrne Memorial Justice Assistance grant project for the Treatment Alternatives to Street Crime program for the period 1/1/2012 - 12/31/2012. |
| 2. | Common Pleas Court/ Corrections Planning Board | Submitting an amendment to a grant agreement with Ohio Department of Rehabilitation and Correction in the amount of \$1,610,099.00 for the Jail Misdemeanor Diversion Program for the period 7/1/2010 - 6/30/2011 for an additional award in the amount of \$18,000.00. |
| 3. | County Executive | Requesting authority to seek qualifications from various consultants for redistricting services for reapportionment of County Council Districts in accordance with Charter of Cuyahoga County Article III Section 3.04(2); requesting authority for the Director of the Office of Procurement and Diversity to advertise for qualifications. |
| 4. | County Sheriff | Submitting a collective bargaining agreement with Ohio Patrolmen's Benevolent Association covering 15 employees in the classification of Deputy Sheriff Sergeant for the period 1/1/2010 - 12/31/2012, in accordance with a conciliation award and Ohio Revised Code Section 4117.14. |
| 5. | County Sheriff | Submitting, submitting various documents covering 144 employees in the classification of Deputy Sheriff: a) a conciliation award in connection with State Employment Relations Board Case No. 10-MED- 07-0879, Ohio Patrolmen's Benevolent Association and Cuyahoga County Sheriff's Department. b) an amendment to a collective bargaining agreement with Ohio Patrolmen's Benevolent Association for the period 1/1/2009 - 12/31/2011, to change Article 14: Wages, effective 1/1/2010. |
| 6. | County Sheriff | Requesting approval to apply for, accept, and expend grant funds from U.S. Department of Justice, Office of Community Oriented Policing Services in the amount of \$1,331,058.91 for the FY2011 COPS Hiring Program for the period 10/1/2010 - 9/30/2012. |
| 7. | Department of Development | Submitting Addendum No. 1 to the specifications and estimate of cost on RQ20209 for heating unit replacement and associated energy conservation measures at the Westerly Apartments located at 14300 Detroit Ave., Lakewood, in connection with the Home Weatherization Assistance Program for the period 7/1/2010 - 11/30/2011, to make clarifications and technical changes. |
| 8. | Department of Development | Requesting approval to apply for, accept and expend grant funds from the Ohio Department of Development in the amount of \$2,000,000.00 for a Clean Ohio Revitalization Fund grant in connection with the Cleveland State University Project. |

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|-----|---|--|
| 9. | Department of Development | Submitting an amendment to Contract No. CE1000798-01 with URS Corporation - Ohio for a brownfield environmental site assessment of property located at 11700 Putnam Avenue, Cleveland, for the period 11/18/2010 - 5/17/2011 to extend the time period to 7/31/2011; no additional funds required. |
| 10. | Department of Development | Submitting an amendment to Contract No. CE1000853-01 with URS Corporation - Ohio for a brownfield environmental site assessment of property located at 11207-11285 Bellaire Road, Linndale, for the period 12/2/2010 - 5/31/2011 to extend the time period to 7/31/2011; no additional funds required. |
| 11. | Department of Development | Airport Division, submitting a permit with SB Diversified, LLC dba Bump, Set & Splat for use of a portion of the County Airport for practice sessions and a tournament for the period 7/15/2011 - 8/6/2011. |
| 12. | Department of Health & Human Services | Recommending to terminate Agreement No. AG1000297-01 for the Prisoner Reentry Program for the FY2010 Congressionally Selected Awards Program for the Office of Reentry for the period 10/1/2010 - 9/30/2011, effective 3/1/2011. |
| 13. | Department of Health & Human Services | Office of Early Childhood, submitting an amendment to a grant agreement with The Cleveland Foundation in the amount of \$15,000.00 for the Born Learning Trail Project for the period 8/1/2009 - 7/31/2010 to extend the time period to 12/31/2011, and to change the scope of services, effective 4/26/2011. |
| 14. | Department of Health & Human Services | Office of Early Childhood, requesting approval to apply for, accept and expend grant funds from the William J. and Dorothy K. O'Neill Foundation in the amount of \$150,000.00 for FY2011 -2012 Positively Moms Initiative for the period 8/1/2011 - 7/31/2012. |
| 15. | Department of Health & Human Services | Department of Children & Family Services, submitting an amendment to Contract No. CE1000056-01 with The Bair Foundation for placement services for the period 1/1/2010 - 12/31/2010, and for additional funds in the amount of \$10,000.00. |
| 16. | Department of Health and Human Services | Office of Homeless Services, submitting a grant agreement with U.S. Department of Housing and Urban Development in the amount of \$77,167.00 for the Domestic Violence Center Expanded Project for the Supportive Housing Program in connection with the FY2010 Continuum of Care for Homeless Assistance Programs and McKinney-Vento Homeless Assistance Act for the period 9/1/2011 - 8/31/2012. |
| 17. | Department of Health and Human Services | Office of Homeless Services, submitting a grant agreement with U.S. Department of Housing & Urban Development in the amount of \$537,741.00 for the PASS Transitional Housing Project for the Supportive Housing Program in connection with the FY2010 Continuum of Care for Homeless Assistance Program and the McKinney-Vento Homeless Assistance Act for the period 11/1/2011 - 10/31/2012. |

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| 18. | Department of Health and Human Services | Department of Senior & Adult Services, submitting a contract with Contemporary Design Group, Inc. in the amount not-to-exceed \$4,296.00 for print advertising services in connection with Project COPE (Connecting Older Persons Effectively) for the period 7/1/2011 - 12/31/2011. |
| 19. | Department of Health and Human Services | Department of Senior & Adult Services, submitting a contract with First Choice Medical Staffing, Inc. in the amount not-to-exceed \$8,610.00 for physical, occupational and speech therapy services for home support clients for the period 6/1/2011 - 5/31/2012. |
| 20. | Department of Health and Human Services | Department of Senior & Adult Services, submitting a contract with Flashpoint Communications in the amount not-to-exceed \$4,500.00 for radio advertising services in connection with Project COPE (Connecting Older Persons Effectively) for the period 7/1/2011 - 7/31/2011. |
| 21. | Department of Health and Human Services | Department of Senior & Adult Services, submitting a contract with Premier Golf LaCentre, LLC, in the amount not-to-exceed \$15,007.50 for rental of space and related services for the Conference on Aging for the period 10/20/2011 - 10/21/2011. |
| 22. | Department of Health and Human Services | Department of Senior & Adult Services, submitting an amendment to a grant award in the amount of \$16,900.00 from The McGregor Foundation for Project COPE (Connecting Older Persons Effectively) for the period 4/15/2009 - 6/15/2010 to extend the time period to 12/15/2011 and to change funding arrangement in the amount of \$4,700.00. |
| 23. | Department of Health and Human Services | Department of Senior & Adult Services, submitting a state contract with Compuware Corporation in the amount not-to-exceed \$12,800.00 for maintenance on the Home Health Aide Monitoring System for the period 6/1/2011 - 5/31/2012. |
| 24. | Department of Health and Human Services | Submitting an grant award in the amount of \$10,000.00 from Saint Luke's Foundation for the Fatherhood Initiative Conference for the period 5/15/2011 - 7/14/2011; requesting authority for the Director to execute all fiscal and programmatic reports required in connection with said grant. |
| 25. | Department of Health and Human Services | Office of Early Childhood, submitting an amendment to Contract No. CE0900604-01, 04 with Starting Point for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2009 - 7/31/2011 to change the scope of services, effective 8/1/2010 and for additional funds in the amount of \$64,000.00. |
| 26. | Department of Public Works | Recommending to reject all proposals received on RQ14352 for lease of space for the West Regional Probation Office for use by Juvenile Court for the period 5/1/2010 - 4/30/2015 |
| 27. | Department of Public Works | County Kennel, submitting a contract with Western Farm Pet Crematory and Cemetery, Inc., in the amount not-to-exceed \$16,820.00 for cremation services for the period 5/16/2011 - 5/15/2012 |

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| 28. | Department of Public Works | Submitting an amendment to Contract No. CE0500426-01 with Lake Business Products, Inc. for photocopy equipment with network printing for various County facilities for the period 3/1/2005 - 5/31/2011 to extend the time period to 11/30/2011; no additional funds required. |
| 29. | Department of Public Works | Submitting agreements with various organizations for lease of property located on the West bank of the Flats, Cleveland, for Charity Festivals: 1) Oarsmen Club for the period 5/31/2011 - 6/1/2011. 2) George Washington School PTA for the period 6/7/2011 - 6/8/2011. 3) Unity Spiritual Center for the period 6/14/2011 - 6/15/2011. 4) Humane Society of Greater Akron for the period 6/21/2011 - 6/22/2011. 5) Berea's Animal Rescue Fund, Inc. for the period 6/28/2011 - 6/29/2011. 6) Mayfield High School Alumni Association, Inc. for the period 6/2/2011 - 6/5/2011. 7) Special Olympics Ohio, Inc. for the period 6/9/2011 -6/12/2011. 8) Parma Hockey Association for the period 6/16/2011 - 6/19/2011. 9) Normandy Invaders Booster Club for the period 6/23/2011 - 6/26/2011. 10) Brunswick Band Parent Organization for the period 6/30/2011 - 7/3/2011. |
| 30. | Department of Public Works | A) submitting an amendment (Subsidiary No. 2) to Contract No. CE1000110-01 with APBN Inc. for painting the West 3rd Street Bridge over the Cuyahoga River in the City of Cleveland for a decrease in the amount of (\$13,673.96). B) recommending to accept painting the West 3rd Street Bridge over the Cuyahoga River in the City of Cleveland as complete and in accordance with plans and specifications; requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section153.63. |
| 31. | Department of Workforce Development | Submitting a contract with Menorah Park Center for Senior Living BET Moshav Zekenim Hadati in the amount not-to-exceed \$3,398.40 for the On-the-Job Training Program for the period 4/11/2011 - 5/30/2011. |
| 32. | Department of Workforce Development | Submitting a contract with Quasar Energy Group, LLC in the amount not-to-exceed \$15,808.00 for On-the-Job Training Program for the period 4/6/2011 - 10/18/2011. |
| 33. | Department of Workforce Development | Submitting a contract with Ultimate Auto Detailing Center LLC in the amount not-to-exceed \$4,800.00 for the On-the-Job Training Program for the period 5/2/2011 - 10/31/2011. |
| 34. | Department of Workforce Development | Submitting a contract with Solomon Enterprises, Ltd dba Lake Erie Barber College in the amount not-to-exceed \$2,500.00 for the On-The-Job Training Program for the period 4/18/2011 - 9/1/2011. |

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| 35. | Department of Workforce Development | Submitting Addendum No. 1 to the request for proposals on RQ19758 for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2011 - 6/30/2012, to make technical changes. |
| 36. | Department of Workforce Development | Submitting a contract with A.J. Rose Mfg Co. in the amount not-to-exceed \$20,670.00 for the On-the-Job Training Program for the period 5/4/2011 - 11/4/2011. |
| 37. | Justice Services | Submitting an amendment to Contract No. CE1000325-01 with Catholic Charities Services Corporation for the FY2009 Juvenile Accountability Block Grant Program for the period 3/1/2010 - 2/28/2011 to extend the time period to 9/30/2011; no additional funds required. |
| 38. | Justice Services | Submitting a contract with The Rock and Roll Hall of Fame and Museum, Inc. in the amount not-to-exceed \$97,980.00 for eligible expenses in connection with the FY2010 Port Security Grant Program for the period 6/1/2010 - 5/31/2013. |
| 39. | Justice Services | Witness/Victim Service Center, submitting an amendment to Contract No. CE1000736-01 with MHS, Inc. for the Reducing Disproportionate Minority Contact through Early Intervention Program for the period 1/1/2010 - 12/31/2010 to extend the time period to 9/30/2011; no additional funds required. |
| 40. | Justice Services | Submitting a contract with Cleveland Beachwood Hospitality, LLC dba Hilton Cleveland East/Beachwood in the amount of \$13,735.80 for rental of space and related services for the Juvenile Crime Coalition Spring Conference for the period 5/4/2011 - 6/10/2011. |
| 41. | Justice Services | Submitting contracts with various providers for the Community Diversion Program in connection with the FY2010 Juvenile Accountability Block Grant Program for the period 6/1/2011 - 12/31/2011: 1) East Cleveland Neighborhood Center, Inc. in the amount not-to-exceed \$25,628.00. 2) Golden Ciphers in the amount not-to-exceed \$21,886.00. |
| 42. | Justice Services | Witness/Victim Service Center, submitting an amendment to Contract No. CE0900334-01 with National Family Justice Center Alliance, sole source, for consultant services for implementation of the Family Justice Center/Co-located Service Center for the period 5/1/2009 - 4/30/2010 to extend the time period to 2/28/2011; no additional funds required. |
| 43. | Medical Examiner | Requesting approval to apply for, accept and expend grant funds from U.S. Department of Justice, Office of Justice Programs, National Institute of Justice in the amount of \$100,000.00 for the FY2011 Paul Coverdell Forensic Science Improvement Grants Program for the period 10/1/2011 - 9/30/2012. |
| 44. | Office of Human Resources | Requesting authority to seek qualifications on RQ20547 for hearing officers for the Human Resource Commission; requesting authority for the Director of the Office of Procurement & Diversity to advertise for proposals. |

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| 45. | Office of Procurement & Diversity | Submitting an amendment to Contract No. CE0700083-21, 24, 25,26 with Fifth Third Bank for a Procurement Card Pilot Program for the period 8/1/2006-10/14/2011 to change the scope of services, effective 10/15/2008 and for additional funds in the amount of \$20,989.13. |
| 46. | Office of Procurement & Diversity | Recommending an award: Department of Justice Services on RQ19486 to H.L. Dalis, Inc. (3-16) in the amount of \$48,599.32 for Global Positioning System units. |

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2011-0040

Sponsored by: Council President Connally

A Motion confirming the County Executive's appointment of J. B. Silvers, Ph.D. to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective.

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

WHEREAS, ORC 339.02 provides for the creation of a board of county hospital trustees and further provides the means by which appointments are made; and,

WHEREAS, ORC 339.02 further provides that such appointments to the board of trustees shall be for a six year term made by the Board of County Commissioners together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service; and,

WHEREAS, pursuant to ORC 339.02(F)(1), the County Executive has sought and received approval from both the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service; and,

WHEREAS, Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

WHEREAS, County Executive has nominated J. B. Silvers, Ph.D. to serve on The MetroHealth System Board of Trustees; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

SECTION 1. The Council of Cuyahoga County, Ohio, hereby confirms the appointment of J. B. Silvers, Ph.D. to serve on The MetroHealth System Board of Trustees for a term of six years.

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

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

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

Yeas:

Nays:

County Council President Date

Clerk of Council Date

First Reading/Referred to Committee: June 28, 2011
Committee(s) Assigned: Human Resources, Appointments & Equity and Health, Human Services & Aging

Journal CC003
July 12, 2011

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0220

| | |
|--|--|
| Sponsored by: County Executive FitzGerald/Office of Budget & Management | A Resolution amending the 2011 Annual Appropriation Measure 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. |
|--|--|

WHEREAS, on October 28, 2010, the former governing body of Cuyahoga County adopted the 2011 Annual Appropriation Measure establishing the 2011 annual budgets for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the 2011 Annual Appropriation Measure 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 2011 Annual Appropriation Measure be amended to provide for the following additional appropriation increases and decreases:

| <u>Fund Nos./Budget Accounts</u> | <u>Journal Nos.</u> |
|--|---------------------|
| A. 24A510 – Work and Training Admin WT137141 – Client Support Services Other Expenses \$ (996,426.11) | BA1100562 |

Funding Source: Health and Human Services Levy Fund.

| | | | |
|-----|--|----------------|------------------|
| B1. | 24A510 – Work & Training Admin WT137109 – Administrative Operations Other Expenses | \$ (38,472.62) | BA1100565 |
| B2. | 24A510 - Work & Training Admin WT137141 – Client Support Services Other Expenses | \$ (72,753.09) | |
| B3. | 24A510 - Work & Training Admin WT137463 – Virgil Brown Other Expenses | \$ (91,367.26) | |

Funding Source: Health and Human Services Levy Fund.

| | | | |
|----|---|---------------|------------------|
| C. | 21A863 – Recycling Market Development SM758060 – Recycling Market Develop Kurts Bros ‘11 Other Expenses | \$ 250,000.00 | BA1100566 |
|----|---|---------------|------------------|

Funding Source: Revenue generated from disposal fees.

| | | | |
|----|---|---------------------------|------------------|
| D. | 20A240 – HHS Cuy Co Adult Reentry Court CO456624 – HHS Cuy Co Adult Reentry Court Personal Services Other Expenses | \$ 49,650.00 \$ 350.00 | BA1100577 |
|----|---|---------------------------|------------------|

Funding Source: Working agreement between the County Executive of Cuyahoga County, Health and Human Services Office of Reentry and the Cuyahoga County Court of Common Pleas.

| | | | |
|----|--|--------------|------------------|
| E. | 21A512 - CCA 408 Jail/Misdemeanant CO741231 – Jail Case Management FY11 Capital Outlay | \$ 18,000.00 | BA1100582 |
|----|--|--------------|------------------|

Funding Source: Ohio Department of Rehabilitation and Correction.

| | | | |
|-----|--|---|------------------|
| F1. | 22A046 – CDBG Year 37 2011 DV713388 – Rehabilitation Operations FY 2011 Personal Services Other Expenses Capital Outlays | \$ 292,156.45 \$ 212,884.67 \$ 1,000.00 | BA1100521 |
| F2. | 22A046 – CDBG Year 37 2011 DV713370 – Admin Operating FY 2011 Personal Services Other Expenses Capital Outlays | \$ 476,654.87 \$ 281,046.95 \$ 3,000.00 | |

| | | |
|-----|--|------------------|
| F3. | 22A046 – CDBG Year 37 2011 DV713396 – CDBG Program Operations 2011 Personal Services \$ 149,858.30 Other Expenses \$ 59,575.31 Capital Outlays \$ 1,000.00 | |
| F4. | 22A046 – CDBG Year 37 2011 DV713362 – CDBG Project Plan FY 2011 Other Expenses \$ 6,860,072.45 | |
| F5. | 22A044 – Emergency Shelter Grant 2011 DV713610 – Emergency Shelter Grant 2011 Personal Services \$ 6,716.00 Other Expenses \$ 173,217.00 | BA1100583 |
| F6. | 22A045 – HOME 2011 DV713636 – HOME Admin Operations FY 2011 Personal Services \$ 217,724.05 Other Expenses \$ 80,768.05 | |
| F7. | 22A045 – HOME 2011 DV713628 – HOME Project Plan FY 2011 Other Expenses \$ 2,686,428.90 | |

Funding Source: Department of Housing and Urban Development.

SECTION 2. That the 2011 Annual Appropriation Measure be amended to provide for the following appropriation transfers:

| <u>Fund Nos. /Budget Accounts</u> | <u>Journal Nos.</u> |
|--|---------------------|
| A. FROM: 24A640 – FCFC Public Assistance FC451492 – Family and Children First Council PA Other Expenses \$ 21,989.00 | BA1100526 |
| TO: 24A640 – FCFC Public Assistance FC451492 – Family and Children First Council PA Personal Services \$ 21,989.00 | |

Funding Source: Health and Human Services Levy Fund.

| | |
|--|------------------|
| B. FROM: 21S077–ARRA-ODADAS STJ Drug Court Expansion CO381178 – ARRA-ODADAS STJ Drug Court Expansion Personal Services \$ 25.00 | BA1100581 |
| TO: 21S077–ARRA-ODADAS STJ Drug Court Expansion CO381178 – ARRA-ODADAS STJ Drug Court Expansion Other Expenses \$ 25.00 | |

Funding Source: Ohio Department of Alcohol Drug Addiction Services on 02/15/2011.

| | | | | |
|----|-------|--|----|------------|
| C. | FROM: | 01A001 – General Fund | | BA1100579 |
| | | RC172312 – County Microfilm and Scanning | | |
| | | Personal Services | \$ | 151,000.00 |
| | TO: | 01A001 – General Fund | | |
| | | RC172056 – General Office | | |
| | | Personal Services | \$ | 20,000.00 |
| | | Other Expenses | \$ | 25,000.00 |
| | | Capital Outlay | \$ | 2,000.00 |
| | TO: | 01A001 – General Fund | | |
| | | RC172288 – Automation | | |
| | | Other Expenses | \$ | 102,000.00 |
| | | Capital Outlay | \$ | 2,000.00 |

Funding Source: General Fund.

SECTION 3. That the 2011 Annual Appropriation Measure be amended to provide for the following cash transfers between County funds.

| <u>Fund Nos. /Budget Accounts</u> | | <u>Journal Nos.</u> | | |
|-----------------------------------|-------|---------------------------------------|----|-----------|
| A. | FROM: | 21A182 –TASC Drug Court | | JT1100123 |
| | | CO752840 – FY 2011 TASC Drug Court | | |
| | | Transfer Out | \$ | 12,477.25 |
| | TO: | 20A317 – ADAMHSBCC (as of 07/01/2009) | | |
| | | MH535560 – Pass Thru Services | | |
| | | Revenue Transfer | \$ | 12,477.25 |

Funding Source: Ohio Department of Alcohol & Drug Addiction Services.

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 CC003
July 12, 2011

July 5, 2011

Clerk of County Council

Dear Ms. Schmotzer:

What follows is a brief summary of the fiscal items, which will be presented for your consideration at the Council meeting scheduled for July 12, 2011.

Additional Appropriation Summary – Additional appropriations are needed when there is a new or increased revenue source, or a revision to the original budget appropriation that is required to cover expenses that exceed the original estimate.

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

| General Fund/Health & Human Services | Amount |
|--|-------------------------|
| Employment & Family Services – A decrease in appropriation to reduce excess appropriations from decertified encumbrances. Funding is from the Health & Human Services Levy Fund. | -\$1,199,019.08 |
| TOTAL | (\$1,199,019.08) |

| Other Operating Funds | Amount |
|-----------------------|----------|
| TOTAL | 0 |

| Grants/Projects | Amount |
|--|------------------------|
| Solid Waste Management District – To appropriate a recent grant award from the Department of Natural Resources' Division of Recycling & Litter Prevention for the Kurtz Brother Project. | \$250,000.00 |
| Common Pleas/Adult Re-Entry Court – To establish appropriations for the Adult Re-Entry Court. Funding is from an agreement between the County Executive, Office of Health & Human Services' Office of Re-Entry, and the Court of Common Pleas. | \$50,000.00 |
| Common Pleas/CCA 408 Jail Misdemeanor – To appropriate funds from the Ohio Department of Rehabilitation and Correction. | \$18,000.00 |
| Development - To appropriate a recent grant award from the Department of Housing and Urban Development. | \$11,502,103.00 |
| TOTAL | \$11,820,103.00 |

| | |
|--|------------------------|
| Total Additional Appropriations - All Funds | \$10,621,083.92 |
|--|------------------------|

The following represents the overall changes made to the 2011 Annual Appropriation Measure since its adoption on October 28, 2010. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation measure.

APPROPRIATION STATUS SUMMARY:

| | <u>07/12 Agenda</u> | <u>Year to Date</u> | <u>Adjusted Annual Appropriation</u> |
|--------------|-------------------------|-------------------------|--------------------------------------|
| General Fund | \$ 0.00 | \$ 25,276,952.75 | \$ 330,209,104.75 |
| Other Fund | \$ <u>10,621,083.92</u> | \$ <u>84,421,496.69</u> | \$ <u>1,493,415,225.69</u> |
| Total | \$ 10,621,083.92 | \$ 109,698,449.44 | \$ 1,823,624,330.44 |

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 |
|--|---------------------|
| Family & Children First Council – To realign appropriation to allow a reimbursement of administrative expenses covered by the Ohio Children's Trust Fund Allocation. Funding is mainly from the Health & Human Services Levy Fund. | \$21,989.00 |
| Fiscal Office – Recorder – To realign appropriation to cover other expenses for Microfilm and Automation. Funding is from the General Fund. | \$151,000.00 |
| TOTAL | \$172,989.00 |

| Other Operating Funds | Amount |
|-----------------------|----------|
| TOTAL | 0 |

| Grants/Projects | Amount |
|--|----------------|
| Common Pleas/ARRA-ODADAS STJ Drug Court Expansion – To realign appropriation into correct sub-object as requested by the Corrections Planning Board. Funding is from the Ohio Department of Alcohol & Drug Addiction Services. | \$25.00 |
| TOTAL | \$25.00 |

| | |
|--|---------------------|
| Total Appropriation Transfers - All Funds | \$173,014.00 |
|--|---------------------|

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.

Residual Equity Transfers are non-recurring or non-routine transfers of cash between funds. They are used to close out a fund and to transfer remaining fund balance to another fund. This transaction only affects cash fund balance and does not post as a revenue or expenditure. No appropriation is required to process this type of transaction.

| General Fund/Health & Human Services | Amount |
|--------------------------------------|----------|
| TOTAL | 0 |

| Other Operating Funds | Amount |
|-----------------------|----------|
| TOTAL | 0 |

| Grants/Projects | Amount |
|---|--------------------|
| Common Pleas/Treatment Alternatives to Street Crimes Drug Court – A cash transfer to reimburse the Alcohol, Drug Addiction, & Mental Health Services Board for March 2011 treatment expenses. Funding is from the Ohio Department of Alcohol & Drug Addiction Services. | \$12,477.25 |
| TOTAL | \$12,477.25 |

| | |
|---|--------------------|
| Total Cash Transfers - All Funds | \$12,477.25 |
|---|--------------------|

Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino
 Office of Budget & Management
mrubino@cuyahogacounty.us
 (216) 443-7448
 Fax: (216) 443-7256

MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council
FROM: Matthew Rubino, Office of Budget & Management
DATE: June 28, 2011
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 at the meeting of July 12, 2011. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

| | | |
|----|------------------------------------|------------------|
| A. | 24A510 – Work and Training Admin | BA1100562 |
| | WT137141 – Client Support Services | |
| | Other Expenses | \$ (996,426.11) |

Appropriation decrease is requested to reduce excess appropriations in the index code for aged encumbrances that were recently decertified as a result of unused funds earmarked for prior year emergency assistance payments. The Employment and Family Services funding source is primarily the Health and Human Services Levy Fund.

| | | |
|-----|--------------------------------------|------------------|
| B1. | 24A510 – Work & Training Admin | BA1100565 |
| | WT137109 – Administrative Operations | |
| | Other Expenses | \$ (38,472.62) |
| B2. | 24A510 - Work & Training Admin | |
| | WT137141 – Client Support Services | |
| | Other Expenses | \$ (72,753.09) |
| B3. | 24A510 - Work & Training Admin | |
| | WT137463 – Virgil Brown | |
| | Other Expenses | \$ (91,367.26) |

Appropriation decrease is requested to reduce excess appropriations in the various index codes for aged encumbrances that were recently decertified, as a result of unused funds earmarked for prior year Office Supply contracts for the Department of Employment and Family Services. The funding source is primarily the Health and Human Services Levy Fund.

| | | |
|----|--|------------------|
| C. | 21A863 – Recycling Market Development | BA1100566 |
| | SM758060 – Recycling Market Develop Kurts Bros '11 | |
| | Other Expenses | \$ 250,000.00 |

To provide appropriations for Solid Waste Districts' recent award from The Department of Natural Resources – Division of Recycling & Litter Prevention for the Kurtz Brother Project in the amount of \$250,000.00. The purpose of the grant is to implement a Market Development project to support a construction and demolition debris recycling facility in Cuyahoga County for the period of July 1, 2011 through June 30, 2013. The Cuyahoga County Solid Waste District works to support environmentally-sustainable and economical solid waste management practices within the communities, institutions and businesses of Cuyahoga County. The source of funding is revenue generated from disposal fees. The resolution #110525-B for this item was approved on May 25, 2011

| | | |
|----|---|------------------|
| D. | 20A240 – HHS Cuy Co Adult Reentry Court | BA1100577 |
| | CO456624 – HHS Cuy Co Adult Reentry Court | |
| | Personal Services | \$ 49,650.00 |
| | Other Expenses | \$ 350.00 |

To establish appropriations for a new budget account. The Court of Common Pleas is continuing the docket titled "Cuyahoga County Adult Reentry Court for offenders with known gang affiliations who are leaving prison and returning to Cuyahoga County. This program was formally funded by the Ohio Office of Criminal Justice Services. The new funding source is a working agreement between the County Executive of Cuyahoga County, Health and Human Services Office of Reentry and the Cuyahoga County Court of Common Pleas, EA2011-0381 approved by the Board of Control on 03/28/11. The funding period is 03/01/11 thru 12/31/11 and no cash match is required.

| | | |
|----|--------------------------------------|------------------|
| E. | 21A512 - CCA 408 Jail/Misdemeanant | BA1100582 |
| | CO741231 – Jail Case Management FY11 | |
| | Capital Outlay | \$ 18,000.00 |

The Corrections Planning Board was awarded supplemental funding for our CCA programs for FY 2011. The award was approved by the County Executive on May 17, 2011. This request is to add office equipment to set up a new Pre-Sentence Investigation Unit to replace the services we received from the Adult Parole Authority, which has been terminated and no longer available to our department.

| | | |
|-----|--|------------------|
| F1. | 22A046 – CDBG Year 37 2011 | BA1100521 |
| | DV713388 – Rehabilitation Operations FY 2011 | |
| | Personal Services | \$ 292,156.45 |
| | Other Expenses | \$ 212,884.67 |
| | Capital Outlays | \$ 1,000.00 |
| F2. | 22A046 – CDBG Year 37 2011 | |
| | DV713370 – Admin Operating FY 2011 | |
| | Personal Services | \$ 476,654.87 |
| | Other Expenses | \$ 281,046.95 |
| | Capital Outlays | \$ 3,000.00 |
| F3. | 22A046 – CDBG Year 37 2011 | |
| | DV713396 – CDBG Program Operations 2011 | |
| | Personal Services | \$ 149,858.30 |
| | Other Expenses | \$ 59,575.31 |
| | Capital Outlays | \$ 1,000.00 |
| F4. | 22A046 – CDBG Year 37 2011 | |
| | DV713362 – CDBG Project Plan FY 2011 | |
| | Other Expenses | \$ 6,860,072.45 |

| | | | |
|-----|--|----|------------------|
| F5. | 22A044 – Emergency Shelter Grant 2011 | | BA1100583 |
| | DV713610 – Emergency Shelter Grant 2011 | | |
| | Personal Services | \$ | 6,716.00 |
| | Other Expenses | \$ | 173,217.00 |
| F6. | 22A045 – HOME 2011 | | |
| | DV713636 – HOME Admin Operations FY 2011 | | |
| | Personal Services | \$ | 217,724.05 |
| | Other Expenses | \$ | 80,768.05 |
| F7. | 22A045 – HOME 2011 | | |
| | DV713628 – HOME Project Plan FY 2011 | | |
| | Other Expenses | \$ | 2,686,428.90 |

The Department of Housing and Urban Development (HUD) recently awarded grants to grantors for 2011. Cuyahoga County is an administrator of Grants for HUD and has received such an award totaling \$11,502,103. The purpose of the grants is to provide rehabilitation services to home owners in the community. The Department of Development has divided up the grants to fulfill the administrative and operational needs. The appropriations reflect this division of the grants into administrative and operational need. The HUD grants are divided into Community Development Block Grants (CDBG), Home Grants and Emergency Shelter Grants. Funding for these Grants comes from the Department of Housing and Urban Development.

Resolutions: Appropriation Transfers

A. FROM: 24A640 – FCFC Public Assistance **BA1100526**
FC451492 – Family and Children First Council PA
Other Expenses \$ 21,989.00

TO: 24A640 – FCFC Public Assistance
FC451492 – Family and Children First Council PA
Personal Services \$ 21,989.00

This request is necessary to reimburse the county for administrative expenses covered by the Ohio Children’s Trust Fund Allocation. Five percent of the \$438,989 award is used annually to cover a portion of the assigned Program Officer’s salary and benefits. The total award was appropriated in the contracts line, therefore this allocation has to be transferred to the appropriate line item. The main funding source for the Family and Children First Council is the Health and Human Services Levy Fund.

B. FROM: 21S077–ARRA-ODADAS STJ Drug Court Expansion **BA1100581**
CO381178 – ARRA-ODADAS STJ Drug Court Expansion
Personal Services \$ 25.00

TO: 21S077–ARRA-ODADAS STJ Drug Court Expansion
CO381178 – ARRA-ODADAS STJ Drug Court Expansion
Other Expenses \$ 25.00

This appropriation adjustment is necessary to move appropriations into the correct sub-object codes as requested by the Cuyahoga County Corrections Planning Board for the ARRA -ODADAS Stephanie Tubbs Jones Drug Court grant. This appropriation realignment was approved by Ohio Department of Alcohol Drug Addiction Services on 02/15/2011.

C. FROM: 01A001 – General Fund **BA1100579**
RC172312 – County Microfilm and Scanning
Personal Services \$ 151,000.00

TO: 01A001 – General Fund
RC172056 – General Office
Personal Services \$ 20,000.00
Other Expenses \$ 25,000.00
Capital Outlay \$ 2,000.00

TO: 01A001 – General Fund
RC172288 – Automation
Other Expenses \$ 102,000.00
Capital Outlay \$ 2,000.00

A transfer is requested to cover encumbrances in Microfilm and Scanning and Automation divisions of the Fiscal Office.

Resolutions: Cash Transfers

| | | | | |
|----|-------|---------------------------------------|----|------------------|
| A. | FROM: | 21A182 –TASC Drug Court | | JT1100123 |
| | | CO752840 – FY 2011 TASC Drug Court | | |
| | | Transfer Out | \$ | 12,477.25 |
| | TO: | 20A317 – ADAMHSBCC (as of 07/01/2009) | | |
| | | MH535560 – Pass Thru Services | | |
| | | Revenue Transfer | \$ | 12,477.25 |

This transfer is necessary to reimburse the Alcohol, Drug Addiction & Mental Health Services Board of Cuyahoga County for the Drug Court ODADAS Treatment expenses for March FY2011 - \$5,851.02 & April FY2011 - \$6,626.23. Sufficient appropriations and cash exist for this transfer.

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Recommendation for Appropriation Request

| | |
|----------------------------|--|
| Request Description | Establish Appropriation for Continuation of the Court of Common Pleas Adult Re-Entry Court |
| Requesting Agency | Court of Common Pleas – Cuyahoga County Adult Re-Entry Court |
| Funding Source | Executive Office of Health and Human Services Office of Reentry |
| Total Impact | \$ 50,000.00 |
| Status | Recommended |
| Agenda Date | 07/12/11 |

Summary of Request

Request to establish appropriation in the amount of \$50,000 for continuation of the Court of Common Pleas Adult Re-Entry Court

Background Information

The Court of Common Pleas is continuing the docket titled "Cuyahoga County Adult Reentry Court for offenders with known gang affiliations who are leaving prison and returning to Cuyahoga County. This program was formally funded by the Ohio Office of Criminal Justice Services. Because of State funding cuts this grant will no longer be funded by the State of Ohio. To continue the docket the new funding source is a working agreement between the County Executive of Cuyahoga County, Executive Office of Health and Human Services Office of Reentry and the Cuyahoga County Court of Common Pleas, EA2011-0381 approved by the Board of Control on 03/28/11. The funding period is 03/01/11 thru 12/31/11 and no cash match is required.

OBM Recommendation and Impact Statement

I recommend approval of this item. The Executive Office of Health and Human Services Office of Re-Entry have the cash and appropriation available to implement the continuation the program.

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0221

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Fiscal Officer | A Resolution authorizing awards on RQ19761 to various appraisers for 2012 sexennial reappraisal and annual maintenance; authorizing the County Executive to enter into contracts consistent with said awards; and declaring the necessity that this Resolution become immediately effective. |
|---|---|

WHEREAS, in March of 2011, the County solicited for real estate appraiser resumes to include a Statement of Qualifications and Experience for appraisal services relating to a county-wide reappraisal of all Residential, Manufactured Homes, Commercial, Industrial and Industrial Report parcels; and,

WHEREAS, this reappraisal process is intended to field review, verify physical characteristics of, and value the physical inventory for approximately 458,600 Residential and Manufactured home parcels. Also included in the reappraisal process is the review, verification of physical characteristics of and valuation of 25,000 Commercial and Industrial classed parcels; and

WHEREAS, the Fiscal Officer ranked the appraisers based upon their qualifications and experience and has made the following recommendations for awarding contracts to the following individual independent contractors:

- 1) each in the amount of \$42,900.00 for basic commercial appraisals, estimated to be approximately 3,500 parcels each, for the period 5/23/2011 - 12/31/2012:
 - a) Daniel P. Forrester
 - b) Edward D. Horton
 - c) Wayne F. Levering
 - d) Rosemary A. Schneider

- 2) for industrial commercial appraisals, for the period 7/5/2011 - 12/31/2012:
 - e) Daniel F. Bubb Jr., estimated to be approximately 400 heavy industrial parcels in the amount of \$104,000.00
 - f) John Q. Ebert, estimated to be approximately 8,000 industrial parcels in the amount of \$96,000.00
 - g) James Robert Wardell, estimated to be approximately 620 heavy industrial parcels, in the amount of \$124,000.00

3) each in the amount of \$48,000.00, for residential appraisals, for the period 8/15/2011 - 12/31/2012:

- h) John Andrews
- i) George Gerald Burke
- j) Mark A. Butler
- k) Richard W. Carey
- l) Anthony Colabianchi
- m) Gregory W. Conte
- n) James P. Evans
- o) Timothy A. Finkler
- p) Thomas P. Hogan
- q) Christina L. Kapusi
- r) Paul Kinczel
- s) John Koz
- t) John F. Lenehan
- u) Christopher J. Loftus
- v) Bruce J. Mamer
- w) Paul McLaughlin
- x) Maria Joanne Neal
- y) Judith Patriski
- z) Stanley R. Patriski
- aa) Debbie A. Pattie
- ab) Ronald C. Retych
- ac) Daniel Rocco
- ad) Andrea Jo Roff
- ae) Kristin Sarkisian
- af) Thomas W. Shepard
- ag) David W. Ward
- ah) Crystal A. Williams
- ai) Gregory P. Zimmer

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. Awarding on RQ19761 to the following appraisers for 2012 sexennial reappraisal and annual maintenance and authorizing the County Executive to enter into contracts consistent with said awards:

1) each in the amount of \$42,900.00 for basic commercial appraisals, estimated to be approximately 3,500 parcels each, for the period 5/23/2011 - 12/31/2012:

- a) Daniel P. Forrester
- b) Edward D. Horton
- c) Wayne F. Levering
- d) Rosemary A. Schneider

2) for industrial commercial appraisals, for the period 7/5/2011 - 12/31/2012:

- e) Daniel F. Bubb Jr., estimated to be approximately 400 heavy industrial parcels in the amount of \$104,000.00
- f) John Q. Ebert, estimated to be approximately 8,000 industrial parcels in the amount of \$96,000.00
- g) James Robert Wardell, estimated to be approximately 620 heavy industrial parcels, in the amount of \$124,000.00

3) each in the amount of \$48,000.00, for residential appraisals, for the period 8/15/2011 - 12/31/2012:

- h) John Andrews
- i) George Gerald Burke
- j) Mark A. Butler
- k) Richard W. Carey
- l) Anthony Colabianchi
- m) Gregory W. Conte
- n) James P. Evans
- o) Timothy A. Finkler
- p) Thomas P. Hogan
- q) Christina L. Kapusi
- r) Paul Kinczel
- s) John Koz
- t) John F. Lenehan
- u) Christopher J. Loftus
- v) Bruce J. Mamer
- w) Paul McLaughlin
- x) Maria Joanne Neal
- y) Judith Patriski
- z) Stanley R. Patriski
- aa) Debbie A. Pattie
- ab) Ronald C. Retych
- ac) Daniel Rocco
- ad) Andrea Jo Roff
- ae) Kristin Sarkisian
- af) Thomas W. Shepard
- ag) David W. Ward

- ah) Crystal A. Williams
- ai) Gregory P. Zimmer

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of 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 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

Journal CC003
July 12, 2011

July 8, 2011

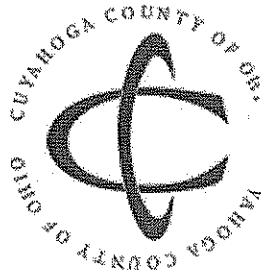
To: The Honorable Ellen Connally
Council President

From: Wade Steen
Fiscal Officer

RE: Approval of the Independent Contractors for the 2012 Sexennial Reappraisal.

The urgency of this request is to maintain compliance with the Department of Tax Equalization (DTE) of Ohio. Approval of Appraisers under Council rule suspension, would help to insure the assessment time line, which has been tentatively approved by the DTE. They are awaiting all signed contracts.

Thank you.



Item Details:

| | | | |
|-----------------------------|----------------------|--------------------------------|-----------------------|
| Agency/Dept. Name: | County Auditor | Agency/Dept. Head Name: | Appraisal/Jim Hopkins |
| Type of Request: | Award Recommendation | | |
| Request Prepared by: | Kathy Goepfert | Telephone No. | 443-6905 |

SUMMARY OF REQUESTED ACTION:

Recommending an award on the RFQ 2012 Sexennial Reappraisal for various appraisers.

Commercial Appraisers:

- Daniel P. Forrester \$ 42,900.00 5/23/11-12/31/12
- Edward D. Horton \$ 42,900.00 5/23/11-12/31/12
- Wayne F. Levering \$ 42,900.00 5/23/11-12/31/12
- Rosemary A. Schneider \$ 42,900.00 5/23/11-12/31/12
- Daniel F. Bubb Jr. \$104,000.00 7/05/11-12/31/12
- John Q. Ebert \$ 96,000.00 7/05/11-12/31/12
- James Robert Wardell \$124,000.00 7/05/11-12/31/12

Residential Appraisers

- John Andrews \$48,000.00 8/15/11-12/31/12
- George Gerald Burke \$48,000.00 8/15/11-12/31/12
- Mark A. Butler \$48,000.00 8/15/11-12/31/12
- Richard W. Carey \$48,000.00 8/15/11-12/31/12
- Anthony Colabianchi \$48,000.00 8/15/11-12/31/12
- Gregory W. Conte \$48,000.00 8/15/11-12/31/12
- James P. Evans \$48,000.00 8/15/11-12/31/12
- Timothy A. Finkler \$48,000.00 8/15/11-12/31/12
- Thomas P. Hogan \$48,000.00 8/15/11-12/31/12
- Christina L. Kapusi \$48,000.00 8/15/11-12/31/12
- Paul Kinczel \$48,000.00 8/15/11-12/31/12
- John Koz \$48,000.00 8/15/11-12/31/12
- John F. Lenehan \$48,000.00 8/15/11-12/31/12
- Christopher J. Loftus \$48,000.00 8/15/11-12/31/12
- B. Joseph Mamer \$48,000.00 8/15/11-12/31/12

Paul. McLaughlin \$48,000.00 8/15/11-12/31/12
Maria Joanne Neal \$48,000.00 8/15/11-12/31/12
Judith Patriski \$48,000.00 8/15/11-12/31/12
Stanley R. Patriski \$48,000.00 8/15/11-12/31/12
Debra A. Pattie \$48,000.00 8/15/11-12/31/12
Ronald C. Retych \$48,000.00 8/15/11-12/31/12
Daniel Rocco \$48,000.00 8/15/11-12/31/12
Andrea Jo Roff \$48,000.00 8/15/11-12/31/12
Kristin Sarkisian \$48,000.00 8/15/11-12/31/12
Thomas W. Shepard \$48,000.00 8/15/11-12/31/12
David W. Ward \$48,000.00 8/15/11-12/31/12
Crystal A. Williams \$48,000.00 8/15/11-12/31/12
Gregory P. Zimmer \$48,000.00 8/15/11-12/31/12

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The urgency of this request is to maintain compliance with the Department of Tax Equalization (DTE) of Ohio. Approval of Appraisers under Council rule suspension, would help to insure the assessment time line, which has been tentatively approved by the DTE. They are awaiting all signed contracts.

To complete the 2012 Re-appraisal. Each of these individuals are being contracted as independent contractors The disparity in the contract amounts are as follows:

May 23, 2011 – December 31, 2012 Commercial Contractors:

Wayne F. Levering
Edward D. Horton
Rosemary A. Schneider
Daniel P. Forrester

The above contractors will be paid \$42,900. Each one will be appraising approximately 3,500 commercial parcels.

July 5, 2011 – December 31, 2012 Commercial Contractors:

John Q. Ebert will be paid \$96,000 for appraising approximately 8,000 commercial parcels.
Daniel F. Bubb, Jr. will be paid \$104,000 for appraising approximately 400 industrial and heavy industrial parcels.
James R. Wardell will be paid \$124,000 for appraising approximately 620 industrial and heavy industrial parcels.

August 15, 2011 – December 31, 2012 Residential Contractors:

The remaining 28 contractors will be appraising residential parcels. They will each making \$48,000.

Explanation for late submittal:

Cuyahoga County 2012 Sexennial Reappraisal

Office of Human Resources Documentation

| Independent Contractor | Sort | License Status | Met Minimum Quals | Background Comments | Interview Score | Interview Comments | Advance to Pre-screening | Passed Pre-Screen | Completed Paperwork/Comments |
|------------------------|----------|----------------|-------------------|---|-----------------|-----------------------------|--------------------------|-------------------|------------------------------|
| 1 Forrester, Daniel | Comm/Ind | Cert. General | Yes | | 75 | | Yes Comm/Indust | Yes | Yes |
| 2 Horton, Edward | Comm/Ind | Cert. General | Yes | | 73.5 | Experienced, good attitude | Yes Comm/Indust | Yes | Yes |
| 3 Schneider, Rosemary | Comm/Ind | Cert. General | Yes | More exp. Res. Than Commercial | 75 | | Yes Comm/Indust | Yes | Yes |
| 4 Bubbs, Daniel | Comm/Ind | Certified | Yes | Cert. in Indiana & New Hampshire. Extreme heavy industrial experience. | 75 | | Yes Comm/Indust | Yes | Yes |
| 5 Levering, Wayne | Comm/Ind | Cert. General | Yes | | 75 | | Yes Comm/Indust | Yes | Yes |
| 6 John Ebert | Comm/Ind | | Yes | | 71.5 | Exceptional experience | Yes Comm/Indust | Yes | Yes |
| 7 James Wardell | Comm/Ind | | Yes | | 73 | Qualified, very experienced | Yes Comm/Indust | Yes | Yes |

| Independent Contractor | Sort | License Status | Met Minimum Quals | Background Comments | Interview Score | Interview Comments | Advance to Pre-screening | Passed Pre-Screen | Completed Paperwork/Comments |
|------------------------|-------------|-------------------|-------------------|--|-----------------|---|--------------------------|-------------------|------------------------------|
| Conte, Gregory | Residential | Certified Res. | Yes | | 71 | Experience, positive attitude, good references | Yes/ Res | Yes | Yes |
| Andrews, John | Residential | Certified Res. | Yes | | 73.5 | Experienced, good attitude, very serious | Yes/ Res | Yes | Yes |
| Burke, George | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Butler, Mark | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Carey, Richard | Residential | Certified Res. | Yes | | 74 | Knowledgeable, energetic | Yes/ Res | Yes | Yes |
| Colobianchi, Anthony | Residential | Certified Res. | Yes | | 69.5 | Knowledgeable, energetic, experienced | Yes/ Res | Yes | Yes |
| Finkler, Timothy | Residential | Certified Res. | Yes | | 68.5 | Experience, high integrity | Yes/ Res | Yes | Yes |
| Hogan, Thomas | Residential | Cert. General | Yes | Experienced only for Residential, Transition Conflict? | 74 | Experienced, professional, qualified | Yes/ Res | Yes | Yes |
| Kapusi, Christina | Residential | Certified Res. | Yes | | 74 | Qualified, good attitude | Yes/ Res | Yes | Yes |
| Kinczel, Paul | Residential | Licensed Res. | Yes | | 66.5 | Knowledgeable, professional | Yes/ Res | Yes | Yes |
| Koz, John | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Lenehan, John | Residential | Certified Res. | Yes | | | Experienced, qualified, desire to help the county | Yes/ Res | Yes | Yes |
| Loftus, Christopher | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Mamer, B. Joseph | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| McLaughlin, Paul | Residential | Licensed Res. | Yes | | 73 | Motivated, high end res exper | Yes/ Res | Yes | Yes |
| Neal, Maria | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Patriski, Judith | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Patriski, Stan | Residential | Cert. General | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Pattie, Debbie | Residential | Certified Res. | Yes | | 72 | Experience in mass appraisal | Yes/ Res | Yes | Yes |
| Reych, Ronald | Residential | Licensed Res. | Yes | | 73 | Experienced, motivated | Yes/ Res | Yes | Yes |
| Rocco, Daniel | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Roff, Andrea | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Sarkisian, Kristin | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Shepard, Thomas | Residential | Licensed Res. | Yes | | 72 | Experienced, asked good questions | Yes/ Res | Yes | Yes |
| Ward, David | Residential | Certified Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Williams, Crystal | Residential | Licensed Res. | Yes | | 75 | | Yes/ Res | Yes | Yes |
| Zimmer, Gregory | Residential | Real Estates Sale | No to Yes | | 73 | Experience, honest | Yes/ Res | Yes | Yes |
| Evans, James | Residential | Certified General | Yes | Exp. Is in Residential | 72 | Experience in Cuy County in res and comm | Yes/ Res | Yes | Yes |

Pending

| Independent Contractor | Sort | License Status | Met Minimum Quails | Background Comments | Interview Score | Interview Comments | Advance to Pre-screening | Passed Pre-Screen | Completed Paperwork/Comments |
|------------------------|-------------|----------------|--------------------|-----------------------------------|-----------------|--|--------------------------|-------------------|------------------------------|
| Barnes, William | Residential | Certified Res. | Yes | | 69 | Honest, qualified, knowledgeable of Cuy County | Yes / Res | bci being mailed | Pending |
| Blount IV, Charles | Residential | Certified Res. | Yes | Need to interview re: experience. | 66.5 | Intelligent, creative thinking, ready to work | Yes / Res | Yes | Pending |
| Kovacic, Erin | Residential | Licensed Res. | Yes | | 71 | Experienced, ready to go | Yes / Res | Yes | Pending |
| Lassiter, Ruth | Residential | Certified Res. | Yes | | 75 | | Yes / Res | Yes | Pending |
| Price, Nancy | Residential | Certified Res. | Yes | | 73 | Experienced, qualified, Motivated | Yes / Res | bci being mailed | Pending |

1

2

3

4

5

Candidates Not Recommended to Move Forward At This Time

| Independent Contractor | Sort | License Status | Met Minimum Quails | Background Comments | Interview Score | Interview Comments | Advance to Pre-screening | Passed Pre-Screen | Completed Paperwork/ Comments |
|-------------------------|-------------|------------------|--------------------|---|-----------------|---|--------------------------|-------------------|-------------------------------|
| 1 Caldwell, James | Comm/Ind | Cert. General | Yes | IMA Designation | 63.5 | Production issue. Not sure he would put in the time. | No | | |
| 2 Desmone, Richard | Residential | Licensed Res | Yes | Very Experienced | 66 | Production issue. Would be a good Sheriff candidate | No | | |
| 3 Banks III, Samuel | Residential | Licensed Res. | Yes | | 61 | Very unprofessionally dressed. Said he was rusty and would trip over his tape measure | No | | |
| 4 Burke, Jeffrey | Residential | Real Estate Brok | Yes | Heavy experience, no license. | 66.5 | No appraiser experience | No | | |
| 5 Dominick Sr., Louis | Residential | Licensed Res. | Yes | | 73 | Had to be explained the ethics issue. | No | | |
| 6 O'Donnell, Terry | Residential | Certified Res. | No to Yes | Extensive sales experience | 65 | Real estate broker. Did not answer the ethics questions well. | No | | |
| 7 Durrath, Donald | Comm/Ind | Cert. General | Yes | Booking History? | 72 | Lacks recent field experience. | No | | |
| 8 Bertolone Jr., Angelo | Residential | Certified Res. | Yes | Employed with Auditor's Office (Retired 08/31/01, Prior 2009-10 ERIP) | 71 | Extensive experience, good references, good attitude | No | | not executive approved |
| 9 Lynch, John | Comm/Ind | Cert. General | Yes | Member of Transition Team - Conflict? (No) | 67.5 | Experienced, good attitude, knowledgeable | No | | not executive approved |
| 10 Moran, Kevin | Comm/Ind | Cert. General | Yes | Former County Employee (Board of Revision resigned 03/12/11) | 75 | Opted out due to OPERS issues. | No | | not executive approved |
| 11 Suhny, Stephen | Comm/Ind | Cert. General | Yes | Former County Employee (Retired 07/01/02, Prior 2009-10 ERIP) | 74 | Opted out due to OPERS issues. | No | | not executive approved |
| 12 Wilkins, Brant | Residential | None | Yes | Former County Employee (Retired 02/01/02, Prior 2009-10 ERIP) | 75 | | No | | not executive approved |
| 13 Bailey, Brent | Comm/Ind | Cert. General | Yes | Former Director of Appraisal (Retired 02/01/02) | 63.5 | Said he would put in 2.5 days but his extensive experience makes up for the loss of time. | No | | not executive approved |
| 14 Furukawa, Amy | Residential | Certified Res. | Yes | Former County Employee, but not a retiree. (Resignation 12/14/10) | 72 | Experienced, already trained | No | | not executive approved |
| 15 Gober, Anthony | Residential | Licensed Res. | Yes | | 75 | | No | | not executive approved |
| 16 McMullen, James | Residential | Licensed Res. | Yes | Former County Employee (Separation 06/01/06) | 75 | | No | | not executive approved |
| 17 Villella, Nicholas | Residential | Licensed Res. | Yes | | 75 | | No | | not executive approved |

Candidates Not Recommended to Move Forward At This Time

| Independent Contractor | Sort | License Status | Met Minimum Quals | Background Comments | Interview Score | Interview Comments | Advance to Pre-screening | Passed Pre-Screen | Completed Paperwork/Comments |
|--------------------------|-------------|----------------|-------------------|--|-----------------|---|--------------------------|--|------------------------------|
| 18 Marshall, Anise | Residential | Certified Res. | | Former County 96-06 - Must question status. (Personal Leave 09/18/06 to 01/01/07, Resign 01/02/07) | 74 | Experienced with high end residential exper | No | | Not executive approved |
| 19 Cannon Sr., Leslie | Comm/Ind | None | Yes | Heavy Ad-Valorem Experience | 74 | Experienced, ad valorum work | No | Passed drug. Felony conviction for drugs | Not advancing |
| 20 Moore, William | Residential | Cert. General | Yes | Formerly employed with Auditor's Office / MAI (Retired 11/01/07, Prior 2009-10 ERIP) | 73 | Experience in mass appraisal | No | | Not executive approved |
| 21 Prewitt, Everett | Comm/Ind | Cert. General | Yes | SRA Designation | 74 | Experienced, good attitude, knowledgeable | No | Passed drug, finger prints being mailed. | Not advancing. Recent DUI |

**Appraiser Contractors
 APPLICANT INTERVIEW GUIDE QUESTIONS**

Applicant's Name: _____

| Evaluator's Name | Evaluator's Signature | | | | | Date | | | | | |
|---|-----------------------|--|--|--|---|------|---|---|---|--|--|
| | | | | | | | | | | | |
| | | | | | 1 | 2 | 3 | 4 | 5 | | |
| 1. How many days per week are you planning on dedicating to the process? Preferred answer: 5 days (one point for each day) | | | | | | | | | | | |
| | | | | | 1 | 2 | 3 | 4 | 5 | | |
| 2. Are there any areas in the County you will not work in? Preferred answer: "no" answer - would score a 5 | | | | | | | | | | | |
| | | | | | 1 | 2 | 3 | 4 | 5 | | |
| 3. What type of properties do you feel are your strengths? Preferred answer: Subjective answer relative to experience | | | | | | | | | | | |
| | | | | | 1 | 2 | 3 | 4 | 5 | | |
| HR Representative should ask this question. 4. Have you ever been asked to stretch a property value or alter a value that would result in a higher appraisal? What would you do if you were asked? | | | | | | | | | | | |
| | | | | | 1 | 2 | 3 | 4 | 5 | | |
| HR Representative should ask this question. 5. What if you know the owner of the property? | | | | | | | | | | | |

HR Representative should make the following statements:

Approval of appraisal contractor is subject to criminal background investigation and drug test. Contractor must show proof of driver's license and current auto insurance prior to being approved (verify they have reliable transportation). Approved contractor will also be required to attend the County's Ethics training and comply with the county's nepotism policy.

If receiving OPERS retirement – You are encouraged to contact OPERS to determine whether your retirement benefits would be affected.

Total score: _____

Additional Comments:

PURPOSE

Cuyahoga County (The County) is soliciting for real estate appraiser resumes to include a Statement of Qualifications and Experience, for appraisal services relating to a county-wide reappraisal of all Residential, Manufactured Homes, Commercial, Industrial and Industrial Report parcels (sometimes referred to herein as the "Project").

NOTICE TO INTERESTED REVIEW APPRAISERS

Notice is hereby given that the County is accepting resumes, including a Statement of Qualifications and Experience, for individual real estate review appraisal contractors.

This project is intended to field review, verify physical characteristics of, and value the physical inventory for approximately 458,600 Residential and Manufactured home parcels. Also included in the project is to assist the County with the review, verification of physical characteristics of and valuation of 25,000 Commercial and Industrial classed parcels. In conjunction with this review, the County shall up-date the existing computer database with economic and sales information pertinent to the designated parcels for the purpose of assisting valuation for the Sexennial Reappraisal effective January 1, 2012.

Appraisers shall include the information pertaining to qualifications and experience, as outlined in the section of the RFQ titled Minimum Qualifications of Appraiser. Submittals shall be clearly marked and sent or delivered to The Office of Procurement & Diversity, 1219 Ontario Street, Room 110, Cleveland, Ohio 44113. Deadline is 11:00 a.m. on March 11, 2011.

In order to ensure that all interested parties are able to respond, a pre-submission conference will be held at 10:00 a.m., March 2, 2011 on the third floor of the Sterling Building, 1255 Euclid Avenue, Cleveland, Ohio 44115 to answer any questions pertaining to the RFQ.

The Cuyahoga County Fiscal Officer reserves the right to reject any and all submittals.

MINIMUM QUALIFICATIONS OF APPRAISERS

The County desires said services as are necessary to comply with Ohio Revised Code §5713 and other applicable sections for the valuation and assessment of real property.

1. Review Appraisers shall have the following minimum levels of experience:

- A. Residential: At least five (5) years of experience and appropriate training in the appraisal of residential parcels.
- B. High-End Residential: At least seven (7) years of experience and appropriate training in the appraisal of high-end residential (homes valued at \$650,000 or greater) parcels.
- C. Commercial / Industrial: At least five (5) years of experience and appropriate training in the appraisal of commercial / industrial parcels.
- D. Industrial Specialists: At least ten (10) years of experience and appropriate training in the appraisal of industrial parcels including the writing and maintaining of narrative-style Industrial Reports in accordance with the Fiscal Officer's established format.
- E. Heavy Industrial Specialists: At least ten (10) years of experience and appropriate training in the appraisal of heavy (large) industrial parcels including the writing and maintaining of narrative-style Industrial Reports in accordance with the Fiscal Officer's established format.

2. Review Appraisers must have submitted documentation for the purpose of becoming an individual appraiser listed with the State of
3. Ohio in compliance with section 5703-25-08(J) of the Ohio Revised Code. (See Attachment A)
4. Prior to entering into a personal service contract, all Review Appraisers must receive approval by the State Tax Commissioner. A copy of the approval letter must be attached to the personal service contract.

SUBMISSION OF QUALIFICATIONS AND EXPERIENCE

1. Submittal Deadline: The Office of Procurement & Diversity will accept submittals from interested appraisers until 11:00AM(EST), March 11, 2011 in Room 110, 1219 Ontario Street, Cleveland, Ohio 44113 ("Submittal Deadline"). All submittals received after this time and date, for any reason, will remain sealed and will be rejected. The County reserves the right to postpone the Submittal Deadline for its convenience. Faxed transmissions are unacceptable.

TERMS AND CONDITIONS

1. Project Dates: All Review Appraisers must be available to commence work as follows:

| | <u>Start</u> | <u>End</u> |
|---|--------------|------------|
| a. Residential / High-End Residential: | 7/25/2011 | 3/31/2012 |
| b. Commercial / Industrial & Heavy Industrial Specialist: | 4/11/2011 | 8/30/2012 |

2. Appraiser-in-Chief: In said reappraisal, revaluation, or data collection of the parcels covered by this RFQ the Cuyahoga County Fiscal Officer is to act and serve as Appraiser in Chief. All decisions as to final assessed valuation, procedures followed and forms used shall be made by the Cuyahoga County Fiscal Officer.
3. Training - All contracted appraisers will be required to attend a (1) week training seminar prior to the commencement of work on the Project. Each appraiser shall be paid \$200.00 per diem for attending the training seminar. Payment for attending the training seminars shall be included in the contract appraiser's first remittance.
4. Scope of Work: The County wishes to contract the services of (25) residential / high-end residential review appraisers, (7) commercial / industrial review appraisers and (1) industrial review appraisers and (1) heavy-industrial review appraiser on a contract basis whose function would be to field review, verify physical characteristics of (to include correcting any such inconsistencies as already exist), and accurately determining their true value in money:
 - a. Residential: - Each review appraiser will be assigned approximately 18,300 parcels.
 - b. High-End Residential: - Each review appraiser will be assigned approximately 110 parcels.
 - c. Commercial / Industrial: - Each review appraiser will be assigned approximately 3,575 parcels.
 - d. Industrial Specialists: - Each review appraiser will be assigned approximately 860 parcels.
 - e. Heavy Industrial Specialists: - Each review appraiser will be assigned approximately 160 parcels.

5. Compensation: The County agrees to pay the review appraiser for the services required as followed:
- | | | |
|--|----|-------------------|
| a. <u>Residential</u> : | \$ | 3.50 per parcel |
| b. <u>High-End Residential</u> : | \$ | 10.00 per parcel |
| c. <u>Commercial / Industrial</u> : | \$ | 12.00 per parcel |
| d. <u>Industrial Specialists</u> : | \$ | 200.00 per parcel |
| e. <u>Heavy Industrial Specialists</u> : | \$ | 350.00 per parcel |
6. Retainage: Ten (10%) percent of each payment for services performed under the appraisal contract for each Review Appraiser shall be retained by the County. This ten (10%) percent shall be paid upon satisfaction of all terms and conditions agreed upon in said contract.
7. Valuation: The appraiser agrees to furnish to the County (A) a Cost Valuation Report (CVR) or a Field Review Form ("Red Book") signed by the Review Appraiser, indicating the value of land, the value of the buildings, and the total value of land and buildings, (B) the property classification and land use code for each piece of property covered in the appraisal. The resulting values of land, the buildings, and the total of land and buildings, of each parcel shall be delivered to the County, to assist in an orderly incorporation of the new values into the County records.
8. Deputy Auditors: The contract appraisers shall be appointed Deputy of the Cuyahoga County Fiscal Officer following execution of the appraisal services contract.
9. Data Entry: All data entry will be made by the County's personnel unless otherwise stated.
10. Insurance Requirements - All appraisers are required to submit the following prior to entering into a professional services contract with the County:
- a. Business automobile liability insurance with limits of \$1,000,000 with the County as a named insured, upon execution of this Contract.
11. Questions: Review Appraisers having questions regarding the proposal process or specifications outlined in this RFQ should be directed in writing to:

Jim Hopkins
 Director of Appraisal
 Office (216) 443-7120
 Fax (216) 443-5080
 1219 Ontario Street
 Cleveland, OHIO 44113
 E-Mail: jhopkins@cuyahogacounty.us

Attachment A

Required Documentation for Compliance – Ohio Administrative Code 5703-25-08(J)

Professional appraisal firms or individual professional appraisers, prior to contracting with a county auditor to make a complete or partial appraisal either for a general reappraisal or for annual maintenance for real property tax purposes as provided by these rules, shall have submitted to the tax commissioner the following documents:

- (1) A list of officers and management with their qualifications as of the fiscal year preceding the thirty-first of December of the year in which submitted; or if a newly formed corporation or partnership, a list of present officers and management with their qualifications.
- (2) A list of all regional or project appraisal supervisors, or equivalent, that operates in Ohio.
- (3) A list of taxing authorities with addresses for which the firm or individual professional appraiser has completed a general reappraisal of real property in the last ten years or the appraisal is currently in progress.
- (4) A list of references from financial institutions.

Submit to:

Ohio Department of Taxation – Division of Equalization

Attn: Mr. Edward Samsel

P.O. Box 530

Columbus, OH 43216-0530

(614) 466-5744

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0222

| | |
|---|--|
| Sponsored by: County Executive FitzGerald/Department of Public Works | A Resolution _____ findings and recommendations of a Fact-finder concerning negotiations between the County and the Service Employees International Union, District 1199, for 2011 wage re-opener negotiations covering approximately 123 employees in nine classifications in the Department of Public Works, and declaring the necessity that this Resolution become immediately effective. |
|---|--|

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

WHEREAS, Cuyahoga County has been engaged in collective bargaining negotiations with the Service Employees International Union, District 1199, over 2011 wage re-opener negotiations covering approximately 123 employees in nine classifications in the Department of Public Works, 95 of whom are Custodial Workers; and,

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

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

WHEREAS, Fact-finder Goldberg sent his findings and recommendations on July 6, 2011 and the County Executive and Director of Public Works are recommending that the fact-finding report be _____.

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

SECTION 1. The findings and recommendations of Fact-finder Mitchell Goldberg regarding 2011 wage re-opener negotiations between the County and the Service Employees International Union, District 1199 covering approximately 123 employees in nine classifications of the Department of Public Works are hereby _____.

SECTION 2. 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.

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 the County. 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.

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 CC003
July 12, 2011

**STATE EMPLOYMENT RELATIONS BOARD
STATE OF OHIO**

| | | |
|--|---|-------------------------|
| In the matter of Fact Finding between: |) | SERB No. 10-MED-08-0979 |
| |) | |
| CUYAHOGA COUNTY, |) | Hearing: June 22, 2011 |
| Public Employer, |) | at Cleveland, Ohio |
| |) | |
| and |) | Date of Report |
| |) | July 6, 2011 |
| SERVICE EMPLOYEES |) | |
| INTERNATIONAL UNION, DISTRICT |) | |
| 1199, |) | |
| Employee Organization. |) | |

FACT FINDING REPORT

Appearances:

Mitchell B. Goldberg, Appointed Fact Finder

For the County:

Egdilio Morales, Esq., Assistant Director of Law

For the Union:

Marquis Frost, Staff Representative

I. Introduction and Background.

SERB appointed the undersigned as the Fact Finder for this public employment sector labor dispute on April 14, 2011. The parties agreed to hear the matter on June 22, 2011. They further agreed that the Report would be issued on July 6, 2011. Timely pre-hearing statements were filed with the Fact Finder in accordance with SERB Rules and

Guidelines setting forth the parties' respective positions on their unresolved issues with respect to a re-opener provision is the existing collective bargaining agreement ("CBA").

The bargaining unit consists of approximately 123 employees, 95 of which are Custodial Workers, 10 are Parking Attendants, and the remaining are classified in seven classifications; Groundskeepers (2), Mail Clerk Messenger (4), Maintenance Repair Worker (2), Radio Dispatcher (1), Stores Clerk (3), and Vehicle Operator 2 (3). The County employer has recently undergone a change in its governmental structure. The form of government now has a Chief Executive and a County Council. The existing CBA was negotiated with the County Board of Commissioners, Department of Central Services. Presently, the department that manages the above employees is now called the Department of Public Works.

The current CBA is in the third year of a term that expires December 31, 2011. The CBA was adopted after negotiations and the acceptance and ratification of a Fact Finding Report with recommendations from Fact Finder Robert G. Stein on October 26, 2009. The parties accepted his recommendation that:

In the third year of the Agreement each bargaining unit member shall receive a lump sum payment of \$250.00 in the first full pay period following the ratification of the wage/step movement re-opener by both parties for 2011. Any additional compensation and the resumption of step movements in 2011 shall be subject to re-opener negotiations.

This recommendation was incorporated into the CBA and the parties agreed to a negotiation procedure to resolve the re-opened issue. Either party could invoke Fact Finding through a MAD or through SERB in the event that they could not resolve the limited issue of additional compensation to be paid, if any, for the third CBA year. If the parties remain at impasse after the Fact Finder's recommendations, the Union may strike in accordance with the provisions of Chapter 4117 of the Revised Code.

The parties further agreed to a "me-too" clause in the CBA that provides that the unit shall receive the same amount of any wage/lump sum increase or the equivalent level of compensation as that subsequently negotiated between the County and any other bargaining unit for 2010 and 2011. This agreement was the result of an agreement between the parties to freeze the wage schedule for 2009 and 2010, the first and second contract years. Also, step increases were agreed to take place in 2009, but were frozen for 2010.

The issues to resolve are the amount, if any, wage increases that are to be paid in 2011, and the freezing of steps or unfreezing of steps for 2011. The following recommendations are made after reviewing and considering the evidence and exhibits submitted by both parties at the hearing, and their arguments with respect to their positions as reflected in their pre-hearing statements and at the hearing. The following recommendations consider and apply all of the statutory criteria set forth in Chapter 4117 of the Revised Code, and contained in SERB Rules and Guidelines.

II. Economic and Financial Evidence.

The poor financial condition and prospects for the County are not seriously disputed. The facts speak for themselves. Revenue streams continue to suffer from the recession and slow economic recovery. Unemployment in May for Ohio was 8.6% with a loss of 70,000 jobs in 2010. Unemployment claims are still high notwithstanding some job growth. A poor economy directly affects sales tax revenue, a major revenue stream, over one-half of the General Fund. Collections in 2009 declined by 23.2%. There was an increase of over 3.5% in 2010 over 2009. This was due to some new revenue sources that have now become taxable; however, collections for 2011 that show some increase in levels still remain far below pre-recession numbers. The County for budget purposes is projecting a modest increase in sales tax revenue.

Property tax collections, the other major revenue source, are still in the doldrums due to the poor real estate valuations for both residential and commercial real estate. The board of revision is deluged with an extensive backlog of tax reduction claims. Foreclosures remain at high levels notwithstanding a decrease from 2009 levels. However, the housing market is still stagnant due to the poor economy and the over supply of homes.

General Fund operating revenue will decline from \$338.2 million in 2009 to \$311 million in 2011. This is compared to \$434.9 million in 2001, declining to \$374.1 million in 2006, up to \$394.1 million in 2007, and down to \$338 million in 2009.

CPI is presently at low levels notwithstanding fluctuations in food and energy prices. This is reflected in the fact that social security recipients did not receive an upward adjustment in 2010 or 2011.

State budget cuts will directly affect the County because of the particular state reductions in payments to local governments. The County is expected to receive reductions due to the elimination of CAT reimbursements, the phasing out of property tax collections from utilities, and large reductions in the local government fund. The lost revenue is expected to be in the \$3.2 million range in 2011, \$14 million range in 2012 and \$18 million range in 2013. The County must operate with a balanced budget, so further budget cuts will be necessary in the form of layoffs, cuts to overhead, and other measures that intend to provide acceptable levels of service with less available resources. The County plans to cut over \$32 million from its programs including over \$17 million from Human Services and Health and Safety, the existing social services safety net for its citizenry.

Major reductions have taken place in staffing levels through layoffs, retirements and program reductions. There was a major reduction from 2009 to 2010 of over 700 FTEs. This included 123 AFSCME unit members who accepted layoffs instead of an across the board wage freeze. The Custodial budget remains somewhat below the 2009 level, but new staff will be hired for the new Juvenile Justice Center.

III. Positions.

The County proposes to continue its across-the-board wage freeze and a step freeze for 2011. This proposal is based upon the above economic facts and evidence. This is further supported by the fact that the County will continue a wage freeze for all non-bargaining unit employees for the fourth straight year. Six forced furlough days were implemented in the first six months of 2011, and more are being considered. More layoffs are being considered with related program reductions. In terms of other negotiated contracts, no other unit received the \$250 lump sum payment provided in the first year of this CBA. Notwithstanding these poor economic conditions and the County's budgetary problems, these unit members are still being paid comparable wages and benefits to those doing similar work in both the public and private sectors.

The Union does not dispute the economic evidence. It raises concerns over what it believes is unnecessary spending in the capital projects portion of the budget. The County points out, however, that none of these contested expenditures and projected expenditures are from the General fund, the fund from which these employees are paid. Even if less money were spent in this area, any surplus that would be created would be diverted to bond interest reductions or allocated to different projects that the County needs to continue its operations and services.

The real concern from the Union relates to the individual financial problems that its members are suffering through that include flat wages and increased living expenses due to rising costs of necessary expenses regardless of the low CPI. These include high

energy and fuel costs, increased medical costs and rising food prices. Moreover, members' homes are losing value while mortgages must still be paid. These are in many cases their major assets. Retirement costs are increasing through higher expected pension contributions. The wage rates are low overall, and the freezes that have been experienced have made matters worse to the point where families can no longer survive on these wages alone.

To make matters worse, AFSCME custodians and others performing the identical work as the employees in this unit received a 2% across-the-board increase while this unit accepted a freeze. They are now making 4% more than members in this unit performing the same work. The County recognizes this disparity, but negotiated the AFSCME contract before the major economic problems occurred. Afterwards, it proposed to AFSCME that it accept a roll back of the wage increase and accept a freeze like the other employees, or layoffs in its membership would need to be implemented. AFSCME rejected this offer, resulting in the layoff of 123 of its unit members.

The Union is proposing a 3% across-the-board increase for its unit and the restoration of its step increases for 2011. It computes the cost of its proposal in the amount of \$133,616. It believes that the County can afford this amount and has the ability to pay these minimal increases to these employees who are paid among the lowest of all the County employees. The costs related to restoring the step increases for 2011 would only amount to \$17,000. This would cover only 8 employees who are due step increases

. IV. Recommendations.

In the final analysis, the internal comparables must control the resolution of these issues. All non-bargaining unit employees and the other bargaining units except for AFSCME have been treated substantially the same. They are bearing the brunt of the poor economy and the County's budgetary problems. While these unit members are suffering more through these hard times because of their existing wage scales, there is no rational basis for treating them more favorably than the other employees performing necessary services for the County. Their prospects must rise or fall in some fair relationship with the other employees and bargaining units. I believe that AFSCME will be brought back to the fold during their next round of bargaining. Providing a 3% wage increase when no other bargaining unit member (except for AFSCME members) receives an increase does not seem reasonable at this juncture. Accordingly, I recommend no wage increase for 2011, the last year of the CBA.

The matter of step increases, however, is a different matter. These 8 employees have earned their stripes. They are performing work at the same level as others who have worked through the steps, but are being paid less for the same work. The cost to bring these employees up to their earned levels is minimal. I recommend that the step increases be unfrozen for 2011 and that the employees who have earned their step increase be paid what they are due.

Date of Report: July 6, 2011

Mitchell B. Goldberg, Fact Finder

CERTIFICATE OF SERVICE

These following persons were served with this Report by U.S. Mail, First Class on the 6th day of July 2011:

J. Russell Keith
General Counsel & Assistant Executive Director
SERB
65 East State St., 12th Fl.
Columbus, OH 43215-4213

Marquis Frost
SEIU District 1199
1771 East 30th St.
Cleveland, OH 44114

Egdilio Morales
Assistant Director of Law
1219 Ontario St., 4th Fl.
Cleveland, OH 44115

Mitchell B. Goldberg

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0223

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer | A Resolution declaring that public convenience and welfare requires resurfacing of Taylor Road from Euclid Avenue to the East Cleveland South Corporation Line in the City of East Cleveland; total estimated construction cost \$1,375,000.00; finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvement; and authorizing the County Executive to enter into an agreement of cooperation with City of East Cleveland in connection with said project. |
|---|---|

WHEREAS, the County Executive/Department of Public Works has recommended that public convenience and welfare require the resurfacing of Taylor Road from Euclid Avenue to the East Cleveland South Corporation Line in the City of East Cleveland with a total estimated construction cost of \$1,375,000.00; and,

WHEREAS, special assessments are not to be levied and collected to pay for any part of the County's costs of this improvement; and,

WHEREAS, the apportionment of estimated costs is as follows: design engineering - \$100,000.00 County, \$25,000.00 City (Issue 1), construction costs - \$1,100,000.00 County, \$275,000.00 City (Issue 1), total estimated costs - \$1,200,000.00 – County, \$300,000.00 City; and,

WHEREAS, it is anticipated that this project will be bid in 2013.

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

SECTION 1. That public convenience and welfare requires resurfacing of Taylor Road from Euclid Avenue to the East Cleveland South Corporation Line in the City of East Cleveland.

SECTION 2. The County Executive is hereby authorized to enter into an agreement of cooperation with the City of East Cleveland in connection with said project.

SECTION 3: The County Executive/Department of Public Works is directed to prepare the necessary plans, specifications and estimate of costs for said improvement and submit same to Council.

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

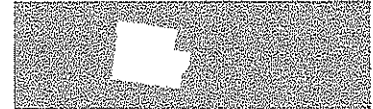
County Executive Date

Clerk of Council Date

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

Journal _____
_____, 2011

NOVUS AGENDA



Item Details:

| | | | |
|-----------------------------|----------------------|--------------------------------|--------------------|
| Agency/Dept. Name: | County Engineer | Agency/Dept. Head Name: | Jamal Husani, P.E. |
| Type of Request: | Authority To Prepare | | |
| Request Prepared by: | Fred Whatley | Telephone No. | 438-3840 |

SUMMARY OF REQUESTED ACTION:

The Public Works Department recommending that Council: 1) find that the public convenience and welfare require the resurfacing of Taylor Road from Euclid Avenue to the East Cleveland south Corporate Line in the City of East Cleveland; 2) find that special assessments are not to be levied and collected to pay any part of the county's costs of this improvement; This project will include the resurfacing of Taylor Road together with base repair where required.

Funding for this project is in keeping with our normal operation projects, with 80% of the Construction and Design Engineering costs being paid for by the County, and 20% being paid for by the City of East Cleveland by using Issue 1 funds. The breakdown of costs is as follows:

Design Engineering \$100,000.00 County

\$ 25,000.00 City (Issue 1)

Estimated Design Costs \$125,000.00

Construction \$1,100,000.00 County

\$ 275,000.00 City (Issue 1)

Estimated Construction Costs \$1,375,000.00

Total Estimated Costs \$1,200,000.00 County

\$ 300,000.00 City (Issue 1)

Total Estimated Costs \$1,500,000.00

It is anticipated that this project will be bid in 2013.

For all of the foregoing reasons, the Public Works Department requests that this Council: 1)

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0224

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer | A Resolution authorizing the County Executive to enter into an agreement of cooperation with Village of Bratenahl for replacement of Lakeshore Boulevard Bridge No. 188. |
|---|---|

WHEREAS, the Department of Public Works has recommended that the County Executive enter into an agreement of cooperation with the Village of Bratenahl for the replacement of Lakeshore Boulevard Bridge No. 188; and,

WHEREAS, the public convenience and welfare for this project was previously declared by the Board of County Commissioners on January 21, 2010, Resolution No. 100303; and,

WHEREAS, on May 18, 2011, the Village Council of Bratenahl authorized the entry of an Agreement of Cooperation with the County through Ordinance No. 3522 ; and,

WHEREAS, the project entails the replacement of Bridge No. 188; and,

WHEREAS, the funding for this project is as follows - \$1,200,000.00 Federal, \$300,000.00 County - Total estimated Construction Cost \$1,500,000.00; and,

WHEREAS, it is anticipated that this project will be bid in 2015

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

SECTION 1. That the County Executive is hereby authorized to enter into and execute an agreement of cooperation with the Village of Bratenahl for the replacement of Lakeshore Boulevard Bridge No. 188.

SECTION 2. 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

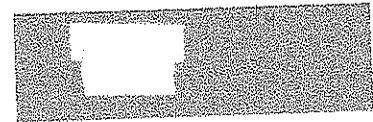
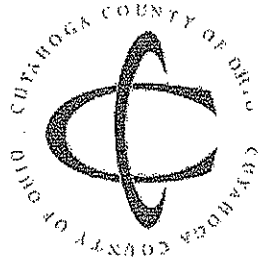
Clerk of Council

Date

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

Journal _____
_____, 2011

Novus AGENDA



Item Details:

| | | | |
|---|---------------------|--------------------------------|-----------------|
| Agency/Dept. Name: | County Engineer | Agency/Dept. Head Name: | Jamal H. Husani |
| Type of Request: | Agreement/Amendment | | |
| Request Prepared by: | Monique A. Schulte | Telephone No. | 216-348-3823 |
| SUMMARY OF REQUESTED ACTION: | | | |
| The Department of Public Works, submitting an agreement of cooperation with the Village of Bratenahl, for approval for the replacement of Lakeshore Boulevard Bridge No. 188. Funding of said project is as follows: Federal Share : \$1,200,000.00 County Share : <u>\$ 300,000.00</u> Total Estimated Construction Cost \$1,500,000.00 | | | |
| PURPOSE/OUTCOMES - PRINCIPAL OWNER(S): | | | |
| Purpose: To obtain municipal cooperation for the above-described project. Outcome: Project will be bid in 2015. | | | |
| For this project, the County is responsible for the preparation of plans and specification and for the supervision and administration of the construction project. | | | |
| 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 |

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0225

| | |
|---|--|
| Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer | A Resolution authorizing the County Executive to enter into a Local Public Agency agreement with Ohio Department of Transportation for local replacement and rehabilitation of the following bridges: Miles Road Bridge over the Chagrin River in the City of Bentleyville, Monticello Boulevard Bridge over the Rocky River in the City of North Olmsted, Hilliard Road Bridge over the Rocky River in the City of Lakewood and Cedar Point Road Bridge over the West Branch of Euclid Creek in the City of South Euclid; and declaring the necessity that this Resolution become immediately effective. |
|---|--|

WHEREAS, the Fracture Critical Bridge, Continuous Multi-Span Bridge, and Culvert Load Rating Project (Project) has been selected to receiving federal funding, having received Federal Highway Administration approved authorization; and,

WHEREAS, in conjunction with the aforementioned Project, the County Engineer, through the Department of Public Works, has submitted a request for the approval of, and the authorization for the County Executive to enter into, a Local Public Agency (LPA) agreement with the Ohio Department of Transportation (ODOT) providing for Local Bridge Replacement and Rehabilitation (LBR) funds awarded by the County Engineer's Association for the reimbursement of 80% of the costs, up to a maximum of \$79,987.20 out of a total cost estimated to be \$99,984.00, for load rating analysis of the following bridges: Hilliard Road Bridge over the Rocky River in the City of Lakewood; Miles Road Bridge over the Chagrin River in the City of Bentleyville; Monticello Boulevard Bridge over the Rocky River in the City of North Olmsted; and, Cedar Point Road Bridge over the West Branch of Euclid Creek in the City of South Euclid; and,

WHEREAS, on March 8, 2011, the Department of Public Works received Executive Approval No. EA2011-0092 which granted authority to accept the grant award and to expend the grant funds; and,

WHEREAS, the LPA sets forth the requirements associated with the funds available for load rating analysis of the aforementioned bridges; and,

WHEREAS, it is necessary that this Resolution become immediately effective because the Project involves the utilization of federal funds for reimbursement of

costs incurred by the County for the Project, and the LPA, by its terms, expires on June 30, 2012.

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

SECTION 1. That the County Council hereby approves of, and the authorizes the County Executive to enter into, a Local Public Agency agreement with the Ohio Department of Transportation providing for Local Bridge Replacement and Rehabilitation funds awarded by the County Engineer's Association for the reimbursement of 80% of the costs, up to a maximum of \$79,987.20 out of a total cost estimated to be \$99,984.00, for load rating analysis of the following bridges: Miles Road Bridge over the Chagrin River in the City of Bentleyville; Monticello Boulevard Bridge over the Rocky River in the City of North Olmsted; Hilliard Road Bridge over the Rocky River in the City of Lakewood; and, Cedar Point Road Bridge over the West Branch of Euclid Creek in the City of South Euclid.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue the usual and daily operation of the County, and to assure that work encompassed by the LPA can commence and be completed, and that reimbursement for said work can be sought, prior to June 30, 2012. Otherwise, any delay in commencement of the work may cause the loss of reimbursement funds. 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 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 _____
_____, 2011



Item Details:

| | | | |
|--|--------------------|--------------------------------|-----------------|
| Agency/Dept. Name: | County Engineer | Agency/Dept. Head Name: | Jamal H. Husani |
| Type of Request: | Contract/Amendment | | |
| Request Prepared by: | Ernest F. Zadell | Telephone No. | 216-348-3815 |
| SUMMARY OF REQUESTED ACTION: | | | |
| <p>The Public Works Department is submitting a Local Public Agency (LPA) Agreement with the State of Ohio, Department of Transportation (ODOT) for Local Bridge Replacement and Rehabilitation (LBR) funds awarded by the County Engineer's Association for costs up to a maximum of \$79,987.20 for load rating analysis of the following bridges: Hilliard Road Bridge over the Rocky River in the City of Lakewood. Miles Road Bridge over the Chagrin River in the City of Bentleyville. Monticello Boulevard Bridge over the Rocky River in the City of North Olmsted. Cedar Point Road Bridge over the West Branch of Euclid Creek in the City of South Euclid. On March 8, 2011 the Department of Public Works received Executive Approval (No. EA2011-0092) granting authority to accept the grant award and to expend the grant funds.</p> <p>The Public Works Department recommends approval of the LPA Agreement with ODOT. Public Works is sending over under separate cover 2 hard copies of the LPA Agreement for wet signature.</p> | | | |
| PURPOSE/OUTCOMES - PRINCIPAL OWNER(S): | | | |
| Explanation for late submittal: | | | |

Contract/Agreement Information:

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

Financial Information:

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County Council of Cuyahoga County, Ohio

Resolution No. R2011-0226

| | |
|---|--|
| Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer | A Resolution authorizing the County Executive to approve an additional settlement in the amount of \$150.00 in connection with the appropriation of property rights for the grading, draining and paving of Bainbridge Road from S.O.M. Center Road to the Solon East Corporation Line in the City of Solon for Parcel No. 113T, and declaring the necessity that this Resolution become immediately effective. |
|---|--|

WHEREAS, in 2009, the Board of Commissioners of Cuyahoga County filed an appropriation proceeding for the temporary taking of 1,554 sq. ft. from property owners Karl J. and Lobi P. Hemerlein, Cuyahoga County Probate Court, Case No. 2009 ADV 0150017, in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon East Corporation Line, in the City of Solon; and

WHEREAS, the parcel and the taking was originally appraised on 12/08/08 at \$1,600.00. This amount was offered to the property owners, but was rejected. Thereafter, the appropriation proceeding was filed, and the amount of \$1,600.00 (the fair market value of the taking) was deposited with the Probate Court; and

WHEREAS, during settlement negotiations, the property owners agree to accept an additional \$150.00 in compensation for the temporary taking of their property. This amount was reviewed and deemed reasonable by the Department of Transportation's Real Estate Administrator and far exceeded the cost of proceeding with a jury trial; and

WHEREAS, an additional amount of \$150.00 would lend to a total amount of \$1,750.00 as full payment for the public right of way taking.

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

SECTION 1. That the County Executive is hereby authorized to pay an additional sum of \$150.00 in final settlement of the appropriation proceedings filed in Cuyahoga County Probate Court for the temporary taking of 1,554 sq. ft. from property owners Karl J. and Lobi P. Hemerlein, Case No. 2009 ADV 0150017, in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon East Corporation Line, in the City of Solon.



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:

County Public Works Department recommending an award as settlement for property rights for the temporary taking of 1,554 sq. ft. in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon Eastern Corporation Line, in the City of Solon, PID #79457, Federal Project #E080298. Owners: Karl J. and Lobi P. Hemerlein
37800 Bainbridge Road Solon, Ohio 44139

Request for Approval of Appropriation Settlement (additional compensation in the amount of \$150.00). This is a confirmation of settlement in the total amount of \$1,750.00 of Cuyahoga County Probate Court, Case No. 2009 ADV 0150017. The settlement amount exceeds the FMVE of \$1,600.00 by \$150.00.

The original Value Analysis on this parcel was completed on 12/08/08, and was for \$1,600.00. The owners would not accept this amount. Therefore, a Complaint for Appropriation was filed on 08/18/09. At the same time, a check for \$1,600.00 was filed with the Court.

During pre-trial proceedings, negotiations continued. The owners agreed to accept an additional \$150.00 to settle this matter. This amount was agreed to by the parties, subject to approval by ODOT and the Cuyahoga County Council. The settlement amount has been approved for compensation by ODOT (see, Value Analysis as executed by Daniel J. Dougherty, P.E., Real Estate Administrator, ODOT District 12, attached hereto). This settlement is reasonable and is far less costly than pursuing any further negotiations, obtaining a full appraisal for trial, and then allowing the case to proceed to a jury verdict.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Purpose/Outcome - To settle the current appropriation litigation in an equitable and

efficient manner.

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

[Executed Value Analysis and Memo](#)

[Requisition](#)

History

Time

Who

Clerk of the Board

Approval

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0227

| | |
|---|--|
| Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer | A Resolution authorizing the County Executive to approve an additional settlement in the amount of \$310.00 in connection with the appropriation of property rights for the grading, draining and paving of Bainbridge Road from S.O.M. Center Road to the Solon East Corporation Line in the City of Solon for Parcel No. 129T, and declaring the necessity that this Resolution become immediately effective. |
|---|--|

WHEREAS, in 2009, the Board of Commissioners of Cuyahoga County filed an appropriation proceeding for the temporary taking of 3,030 sq. ft. from property owner Tatyana Bystritskaya, Cuyahoga County Probate Court, Case No. 2009 ADV 0151479, in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon East Corporation Line, in the City of Solon; and

WHEREAS, the parcel and the taking was originally appraised on 12/11/08 at \$1,550.00. This amount was offered to the property owners, but was rejected. Thereafter, the appropriation proceeding was filed, and the amount of \$1,550.00 (the fair market value of the taking) was deposited with the Probate Court; and

WHEREAS, during settlement negotiations, the property owners agree to accept an additional \$310.00 in compensation for the temporary taking of their property. This amount was reviewed and deemed reasonable by the Department of Transportation's Real Estate Administrator and far exceeded the cost of proceeding with a jury trial; and

WHEREAS, an additional amount of \$310.00 would lend to a total amount of \$1,860.00 as full payment for the public right of way taking.

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

SECTION 1. That the County Executive is hereby authorized to pay an additional sum of \$310.00 in final settlement of the appropriation proceedings filed in Cuyahoga County Probate Court for the temporary taking of 3,030 sq. ft. from property owner Tatyana Bystritskaya, Case No. 2009 ADV 0151479, in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon East Corporation Line, in the City of Solon.

SECTION 2. It is necessary that this Resolution become immediately effective in order that necessary appropriation court proceedings can proceed to conclusion and the roadway project can be completed. Provided that this Resolution receive the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this 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

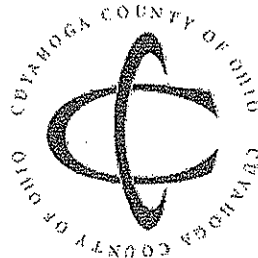
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2011



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:

County Public Works Department recommending an award as settlement for property rights for the temporary taking of 3,030 sq. ft. in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon ECL, in the City of Solon, PID #79457, Federal Project # E080298.

Parcel: 129-T (Temporary Easement)

Owner: Tatyana Bystritskaya

38210 Bainbridge Road

Solon, Ohio 44139

Request for Approval of Appropriation Settlement (additional compensation in the amount of \$310.00). This is a confirmation of settlement in the total amount of \$1,860.00, of Cuyahoga County Probate Court, Case No. 2009 ADV 0151479. The settlement amount exceeds the FMVE of \$1,550.00, by \$310.00.

The original value analysis on this parcel was completed on 12/11/08, and was for \$1,550.00. The property owner would not agree to this amount, demanding \$8,000.00. Appropriation proceedings were commenced on 10/01/2009. When the Complaint for Appropriation was filed, \$1,550.00 was deposited with the Probate Court.

After filing the appropriation proceeding and in preparation for trial, pre-trial hearings were held and negotiations for a settlement of the case continued. The owner subsequently lowered her demand to an additional \$310.00 to settle the matter. This amount was agreed to by parties, subject to approval by ODOT and the Cuyahoga County Council. The settlement amount has been approved for compensation by ODOT (see, Value Analysis (\$5,000 or less) as executed by Daniel J. Dougherty, P.E., Real Estate Administrator, ODOT District 12, attached hereto). This settlement is reasonable and is far less costly than pursuing any further negotiations, obtaining a full appraisal for trial, and then allowing the

case to proceed to a jury verdict.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: Explanation:

Total Amount Requested:

\$

ATTACHMENTS:

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[Documents executed by Daniel Dougherty](#)

[Requisition](#)

History

Time

Who

Clerk of the Board

Approval


Copyright 2001-2009

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0228

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer | A Resolution authorizing an award on RQ19570 to Town Center Construction, LLC, in the amount of \$360,900.00 for construction of an Energy Center at the Cuyahoga County Fairgrounds in connection with the Fairgrounds Wind Turbine Project; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective. |
|---|---|

WHEREAS, the County Engineer has recommended an award on RQ19570 to Town Center Construction, LLC, in the amount of \$360,900.00 for construction of an Energy Center at the Cuyahoga County Fairgrounds related to the Wind Turbine Project; and

WHEREAS, \$1,675,00.00 Federal and State grants was obtained to implement the Fairgrounds Wind Turbine Project, consisting of 500 kw wind turbine and an educational Energy Center building; and

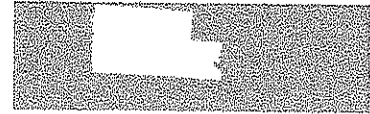
WHEREAS, by constructing this Fairgrounds Wind Turbine Project and Energy Center, Cuyahoga County has another opportunity to display leadership in renewable energy initiatives and to further foster economic development with the creation of new jobs to Northeast Ohio; and

WHEREAS, it is projected that the turbine itself will produce approximately \$50,000 per year savings in electricity for the Cuyahoga County Fairgrounds, a portion of which will be escrowed for a Capital Improvements Fund to become less dependant on the County for the cost of repairs & replacements of buildings and infrastructure; and

WHEREAS, the proposed Energy Center will be an educational center to house wind turbine displays, Renewable Energy exhibits, and provide learning opportunities for sustainability practices and the benefits of this pollution-free alternative to fossil-fuel generated electricity; and

WHEREAS, the proposed Energy Center will also provide conference space to be used by schools, groups and other organizations and will be staffed by Ballwin-Wallace volunteer interns to run the center; and

WHEREAS, Town Center Construction, LLC, was the recommended through the bid evaluation process, and was also the same company that performed as the general contractor on the recent project for the Multi-Purpose Building at the Fairground, and performed well; and



Item Details:

| | | | |
|-----------------------------|----------------------|--------------------------------|-------------|
| Agency/Dept. Name: | County Engineer | Agency/Dept. Head Name: | Doug Dillon |
| Type of Request: | Award Recommendation | | |
| Request Prepared by: | Nick Willis | Telephone No. | 443-6993 |

SUMMARY OF REQUESTED ACTION:

County Executive/Department of Public Works/County Engineer, submitting a recommendation for award of a contract on RQ-19570 in the amount of \$360,900.00 with Town Center Construction, LLC for construction of an Energy Center at the Cuyahoga County Fairgrounds, related to the Fairgrounds Wind Turbine Project.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

\$1,675,000 in Federal/State grants was obtained to implement the Fairgrounds Wind Turbine Project, consisting of a 500 kW wind turbine. Also, as part of the grant agreement, but to be paid for from Cuyahoga County match funds is an educational Energy Center building.

The proposed Energy Center will house wind turbine live data displays, exhibits and conference space. Baldwin-Wallace College is volunteering to help staff it with interns, and Polaris Career Center plans to utilize it as a teaching aid. Fairgrounds visitors (400,000 per year), schools, groups and individuals will be encouraged to visit the Center and learn the benefits of pollution-free Renewable Energy as an alternative to fossil-fuel-generated electricity. Construction documents for the energy center building were prepared by "green" architects Doty & Miller. The architect's cost estimate for the building Base Bid was \$333,621.

Construction bids have been obtained. Four bids were received. The low bidder, at \$331,499, was Millstone Management Group, but they were deemed Non-Responsive by OPD due to their not providing a bid bond in their name (one was provided by a different company) and not complying with the SBE form requirements.

The next low bidder, at \$353,300, was Town Center Construction, LLC; their bid was \$21,801 or 6.6% higher than the non-responsive low bidder.

Town Center was the general contractor for the recent Multi-Purpose Building at the Fairgrounds, and performed well. It is recommended that the contract be awarded to Town Center Construction, LLC.

Further, it is recommended that Alternate #1, an additional 5' in building length, be accepted at a cost increase of \$7,600. The total proposed contract amount with Town Center would be \$360,900. The amount approved, including alternates, in the Council-approved request to advertise for bids was \$365,121.

Expeditious approval is needed because bid/award is already behind schedule. Award should be made in June so that Construction of the Energy Center can begin by July 5 and be completed in November of this year.

Principal Owners of Town Center Construction: Michael Vitt, Brian Seeley and Neal Ratta

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

Competitive Bid

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

Financial Information:

| | |
|------------------------|--------------------------|
| Funding source: | Explanation: |
| Other | Capital Projects Funding |

Total Amount Requested:
\$360,900

ATTACHMENTS:

Click to download

- [Bid Tab - rec. TCC](#)
- [Business Filings](#)
- [Recovery Findings](#)

History

| Time | Who | Approval |
|-------------------|---|----------|
| 6/17/2011 4:02 PM | Office of Procurement & Diversity Clerk of the Board | Yes |

BID DUE DATE May 25, 2011

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

I. Aggregate (1 of 2)

REQUISITION NUMBER CT - 11 - 19570 CONTRACT PERIOD N/A
 REQUISITIONING DEPT. Public Works - Central Services NUMBER OF ITB'S SENT/RETURNED 11/6
 COMMODITY DESCRIPTION Fairgrounds Energy Center ESTIMATE \$333,621.00
 SBE GOALS 30%

| TO BE COMPLETED BY OFD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT) | | | TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER | | | | | |
|--|---|--|---|--|---------------------------|----------------------|------------|--|
| BIDDER'S NAME & ADDRESS | BID BOND / CHECK | P - ADMINISTRATIVE D-TECHNICAL REVIEW | ACTUAL BID AMOUNT | SBE SUBCONTRACTOR NAME | PRICE PREFERN. IF Y, SEE* | TOTAL SBE % | COMPLY Y/N | COMMENTS & INITIALS |
| Millstone Management Group 1540 Chagrin River Road Gates Mills, Ohio 44040 | Bid Bond, 100% - Travelers Casualty & Surety Company of America | P: No 5/24/11 # BOND BY PRINCIPAL OTHER THAN BIDDER. | A. Base Bid: \$331,499.00 B. Alt. 1: \$5,757.00 C. Alt. 2: \$3,930.00 | Jones Technologies \$99,450 30% | | 30% | N | SBE (Jones Tech.) did not sign SBE-2 document AMJ 5/26/11 MMA 5/26/11 |
| Town Center Construction, LLC 7868 Olde 8 Road Northfield, Ohio 44067 | Bid Bond, 100% - Great American Insurance Company | P: YES - 5/26/11 D. [Signature] 5/26/11 [Signature] | A. Base Bid: \$353,300.00 B. Alt. 1: \$7,600.00 C. Alt. 2: \$5,000.00 | Cleveland Framing \$4,000.00 1.1% Corporate Tile \$20,050.00 5.6% Daniel Santiago Plumbing Liberty Enterprises \$36,800.00 10.3% Signature Electric \$28,530.00 8% | | 32.5% | Y | AMJ 5/26/11 MMA 5/26/11 handmark is not certified with the county. |
| R.L. Hill Management, Inc. 633 Broadway Avenue Bedford, Ohio 44146 | Bid Bond, 100% - Ulico Casualty Company | P: YES - 5/26/11 | A. Base Bid: \$369,000.00 B. Alt. 1: \$8,922.00 C. Alt. 2: \$4,600.00 # INCLUDING CASH ALLOWANCE | Landmark Plumbing \$26,600.00 7.3% Not certified with the county Signature Electric \$28,275.00 8% | | 8% 15% | N | AMJ 5/26/11 MMA 5/26/11 |

* LOWEST BID REC'D \$ 331,499.00 RANGE OF LOWEST BID REC'D: \$ - \$500,000.00 PRICE PREFER % & \$ LIMIT: 10% MAX SBE PRICE PREFER \$ 369,648.90

BIDDERS NOTIFIED _____ DATE _____
 OBM APPROVAL _____
 (If actual bid exceeds estimate)
 Tab sheet with SBE October 1, 2009

BID DUE DATE May 25, 2011

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

I. Aggregate (2 of 2)

REQUISITION NUMBER CT - 11 - 19570 CONTRACT PERIOD N/A
 REQUISITIONING DEPT. Public Works - Central Services NUMBER OF IIB'S SENT/RETURNED 11/6
 COMMODITY DESCRIPTION Fairgrounds Energy Center ESTIMATE \$333,621.00
 SBE GOALS 30%

| TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT) | | | TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER | | | | | |
|---|--|---------------------------------------|--|---|---------------------------|-------------|------------|--|
| BIDDER'S NAME & ADDRESS | BID BOND / CHECK | P - ADMINISTRATIVE D-TECHNICAL REVIEW | ACTUAL BID AMOUNT | SBE SUBCONTRACTOR NAME | PRICE PREFERN. IF Y, SEE* | TOTAL SBE % | COMPLY Y/N | COMMENTS & INITIALS |
| Apex Construction & Management Co., Inc. 5261 Clement Street Maple Heights, Ohio 44137 | Bid Bond, 100% - International Fidelity Insurance Company | P: YES - <u>32</u> <u>5/26/11</u> | A. Base Bid: \$364,800.00 B. Alt. 1: \$20,000.00 <u>384,800</u> C. Alt. 2: \$6,400.00 | Liberty Enterprises \$32,800.00 9% Post Printing \$4,200.00 1.2% | | 10.2% | N | <u>Price is SBE but did not submit his SBE forms</u> <u>AM 5/26/11</u> <u>PM 5/26/11</u> |

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D'S \$ _____ PRICE PREFER % & \$ LIMIT: _____ MAX SBE PRICE PREFER \$ _____

BIDDERS NOTIFIED _____ DATE _____
 OBM APPROVAL _____
 (If actual bid exceeds estimate)
 Tab sheet with SBE
 October 1, 2009

BID DUE DATE May 25, 2011

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

II. General Trades

REQUISITION NUMBER CT - 11 - 19579 CONTRACT PERIOD N/A
 REQUISITIONING DEPT. Public Works - Central Services NUMBER OF ITB'S SENT/RETURNED 11/6
 COMMODITY DESCRIPTION Fairgrounds Energy Center ESTIMATE \$217,211.00
 SBE GOALS 30%

| TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT) | | | TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER | | | | | |
|--|--|---|---|--|--------------------------|-------------|------------|---------------------------|
| BIDDER'S NAME & ADDRESS | BID BOND / CHECK | P - ADMINISTRATIVE D - TECHNICAL REVIEW | ACTUAL BID AMOUNT | SBE SUBCONTRACTOR NAME | PRICE PREFER. IF Y, SBE* | TOTAL SBE % | COMPLY Y/N | COMMENTS & INITIALS |
| Town Center Construction, LLC. 7868 Olde 8 Road Northfield, Ohio 44067 | Bid Bond, 100% - Great American Insurance Company | P: YES - SE <u>5/26/11</u> | A. Base Bid: \$261,000.00 B. Alt. 1: \$7,600.00 C. Alt. 2: \$5,000.00 | Cleveland Framing \$19,575.00 7.5% Concrete Tile \$ 28,711.00 1.1% Daniel Santiago Plumbing \$ 14,616.00 5.6% Liberty Enterprises \$ 26,893.00 10.3% Signature Electric \$ 20,880.00 8% | | 32.5% | Y | ANY 5/26/11 S/26/11 |
| | | | | | | | | |
| | | | | | | | | |

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PREFER. % & \$ LIMIT: _____ MAX SBE PRICE PREFER \$ _____

BIDDERS NOTIFIED _____ DATE _____
 OBM APPROVAL _____
 (If actual bid exceeds estimate)

BID DUE DATE May 25, 2011

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

III. Plumbing

REQUISITION NUMBER CT-11-19570 CONTRACT PERIOD N/A
 REQUISITIONING DEPT. Public Works - Central Services NUMBER OF ITB'S SENT/RETURNED 11/6
 COMMODITY DESCRIPTION Fairgrounds Energy Center ESTIMATE \$31,710.00
 SBE GOALS 30%

| TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT) | | | TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER | | | | | |
|--|---|---------------------------------------|--|--|--------------------------|-------------|------------|---|
| BIDDER'S NAME & ADDRESS | BID BOND / CHECK | P - ADMINISTRATIVE D-TECHNICAL REVIEW | ACTUAL BID AMOUNT | SBE SUBCONTRACTOR NAME | PRICE PREFERN IF Y, SEE* | TOTAL SBE % | COMPLY Y/N | COMMENTS & INITIALS |
| Piper Plumbing & Sprinkle, LLC 2557 Center Road Hinckley, Ohio 44233 | Bid Bond, 100% - Ohio Farmers Insurance Company | P: YES - 5/26/11 | A. Base Bid: \$26,300.00 | Cleveland Plumbing Supply \$6,960.00 26.5% | | 26.5% | Y | Did not meet the 30% SBE goal DMS 5/26/11 JML 5/26/11 |

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PREFER % & \$ LIMIT _____ MAX SBE PRICE PREFER \$ _____

OBM APPROVAL _____ DATE _____ BIDDERS NOTIFIED _____
 (if actual bid exceeds estimate)

BID DUE DATE May 25, 2011

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

V. Electrical

REQUISITION NUMBER CT-11-19570
 REQUISITIONING DEPT. Public Works - Central Services
 COMMODITY DESCRIPTION Fairgrounds Energy Center

CONTRACT PERIOD
 NUMBER OF ITB'S SENT/RETURNED
 ESTIMATE
 SBE GOALS

N/A
 11/6
 \$38,500.00
 30%

| TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT; D=DEPARTMENT) | | | TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER | | | | | |
|--|---|---------------------------------------|--|---|---------------------------|-------------|------------|--|
| BIDDER'S NAME & ADDRESS | BID BOND / CHECK | P - ADMINISTRATIVE D-TECHNICAL REVIEW | ACTUAL BID AMOUNT | SBE SUBCONTRACTOR NAME | PRICE PREFERN. IF Y, SEE* | TOTAL SBE % | COMPLY Y/N | COMMENTS & INITIALS |
| G & B Electric Co. 10343 Brecksville Road Brecksville, Ohio 44141 | Bid Bond, 100% - Ohio Farmers Insurance Company | P: YES - <u>JE</u> <u>5/26/11</u> | A. Base Bid: \$30,000.00 | G & B Electric Prime is certified. \$6,000.00 20% | | 20% | N | Did not meet the 30% SBE goal JMM 5/26/11 SBE |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

* LOWEST BID REC'D \$ _____ RANGE OF LOWEST BID REC'D \$ _____ PRICE PREFER % & \$ LIMIT: _____ MAX SBE PRICE PREFER \$ _____

OBM APPROVAL _____ DATE _____ BIDDERS NOTIFIED _____
 (If actual bid exceeds estimate)

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0229

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/ Department of Development | A Resolution amending Resolution No. R2011-0034 dated 1/25/2011, which authorized an economic development loan in the amount not-to-exceed \$800,000.00 for construction of a facility to be located on Cornell Road, Cleveland, to change the name of the borrower from SDC University Circle Developer LLC to SDC University Circle LL LLC; and declaring the necessity that this Resolution become immediately effective. |
|---|---|

WHEREAS, on January 25, 2011, County Council adopted Resolution No. R2011-0034, which authorized an economic development loan in the amount not-to-exceed \$800,000.00 for construction of a new Courtyard Marriott Hotel to be located at Cornell Road and Euclid Avenue in Cleveland; and,

WHEREAS, it is necessary to amend Resolution No. R2011-0034 to change the name of the borrower from SDC University Circle Developer LLC to the new name of SDC University Circle LL LLC; and

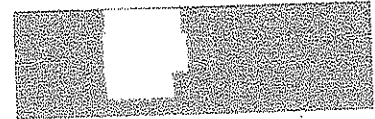
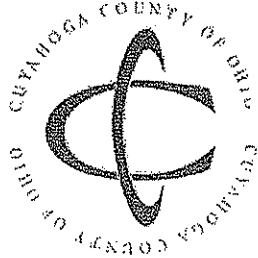
WHEREAS, it is further necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies.

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

SECTION 1. That Resolution No. R2011-0034 which authorized an economic development loan in the amount not-to-exceed \$800,000.00 for construction of a new Courtyard Marriott Hotel to be located at Cornell Road and Euclid Avenue in Cleveland, is hereby amended to change the name of the borrower from SDC University Circle Developer LLC to SDC University Circle LL LLC.

SECTION 2. That the remainder of Resolution No. R2011-0034 is to remain in full force and effect.

SECTION 3. 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.



Item Details:

| | | | |
|--|---------------------------|--------------------------------|---------------|
| Agency/Dept. Name: | Department of Development | Agency/Dept. Head Name: | Larry Benders |
| Type of Request: | Agreement/Amendment | | |
| Request Prepared by: | Arnold Lockett | Telephone No. | 216-443-3159 |
| SUMMARY OF REQUESTED ACTION: | | | |
| Department of Development, submitting an amendment to Resolution No. R2011-0034 approving an economic development loan in the amount not-to-exceed \$800,000.00 to SDC University Circle Developer, LLC for a project located at Cornell Road and Euclid Avenue. The Resolution should reflect the new name SDC Univerisity Circle LL LLC as the borrower | | | |
| The project Summary: Construction of a new Courtyard Marriott hotel with 150 rooms (the project) on a 17,839 square foot parcel of land on Cornell Road at Euclid Avenue in (University Circle) Cleveland, Ohio. | | | |
| <u>Community Impact:</u> | | | |
| The project will help meet the substantial demand generated by the hospitals, university, and other institutions in and around the University Circle neighborhood, the project will create approximately 200 union scale construction jobs and 55 full-time hotel jobs. | | | |
| <u>Source of Funds</u> | | | |
| PenTrust \$13,000,000 | | | |
| Tax Incremental 2,654,000 | | | |
| County 800,000 | | | |
| CDA 1,200,000 | | | |
| New Marke Tax Credit 5,225,000 | | | |
| Equity <u>3,313,150</u> | | | |

Total \$26,192,150

Department of Development recommending an economic development loan in the amount not to exceed \$800,000 to the SDC University Circle Developer LLC or an investment fund established to facilitate a New Market Tax Credit structure for the construction of new Courtyard Marriott hotel with 150 rooms on a 17,839 square foot parcel of land on Cornell Road at Euclid Avenue in (University Circle) Cleveland, Ohio; requesting authority for the County Executive or Director to execute all documents required in connection with said loan.

Peter Snaveley is managing member of SDC University Circle LL LLC, the Limited liability company was created as a real estate holding entity.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Peter Snaveley is managing member of SDC University Circle LL LLC, the Limited liability company was created as a real estate holding entity.

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:

\$

ATTACHMENTS:

Click to download

[SOS](#)

[Email](#)

History

Time

Who

Clerk of the Board

Approval

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0230

| | |
|--|---|
| Sponsored by: County Executive FitzGerald/Department of Development | A Resolution authorizing a Brownfields Redevelopment Fund loan in the amount not-to-exceed \$1,000,000.00 to Miceli-Lograsso Development III LLC for a Phase II Expansion Project, located at 2800 East 90 th Street, Cleveland; authorizing the Director or Deputy Chief of Staff to execute all documents required in connection with said loan; and declaring the necessity that this Resolution become immediately effective. |
|--|---|

WHEREAS, the Department of Development is recommending that a Brownfields Redevelopment Fund Project loan in the amount not-to-exceed \$1,000,000.00 be made to Miceli-Lograsso Development III LLC for a portion of the acquisition and environmental remediation of the property located at 2800 East 90th Street, Cleveland; and,

WHEREAS, Miceli-Lograsso Development III LLC will redevelop the property as a warehouse, creating 14 jobs with an average annual salary of \$35,000.00 in Phase II of their Expansion Project; and

WHEREAS, Miceli-Lograsso Development III LLC intends to also construct a mozzarella cheese factory and bio-digester on the property as part of the Phase II Expansion Project; and

WHEREAS, this Brownfields Redevelopment Fund Project loan was reviewed by the County Economic Development Loan Review Committee on June 8, 2011 and was recommended for approval by the Cuyahoga County Council; and

WHEREAS, the proposed loan of Brownfields Redevelopment Fund Project funds will provide the 25% cash match required for a Clean Ohio Revitalization Fund grant; 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 agency.

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

SECTION 1. The County Executive is hereby authorized to make a Brownfields Redevelopment Fund Loan to Miceli-Lograsso III LLC in the amount not-to-exceed \$1,000,000.00 for the acquisition and environmental remediation of the property located at 2800 East 90th Street, Cleveland, and the Director or Deputy Chief of Staff is hereby authorized to execute all documents required in connection with said loan.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. 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 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

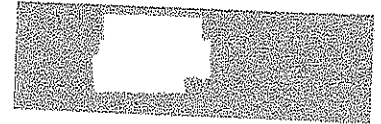
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2011



Item Details:

| | | | |
|-----------------------------|------------------------|----------------------------|----------|
| Agency/Dept. Name: | Department Development | of Agency/Dept. Head Name: | Benders |
| Type of Request: | Other | | |
| Request Prepared by: | Laura Clark | Telephone No. | 698-2575 |

SUMMARY OF REQUESTED ACTION:

Requesting approval of a Brownfield Redevelopment Fund loan to Miceli-Lograsso Development III LLC in the amount not-to-exceed \$1,000,000, and authorizing the Director of Development or Deputy Chief of Staff for Development to execute the loan documents, amendments, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the loan. Total project costs are estimated at \$5,800,000 and the County subsidy is estimated at \$450,000.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

The loan request was reviewed by the County Economic Development Loan Review Committee on June 8, 2011 and was recommended for approval by the Cuyahoga County Council.

Miceli-Lograsso Development III LLC, an affiliate of Miceli Dairy Products Company, will be purchasing a 7.84-acre property in the Buckeye neighborhood of the city of Cleveland to facilitate their Phase II Expansion Project. The Project is located in Cuyahoga County Council District 9.

The property will be redeveloped as a warehouse and eventually, a mozzarella cheese factory and bio-digester will be constructed as part of the Phase II Project. Miceli Dairy Products Company currently has over 135 employees and anticipates creating over 50 new jobs over the next few years. The warehouse specifically will create 14 jobs with an average annual salary of \$35,000.

The \$1 million County Brownfield Redevelopment Fund loan will be utilized for acquisition and environmental remediation of the property, and will be the 25% match required for a

Clean Ohio Revitalization Fund grant.

Principal Owners: A complete breakdown of the ownership structure for both Miceli-Lograsso Development III LLC and Miceli Dairy Products Company is attached.

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

| | |
|------------------------|---|
| Funding source: | Explanation: |
| Other | 2010 Brownfield Redevelopment Fund Bond - Huntington Bank Trustee |

Total Amount Requested:
\$1,000,000

ATTACHMENTS:

Click to download

- [Principal Owner](#)
- [Loan Summary](#)

History
Time

Who
Clerk of the Board

Approval

PRINCIPAL OWNERSHIP INFORMATION

Miceli-Lograsso Development III LLC is an Ohio Limited Liability Corporation that is wholly owned by Miceli-Lograsso Development LLC.

Miceli-Lograsso Development LLC Ownership Structure and Principals

- 25% Joseph Miceli
- 25% John Miceli
- 25% Carol Lograsso
- 25% Rosemarie Surace

Miceli Dairy Products Company Ownership Structure and Principals

- 17% Joseph Miceli
- 17% John Miceli
- 17% Carol Lograsso
- 17% Rosemarie Surace
- 32% John Miceli Irrevocable Trust

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0231

| | |
|--|--|
| Sponsored by: County Executive FitzGerald/Information Services Center | A Resolution authorizing the County Executive to enter into a contract with Toshiba Business Solutions – OH in the amount of \$4,000,000.00 for Countywide enterprise digital and print management services using “green” friendly technology for the period 7/1/2011 - 6/30/2016, and declaring the necessity that this Resolution become immediately effective. |
|--|--|

WHEREAS, the Information Services Center has requested authorization to enter into a contract with Toshiba Business Solutions - OH in the amount of \$4,000,000.00 for Countywide enterprise digital and print management services using “green” friendly technology for the period of 7/1/2011 – 6/30/2016; and

WHEREAS, Toshiba Business Solutions – OH is registered in the State of Ohio and was the awarded bidder of RFP – Resolution No. 103954 through a competitive bidding process; and

WHEREAS, the ADP Board approved this item on August 11, 2010.

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

SECTION 1. The County Executive is hereby authorized to enter into a contract with Toshiba Business Solutions – OH in the amount of \$4,000,000.00 for Countywide enterprise digital and print management services using “green” friendly technology for the period 7/1/2011 – 6/30/2016.

SECTION 2. It is necessary that this resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. 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 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

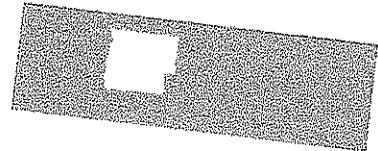
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2011



Item Details:

| | | | |
|--|-----------------------------|--------------------------------|------------|
| Agency/Dept. Name: | Information Services Center | Agency/Dept. Head Name: | Jeff Mowry |
| Type of Request: | Contract/Amendment | | |
| Request Prepared by: | Dottie Sievers | Telephone No. | 8144 |
| SUMMARY OF REQUESTED ACTION: | | | |
| Submitting a contract with Toshiba Business Solutions - OH in the amount not-to-exceed \$3,750,000.00 for Countywide Enterprise Digital and Print management Services using "Green" friendly technology, for the period 7/1/11 - 6/1/16. | | | |
| PURPOSE/OUTCOMES - PRINCIPAL OWNER(S): | | | |
| Purpose: Countywide Enterprise Digital and Print management Services - Toshiba was the awarded bidder of RFP - Reso 103954 | | | |
| Owner; | | | |
| Registered in the State of Ohio (see attached) | | | |
| Explanation for late submittal: | | | |
| Contract is submitted late due to late paperwork coming from vendor. | | | |

Contract/Agreement Information:

| |
|--|
| Procurement Method: |
| Competitive Bid |
| Explanation for Increase/Decrease in \$ Amount for current request: |

Financial Information:

| | |
|------------------------|---------------------|
| Funding source: | Explanation: |
| General Fund | |

Total Amount Requested:

\$3,750,000.00

ATTACHMENTS:

Click to download

- [Toshiba contract](#)
- [toshiba w9](#)
- [toshiba findings](#)
- [toshiba dma](#)
- [toshiba sos](#)
- [toshiba coc](#)
- [toshiba bb](#)
- [RFP Proposal 1 - 9](#)
- [Proposal 2 - 9](#)
- [Proposal 3 - 9](#)
- [Proposal 4 - 9](#)
- [Proposal 5 - 9](#)
- [Proposal 6 - 9](#)
- [Proposal 7 - 9](#)

History

Time

Who

Office of Procurement &
Diversity

Approval

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0232

| | |
|--|--|
| Sponsored by: County Executive FitzGerald/Office of Procurement & Diversity | A Resolution authorizing the County Executive/Office of Procurement & Diversity to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the period 5/1/2011 - 4/30/2013, in accordance with Ohio Revised Code Section 5513.01(B); and declaring the necessity that this Resolution become immediately effective. |
|--|--|

WHEREAS, the County Executive/Office of Procurement & Diversity have requested authority to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the period 5/1/2011 – 4/30/2013; and

WHEREAS, Ohio Revised Code Section 5513.01(B) allows political subdivisions to purchase machinery, materials and other articles from ODOT purchase contracts; and

WHEREAS, it is necessary that this Resolution become immediately effective in order to assure that machinery, materials and other necessary items be purchased 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 County Executive/Office of Procurement & Diversity are hereby authorized to participate in the Ohio Department of Transportation Cooperative Purchase Program for the period 5/1/2011 – 4/30/2013.

SECTION 2. It is necessary that this Resolution become immediately effective to assure that critical services provided by Cuyahoga County can continue and to provide for the usual, 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 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

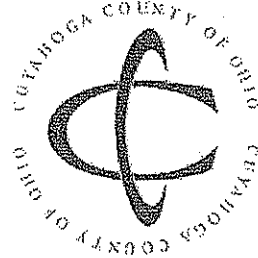
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2011



Item Details:

| | | | |
|---|-------------------------------------|--------------------------------|--------------------------|
| Agency/Dept. Name: | Office of Procurement and Diversity | Agency/Dept. Head Name: | Lenora Lockett, Director |
| Type of Request: | Other | | |
| Request Prepared by: | Angela Philmon, Program Officer | Telephone No. | 216-443-7241 |
| SUMMARY OF REQUESTED ACTION: | | | |
| Office of Procurement & Diversity, requesting authority to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the period May 1, 2011 through April 30, 2013, in accordance with the Ohio Revised Code Section 5513.01 (B). | | | |
| The Ohio Revised Code Section 5513.01 (B) allows political subdivisions to purchase machinery, materials and other articles from ODOT purchase contracts. | | | |
| Copy of the last resolution is attached. | | | |
| PURPOSE/OUTCOMES - PRINCIPAL OWNER(S): | | | |
| Explanation for late submittal: | | | |

Contract/Agreement Information:

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

Financial Information:

| | |
|--------------------------------|---------------------|
| Funding source: | Explanation: |
| Total Amount Requested: | |
| \$ | |

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0233

| | |
|---|--|
| Sponsored by: County Executive FitzGerald and Juvenile Court | A Resolution authorizing the County Executive to enter into a contract with Berea Children's Home in the amount not-to-exceed \$507,600.00 for Community-based Treatment Center management services for the period 1/1/2011 – 6/30/2011, and declaring the necessity that this Resolution become immediately effective. |
|---|--|

WHEREAS, the Cuyahoga County Juvenile Court is recommending a contract award to Berea Children's Home in the amount not-to-exceed \$507,600.00 for Community-based Treatment Center management services for the period 1/1/2011 – 6/30/2011; and

WHEREAS, research findings indicate that moderate risk youth placed in Ohio Department of Youth Services institutions recidivate at a substantially higher rate than similar youth placed in the community; and

WHEREAS, the Cuyahoga County Juvenile Court, with assistance of the Ohio Department of Youth Services and the Division of Criminal Justice at the University of Cincinnati, has developed a Community-based Treatment Center program; and

WHEREAS, the Community-based Treatment Center program allows for juveniles to be diverted from institutional placement and treated closer to where they live; and

WHEREAS, the goals of the Community-based Treatment Center project are to provide a secure, intensive, high fidelity, evidence-based treatment program for moderate risk youth; to reduce the length of stay and recidivism for moderate risk youth; and to provide high quality, intensive aftercare services that support community and family reunification/stability; and

WHEREAS, funding for this program is from the Ohio Department of Youth Services; and

WHEREAS, this contract is specifically exempt from the Competitive Bid Requirements pursuant to ORC 307.86(J); 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 agency.

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

SECTION 1. The County Executive is hereby authorized to enter into a contract with Berea Children's Home in the amount not-to-exceed \$507,600.00 for Community-based Treatment Center management services for the period 1/1/2011 – 6/30/2011.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. 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 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

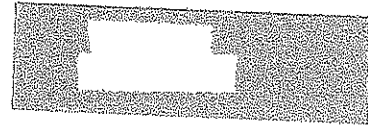
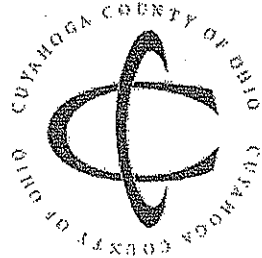
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2011



Item Details:

| | | | |
|---|---------------------|--------------------------------|----------------|
| Agency/Dept. Name: | Juvenile Court | Agency/Dept. Head Name: | Marita Kavalec |
| Type of Request: | Agreement/Amendment | | |
| Request Prepared by: | Karen Lippmann | Telephone No. | 698-4791 |
| SUMMARY OF REQUESTED ACTION: | | | |
| Submitting an agreement in the amount of \$507,600.00 with Berea Children's Home for a Community based Treatment Center for the period January 1, 2011 - June 30, 2011. | | | |
| PURPOSE/OUTCOMES - PRINCIPAL OWNER(S): | | | |
| 1.85% of adjudicated YOUTH admitted to the program during the contract period will successfully complete the program. | | | |
| 2.75% of adjudicated YOUTH admitted to the program will not recidivate within 6 months of successful release from the program. | | | |
| 3.75% of adjudicated YOUTH admitted to the program will not recidivate within 12 months of successful release from the program. | | | |
| 4.100% of YOUTH will demonstrate a drop in criminogenic risk factors at time of discharge from the VENDOR'S residential facility. | | | |
| Principal Owner(s): see attached list | | | |
| Explanation for late submittal: | | | |
| The item is "late" due to contract negotiations, holiday schedules, and processing issues. | | | |

Contract/Agreement Information:

| |
|--|
| Procurement Method: Exempt from Competitive Bid Requirements |
| Explanation for Increase/Decrease in \$ Amount for current request: |

Financial Information:

| |
|--|
| |
|--|

Funding source: **Explanation:**
State RECLAIM Ohio

Total Amount Requested:
\$507,600.00

ATTACHMENTS:

Click to download

- [CBTC BereaCH audit](#)
- [CBTC BereaCH DMA](#)
- [CBTC BereaCH campaign](#)
- [CBTC BereaCh principles](#)
- [CBTC BereaCH SOS](#)
- [CBTC BereaCH propertytax](#)
- [CBTC BereaCH Contract](#)
- [Juv. Court Internal RFP](#)
- [Juv. Court Internal RFP Provider Recommendation](#)
- [Blue Back](#)
- [Voucher](#)

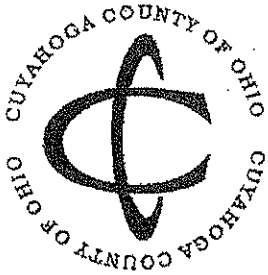
History

Time

Who

Office of Procurement &
Diversity

Approval



MEMORANDUM

PRINCIPLE OWNER (S) IDENTIFICATION SHEET

Please complete the following information:

If there is more than one (1) owner, please complete information for those person(s) as well.

| | |
|------------------------|---------------------------------|
| Vendor's Legal Name | Berea Children's Home |
| Vendor's Legal Address | 202 East Bagley Road |
| Primary Owner | Rev. Don Lefelar |
| Title | Chairperson, Board of Directors |

| | |
|------------------------|-----------------------|
| Vendor's Legal Name | Berea Children's Home |
| Vendor's Legal Address | 202 East Bagley Road |
| Primary Owner | Mary Greulich |
| Title | Assistant Treasurer |

| | |
|------------------------|-----------------------|
| Vendor's Legal Name | Berea Children's Home |
| Vendor's Legal Address | 202 East Bagley Road |
| Primary Owner | Richard R. Frank |
| Title | President and CEO |

| | |
|------------------------|--|
| Vendor's Legal Name | Berea Children's Home |
| Vendor's Legal Address | 202 East Bagley Road |
| Primary Owner | Joseph R. Ziegler |
| Title | Vice President of Finance and Administration |

| | |
|------------------------|--|
| Vendor's Legal Name | Berea Children's Home |
| Vendor's Legal Address | 202 East Bagley Road |
| Primary Owner | Donna Keegan |
| Title | Vice President and Chief Operating Officer |

| | |
|------------------------|---|
| Vendor's Legal Name | Berea Children's Home |
| Vendor's Legal Address | 202 East Bagley Road |
| Primary Owner | Dr. Benjamin Kearney |
| Title | Vice President and Chief Clinical Officer |

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0234

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Department of Public Works | A Resolution authorizing an award on RQ19343 to First Energy Solutions in the amount of \$5,500,000.00 for the purchase of electric utility services for County-owned facilities for the period 6/1/2011 – 5/31/2012; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective. |
|---|---|

WHEREAS, the County Executive/Department of Public Works have recommended an award on RQ19343 to First Energy Solutions in the amount of \$5,500,000.00 for the purchase of electric utility services for County-owned facilities for the period 6/1/2011 – 5/31/2011; and

WHEREAS, on April 12, 2011, the County Council approved Resolution No. R2011-0118 authorizing the Office of Procurement & Diversity to seek proposals from various providers on RQ19343 for the purchase of electric utility services for County-owned facilities; and

WHEREAS, the recommended award to First Energy Solutions represents the lowest of three bids from qualified contractors able to provide electric utility services to all County-owned facilities as determined through a competitive bidding process; 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 agency.

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

SECTION 1. That the recommended award on RQ19343 for the purchase of electric utility services for County-owned facilities is approved, and the County Executive, on behalf of the Department of Public Works, is hereby authorized to enter into and execute a contract with First Energy Solutions in the amount of \$5,500,000.00 for the period 6/1/2011-5/31/2011.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. 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 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:

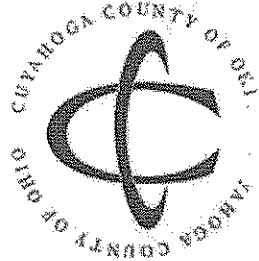
County Council President Date

County Executive Date

Clerk of Council Date

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

Journal _____
_____, 2011



Item Details:

| | | | |
|--|--------------------------------|-----------------------------------|-----------------|
| Agency/Dept. Name: | Department Central Services | of Agency/Dept. Head Name: | Jamal H. Husani |
| Type of Request: | RFP / Bid | | |
| Request Prepared by: | Gerard Salomon | Telephone No. | 216-698-6527 |
| SUMMARY OF REQUESTED ACTION: | | | |
| Recommending an Award on RFP # 19343 to First Energy Solutions for electrical services. The County through the Department of Public Works, owns and operates multiple facilities with a combined electricity consumption of approximately 62 Million Kilo-Watt-Hours in 2010 costing \$5.5 million. | | | |
| PURPOSE/OUTCOMES - PRINCIPAL OWNER(S): | | | |
| Based on the Bid Analysis of RFP # 19343, recommendation of Award is given to First Energy Solutions. Cleveland Public Power is unable to provide electrical services to all County facilities and Champion Energy Services was not the lowest Bid. The County's has an existing electricity contract with First Energy Solutions which expired on May 31, 2011. | | | |
| 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: | |
| \$ | |

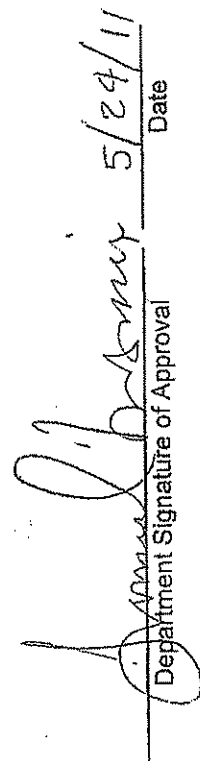
ATTACHMENTS:

**CUYAHOGA COUNTY
TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Public Works - Central Services PROPOSAL DUE DATE: May 17, 2011

RFP TITLE: Retail Electric Generation Supply RFP #: CT - 11 - 19343 SBE: N/A

| TO BE COMPLETED BY OPD | | TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER | | | | USER DEPT. |
|--|--|--|-------------|------------|---|------------|
| VENDOR NAME & ADDRESS | SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE | SBE PRIME % | TOTAL SBE % | COMPLY Y/N | COMMENTS & INITIALS | AWARD Y/N |
| Champion Energy Services 1641 Seven Oaks Drive Lyndhurst, Ohio 44124 | Price Score | | | | Champion Energy is new to First Energy Market | N |
| | PJM Experience Score | 40 | | | | |
| | Methodology Score | 20 | | | | |
| | Management Plan Score | 4 | | | | |
| | Understanding Score | 5 | | | | |
| | Total & Rank | 74 #2 | | | | |
| | Price Score | 30 | | | | |
| Cleveland Public Power 1300 Lakeside Avenue Cleveland, Ohio 44114 | PJM Experience Score | | | | Cleveland Public Power can only serve 8 meters | N |
| | Methodology Score | 20 | | | | |
| | Management Plan Score | 4 | | | | |
| | Understanding Score | 5 | | | | |
| | Total & Rank | 64 #3 | | | | |
| | Price Score | 50 | | | | |
| | PJM Experience Score | 30 | | | | |
| FirstEnergy Solutions 341 White Pond Drive Akron, Ohio 44320 | Methodology Score | | | | First Energy Solutions Bid reduces the County Electric cost by ~\$368,000 for 12 months; ~\$720,000 for 24 months; and ~\$1,000,000 for 36 months. Note: First Energy Solutions' Contract has been approved by the County Prosecutors Office the existing program | Y |
| | Management Plan Score | 5 | | | | |
| | Understanding Score | 5 | | | | |
| | Total & Rank | 95 #1 | | | | |
| | Price Score | | | | | |
| | PJM Experience Score | | | | | |
| | Methodology Score | | | | | |


 Department Buyer Signature of Approval _____ Date 5/24/11

OPD Buyer _____

ELECTRIC BIDS ANALYSIS - CHART

| | | Cuyahoga County Electric Bid 2011 | | | | | | | | | | | |
|-----------------------|------------------------|-----------------------------------|-----------|-----------|-----------|-----------------|-----------|-----------|-----------|------------------------|-----------|-----------|-----------|
| | | FirstEnergy Solutions | | | | Champion Energy | | | | Cleveland Public Power | | | |
| Bidder | Term | 12 | 24 | 36 | 12 | 24 | 36 | 12 | 24 | 36 | 12 | 24 | 36 |
| Price per kWh | | \$ 0.0531 | \$ 0.0511 | \$ 0.0521 | \$ 0.0531 | \$ 0.0511 | \$ 0.0521 | \$ 0.0531 | \$ 0.0511 | \$ 0.0521 | \$ 0.0531 | \$ 0.0511 | \$ 0.0521 |
| Low Bid #1 | FirstEnergy Solutions | | | | | | | | | | | | |
| #2 | Champion Energy | \$ 0.0083 | \$ 0.0087 | \$ 0.0086 | \$ 0.0083 | \$ 0.0087 | \$ 0.0086 | \$ 0.0083 | \$ 0.0087 | \$ 0.0086 | \$ 0.0083 | \$ 0.0087 | \$ 0.0086 |
| #3 | Cleveland Public Power | \$ 0.0132 | \$ 0.0152 | \$ 0.0142 | \$ 0.0132 | \$ 0.0152 | \$ 0.0142 | \$ 0.0132 | \$ 0.0152 | \$ 0.0142 | \$ 0.0132 | \$ 0.0152 | \$ 0.0142 |
| Price Score | | 50 | | | 40 | | | 30 | | | 30 | | |
| PJM Experience Score | | 30 | | | 20 | | | 20 | | | 20 | | |
| Methodology Score | | 10 | | | 4 | | | 4 | | | 4 | | |
| Management Plan Score | | 5 | | | 5 | | | 5 | | | 5 | | |
| Understanding Score | | 5 | | | 5 | | | 5 | | | 5 | | |
| Total | | 100 | | | 74 | | | 64 | | | 64 | | |
| RANK | | | | | 2 | | | 3 | | | 3 | | |

NOTES:

- *Cleveland Public Power can only serve 8 meters
- *FirstEnergy Solutions bid reduces Cuyahoga County's cost by ~\$360,000 for 12 months, ~\$720,000 for 24 months and ~\$1,000,000 for 36 months
- * Champion is New to FirstEnergy Market
- *FirstEnergy Solutions' Contract has been approved by the County Prosecutor's Office for the existing program

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0212

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management | A Resolution amending Resolution No. R2011-0087 dated 3/8/2011, which amended the 2011 Annual Appropriation Measure by approving additional appropriation decreases, to rescind a decrease in appropriations; and declaring the necessity that this Resolution become immediately effective. |
|---|---|

WHEREAS, on March 8, 2011, Cuyahoga County Council adopted Resolution No. R2011-0087 which amended the annual appropriation measure, by approving additional appropriation decreases; and,

WHEREAS, it is necessary to amend Resolution No. R2011-0087 by rescinding line item U. as set forth below:

20A334 - Juv. Court - Alt. Dispute Resolution BA1100293
JC510925 - Juv. Court - Alt. Dispute Resolution
Other Expenses \$ (200.000.00)

to correct the prior adjustments to the 2011 Annual Appropriation Measure reflecting funding reductions and decreases; and

WHEREAS, amendment is necessary for reconciliation of the 2011 appropriations in the County's financial system; 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 Resolution No. R2011-0087 is amended to rescind line item U. as set forth below:

20A334 - Juv. Court - Alt. Dispute Resolution BA1100293
JC510925 - Juv. Court - Alt. Dispute Resolution
Other Expenses \$ (200.000.00)

to allow the reconciliation of appropriations for 2011 in the County's financial system.

SECTION 2. That the remainder of Resolution No. R2011-0087 remains in full force and effect.

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 County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members elected to 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: June 28, 2011
Committee(s) Assigned: Finance & Budgeting

Journal CC003
July 12, 2011

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0218

| | |
|---|---|
| Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management | A Resolution adopting the Annual Tax Budget, including the Cuyahoga County Library Budget, for the year 2012, and declaring the necessity that this Resolution become immediately effective. |
|---|---|

WHEREAS, O.R.C. 5705.28(A)(2) requires that Council, as the taxing authority of Cuyahoga County, adopt a tax budget for the next succeeding fiscal year on or before the fifteenth day of July; and,

WHEREAS, the purpose of the Tax Budget is to demonstrate the need for property taxes levied by the County and to establish the next succeeding fiscal year's revenue estimates; and,

WHEREAS, the Tax Budget establishes tax rates and provides the basis for the Official Certificate of Estimated Resources, the legal document that establishes the legal limitations within which the County must abide when setting appropriations; and,

WHEREAS, the Office of Budget and Management has submitted and recommended approval of the Annual County Tax Budget, including the Cuyahoga County Library Tax Budget, for the year 2012; and,

WHEREAS, the County Operating Tax Budget for 2012 is \$1,513,300,741, and the County Library Tax Budget for 2012 is \$64,000,000; and,

WHEREAS, after due consideration of the Tax Budget, it is deemed advisable by the Council of Cuyahoga County to adopt said County Tax Budget, including the Cuyahoga County Library Tax Budget, for the year 2012.

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

SECTION 1. The year 2012 Annual Tax Budget for the County of Cuyahoga, including Cuyahoga County Library Tax Budget, as prepared in accordance with O.R.C. 5705.28, is hereby approved.

SECTION 2. 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.

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 the County. 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.

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: June 28, 2011

Committee(s) Assigned: Finance & Budgeting

Journal CC003

July 12, 2011

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0219

| | |
|--|---|
| Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Office of Homeless Services | A Resolution authorizing the County Executive to enter into a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,325,520.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2009 Continuum of Care Homeless Assistance Programs for the period 12/1/2010 - 11/30/2015, and declaring the necessity that this Resolution become immediately effective. |
|--|---|

WHEREAS, the County Executive has submitted a contract with Emerald Development and Economic Network, Inc. (EDEN, Inc.) in the not-to-exceed \$1,325,520.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2009 Continuum of Care Homeless Assistance Programs for the period 12/1/2010 – 11/30/2015; and,

WHEREAS, EDEN, Inc. is a non-profit agency that provides social services in the community; and,

WHEREAS, the Shelter Plus Care Program will provide rent subsidies to homeless persons with disabilities, who, but for this assistance, would continue to live in a shelter on the streets; and,

WHEREAS, the funding for this contract comes through the FY2009 S+C Grant Award from the U.S. Department of Housing and Urban Development.

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 agency.

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

SECTION 1. The County Executive is hereby authorized to enter into a contract with Emerald Development and Economic Network, Inc. (EDEN, Inc.) in the amount not-to-exceed \$1,325,520.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2009 Continuum of Care Homeless Assistance programs from the period 12/1/2010 – 11/30/2015.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. 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 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: June 28, 2011

Committee(s) Assigned: Health, Human Services & Budgeting

Journal CC003

July 12, 2011

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0029

| | |
|--|---|
| Sponsored by: County Executive FitzGerald/Department of Law | An Ordinance amending Ordinance No. O2011-0016 to establish the organizational structure of the Department of Law. |
|--|---|

WHEREAS, the County Council established the Department of Law in Ordinance No. O2011-0016; and

WHEREAS, Ordinance No. O2011-0016 provides that “[p]ursuant to Section 3.09(2) of the Cuyahoga County Charter, Council shall establish, with input from the County Executive and the Director of Law, such divisions and sections within the Department of Law as Council determines to be necessary for the efficient administration of the County within 90 days following the passage of this Ordinance;” and,

WHEREAS, it is necessary to amend Ordinance No. O2011-0016 to establish the organizational structure of the Department of Law.

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

SECTION 1. Section 1 of Ordinance No. O2011-0016 establishing the Department of Law shall be amended as follows (language additions are shaded and boldfaced, deleted language is stricken out):

SECTION 1. The Cuyahoga County Department of Law.

- (a) There is hereby established the Department of Law for Cuyahoga County, to be officially called “The Cuyahoga County Department of Law.”
- (b) For convenience, the Cuyahoga County Department of Law may also be referred to as the “Cuyahoga County Law Department” or the County’s “Law Department” in correspondence, legislation, or as is otherwise necessary or convenient.
- (c) For convenience, the Director of Law may also be referred to as the County’s “Law Director” in correspondence, legislation, or as is otherwise necessary or convenient, and the term “Law Director” shall be accorded the same meaning as “Director of Law.”

- (d) The Director of Law shall exercise all powers, duties, and responsibilities that s/he may exercise under the Cuyahoga County Charter, and s/he shall have all powers, duties, and responsibilities to advise and represent the County in all legal matters and proceedings. The Director of Law and, as the Director of Law deems appropriate, his/her designee(s) within the Department of Law shall have the power to waive conflicts of interest relating to the retention of outside counsel and Department attorneys and staff. If the Director of Law and all of his/her designee(s) are unable to grant such a waiver because they have a conflict of interest pursuant to the Ohio Code of Professional Conduct, the Inspector General or, as the Inspector General deems appropriate, his/her designee(s) shall have the power to waive such conflicts.
- (e) The powers, duties, and responsibilities of the Director of Law shall be broadly construed, and the listing of any specific powers, duties, or responsibilities of the Director of Law in this Ordinance or any other ordinance or resolution shall not be construed to exclude any other powers, duties, or responsibilities of the Director of Law existing under the County Charter, its home rule powers, or the general law of the State of Ohio.
- (f) The Director of Law shall supervise and manage the Department of Law and may employ such number of deputies, assistants, and employees as s/he determines to be reasonably necessary to assist him/her in carrying out his/her powers and duties and as is consistent with approved budgetary parameters determined by Council.
- (g) ~~Pursuant to Section 3.09(2) of the Cuyahoga County Charter, Council shall establish, with input from the County Executive and the Director of Law, such divisions and sections within the Department of Law as Council determines to be necessary for the efficient administration of the County within 90 days following the passage of this Ordinance.~~ **The Cuyahoga County Department of Law shall be composed of the Director of Law, a Deputy Chief Director of Law, Assistant Law Directors, and, as deemed necessary by the Director of Law, such other assistants and other staff, including paralegals and executive and administrative assistants to serve the Director, Deputy Director, and the Assistant Law Directors.**

SECTION 2. Open Meetings. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2011

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0030

| | |
|---|--|
| Sponsored by: County Executive FitzGerald and Councilmember Miller | An Ordinance amending Ordinance No. O2011-0014 establishing the Board of Control, establishing procedures governing the making of County contracts and the purchasing of County supplies and equipment, providing procedures for the making of public improvements, establishing procedures under which the County Executive may employ experts and consultants in connection with the administration of the affairs of the County; and declaring the necessity that this Ordinance become immediately effective. |
|---|--|

WHEREAS, the Cuyahoga County Council enacted a Board of Control, Contracting and Purchasing Ordinance; and,

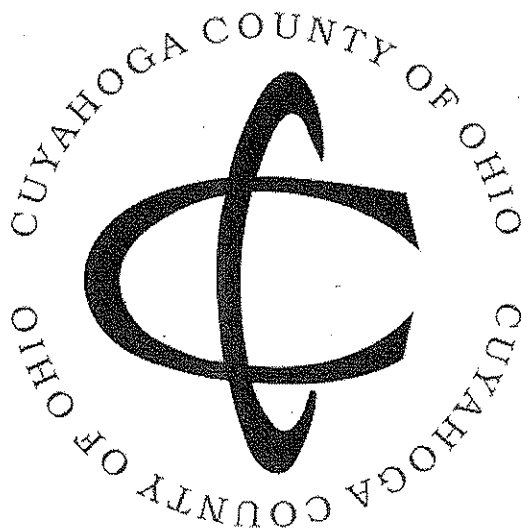
WHEREAS, it is necessary to amend the Board of Control, Contracting and Purchasing Ordinance to clarify potentially ambiguous provisions therein and to insure that the Board of Control, Contracting and Purchasing Ordinance accurately reflects Council's original intent; and,

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

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

SECTION 1: The policies and procedures of Cuyahoga County, Ohio, relating to contracts, purchases, sales, leases, grants, and loans are amended as follows (additions are capitalized and shaded, deletions are stricken out):

Cuyahoga County
Board of Control, Contracting and Purchasing Ordinance



Cuyahoga County Council
Public Works, Procurement Contracting Committee

Pernel Jones, Jr., Chair
Chuck Germana, Vice Chair
Yvonne Conwell
Dale Miller
Julian Rogers

Amended July 12, 2011

Table of Contents

| | |
|--|----------|
| Chapter 1: Establishment of the Board of Control..... | 5 |
| Section 1.1: Board of Control Established..... | 5 |
| Section 1.2: County Council Vacancies..... | 5 |
| Section 1.3: Executive Branch Alternates | 5 |
| Section 1.4: Council Alternates | 5 |
| Section 1.5: Alternate Have Full Rights | 6 |
| Section 1.6: Officers | 6 |
| Section 1.7: No Additional Compensation | 6 |
| Section 1.8: Clerk of the Board of Control..... | 6 |
| Section 1.9: Weekly Meetings | 6 |
| Section 1.10: Quorum | 6 |
| Section 1.11: Vote Required for Board of Control Actions..... | 6 |
| Section 1.12: Rules of Procedure..... | 7 |
| Section 1.13: PublicParticipation..... | 7 |
| Section 1.14: Agendas | 7 |
| Section 1.15: SpecialMeetings | 7 |
| Section 1.16: Minutes | 8 |
| Section 1.17: Executive Session | 8 |
| Section 1.18: Journal..... | 8 |
| Section 1.19: Public Meetings and Public Records | 8 |
| Section 1.20: Deadline for Agenda Items | 8 |
| Section 1.21: Consideration of Items Not on the Agenda | 8 |
| Chapter 2: Approvals Required for Contracts, Purchases and Sales, Leases, Grants and Loans..... | 9 |
| Section 2.1: County Executive’s Authority | 9 |
| Section 2.2: Usage of the Terms “Contract and “Sale” | 9 |
| Section 2.3: Definition of Value | 9 |
| Section 2.4: Thresholds for Options of Contracts..... | 10 |
| Section 2.5: Contracts with Multiple Vendors..... | 10 |
| Section 2.6: Definition of New Item..... | 10 |
| Section 2.7: Change Orders or Amendments on Contracts | 10 |
| Section 2.8: Approval Thresholds for Change Orders or Amendments | 11 |
| Section 2.9: Single Approval Generally Required; Exceptions..... | 11 |
| Section 2.10: Items Requiring County Council Approval..... | 11 |
| Section 2.11: Items Requiring Board of Control Approval | 12 |
| Section 2.12: Monthly Reports on Contract Changes..... | 12 |
| Section 2.13: Identification of Funding Sources..... | 12 |
| Section 2.14: Experts or Consultants | 13 |
| Section 2.15: County Executive Emergency Authority | 13 |
| Section 2.16: Acceptance of Grants..... | 13 |
| Section 2.17: Referral to County Council..... | 13 |

| | |
|--|-----------|
| Chapter 3: General Provisions | 13 |
| Section 3.1: Director of Procurement and Diversity to Execute Purchases..... | 13 |
| Section 3.2: Legal Review | 14 |
| Section 3.3: Appropriation and Warrant Procedures | 14 |
| Section 3.4: Competitive Bidding Required; Exceptions | 14 |
| Section 3.5: Procedure Manuals | 16 |
| Section 3.6: County Executive to Propose Revisions to Procedure Manuals..... | 17 |
| Section 3.7: Standards for Awarding Contracts..... | 17 |
| Section 3.8: Required Certifications by Successful Bidders | 18 |
| Section 3.9: Remedies for Breach of Contract..... | 20 |
| Section 3.10: Ethics Compliance Required | 20 |
| Section 3.11: Unlawful Interest in a Public Contract | 20 |
| Section 3.12: Inspector General's Authority | 20 |
| Section 3.13: Home Rule Powers Asserted | 21 |
| Section 3.14: Encouragement of Diversity | 21 |
| SECTION 3.15 GENERAL CONTRACTING AUTHORITY OF COUNTY EXECUTIVE | |
| Chapter 4: Notification Requirements..... | 22 |
| Section 4.1: Procurement Database | 22 |
| Section 4.2: Grants and Loans Database..... | 22 |
| Section 4.3: Pending Transactions Database | 22 |
| Section 4.4: Special Procurement Events Database..... | 23 |
| Section 4.5: Notification to County Councilperson..... | 23 |
| Section 4.6: Timeline for Databases and Notifications | 23 |
| Section 4.7: Historical Information not Required in Databases | 24 |
| Section 4.8: Exclusion of Confidential Information..... | 24 |
| Section 4.9: Notice of Executed Contracts, Purchases and Sales..... | 24 |

Chapter 1: Establishment of the Board of Control

Section 1.1: Board of Control Established

There is, hereby, created the Cuyahoga County Board of Control, consisting of seven (7) members identified as follows:

- a) the Cuyahoga County Executive,
- b) the Fiscal Officer,
- c) the Director of Public Works,
- d) the Director of Procurement and Diversity, and
- e) three members of Cuyahoga County Council, appointed by the President of Council, within seven (7) days after the enactment of this ordinance and immediately following each Organizational Meeting of Cuyahoga County Council, who shall serve until their successors are appointed.

Section 1.2: County Council Vacancies

Whenever any of the three (3) positions on the Board of Control held by members of County Council becomes vacant, the President of County Council shall appoint another member of County Council to fill the position for the remainder of the term.

Section 1.3: Executive Branch Alternates

For each of the four (4) executive branch members of the Board of Control, the County Executive shall appoint an alternate, who shall attend meetings of the Board of Control whenever that member is unable to do so. Only employees of Cuyahoga County may be appointed as alternates on the Board of Control. Each alternate appointed shall, according to the County Executive's best judgment, have the greatest responsibility and most knowledge in the area(s) of primary responsibility of the person that the alternate replaces. Alternates shall serve at the pleasure of the County Executive, and the County Executive shall appoint a new alternate in the same way as the original designation whenever an alternate position becomes vacant. Appointments of alternates by the County Executive shall not be subject to confirmation by County Council.

Section 1.4: Council Alternates

At the same time that the President of Council appoints members to the Board of Control, the President of Council shall appoint an alternate for each member appointed. Alternates shall be members of County Council

and shall serve until their successors are designated. The President of Council shall in the same way appoint an alternate for the remainder of the term whenever an alternate position becomes vacant.

Section 1.5: Alternate Have Full Rights

Any properly appointed alternate shall have all the rights and responsibilities of a member of the Board of Control when attending a meeting on behalf of a member.

Section 1.6: Officers

The County Executive shall serve as Chairperson of the Board of Control, and the Fiscal Officer shall serve as Vice Chairperson. If both the Executive and the Fiscal Officer are absent from any meeting, the Board of Control shall choose one of its members to chair that meeting. For the purposes of this section, County Executive and Fiscal Office shall include their alternates.

Section 1.7: No Additional Compensation

No compensation in addition to a person's regular compensation as an employee of Cuyahoga County shall be provided for service on the Board of Control.

Section 1.8: Clerk of the Board of Control

The County Executive shall designate one staff person, who shall be the Clerk of the Board of Control, who shall publish agendas and meeting notices and record and publish minutes.

Section 1.9: Weekly Meetings

The Board of Control shall meet weekly, at a regular time determined by the Board of Control.

Section 1.10: Quorum

A quorum for the Board of Control shall consist of four (4) members, or their alternates or replacements.

Section 1.11: Vote Required for Board of Control Actions

Except as provided in Section 2.10 (G) of this ordinance, a motion to approve or disapprove any item before the Board of Control shall require

the affirmative vote of any four (4) or more members. Amendments to items before the Board of Control and parliamentary motions may be adopted by a majority of those present, provided that a quorum is present.

Section 1.12: Rules of Procedure

The Board of Control shall, consistent with the provisions of this ordinance, adopt its own rules of procedure.

Section 1.13: Public Participation

All meetings of the Board of Control shall be open to the public and shall begin by providing time for public comment on matters that are on the agenda for that day. The Board of Control shall also provide time for public comment, either at that time or later in the meeting, on matters that may come before the Board of Control in the future. The Board of Control may also require presenters to register with the Board of Control before speaking and may set a time limit on presentations, which may be extended at the discretion of the Chairperson.

Section 1.14: Agendas

The Clerk of the Board of Control shall publish the notice and agenda for each meeting on the county's website, post them at its office, and send them by electronic mail to each member of County Council no later than the close of business on the second business day before the meeting. For each proposed contract to be considered, the agenda shall list the type of contract, a summary of the scope of work, the anticipated costs, the expected schedule of payments by fiscal year, the source(s) of funding, the anticipated start date, and the vendor's name. For agenda items other than contracts, the Board of Control shall specify in its rules what documentation shall be submitted with the request.

Section 1.15: Special Meetings

The Board of Control may conduct a special meeting at a time other than its regularly scheduled time. In the event of an emergency, the Board of Control may conduct a meeting with less notice than that required by Section 1.15 of this ordinance. For any special or emergency meeting, in addition to the notice requirements of Section 1.15, the Board of Control shall also send notice to all news media organizations that request to be notified of such meetings. A meeting may be conducted with less than twenty-four (24) hours only to respond to an emergency concerning which immediate official action is required, and the notice and agenda shall state the nature of the emergency requiring such action.

Section 1.16: Minutes

The Clerk of the Board of Control shall promptly prepare and publish the minutes of each meeting of the Board of Control on the county's website, which shall in no case occur later than one week after each meeting.

Section 1.17: Executive Session

Notwithstanding the requirement in Section 1.14 for open meetings, the Board of Control may go into Executive Session, only to discuss one or more of the topics permitted to be discussed in Executive Session according to Section 121.22 of the Ohio Revised Code. The published agenda for any meeting at which the Board of Control goes into Executive Session must include notice of the intent to go into Executive Session and a general description of the subject matter to be discussed. Prior to going into Executive Session, the Board of Control must approve a motion to go into Executive Session. That motion must be approved by a majority of members present by roll call vote, with a quorum being present, and the motion shall state the topic(s) to be discussed in Executive Session and that no other topics may be discussed.

Section 1.18: Journal

The Clerk of the Board of Control shall maintain a Journal of the Board of Control, which shall be posted on the county's website and maintained as a permanent file, which may be in an electronic format. The Journal shall include the notice, agenda, and minutes of all Board of Control meetings.

Section 1.19: Public Meetings and Public Records

The Board of Control shall be subject to all state laws and county ordinances concerning public meetings and public records.

Section 1.20: Deadline for Agenda Items

The Clerk of the Board of Control, in consultation with the Fiscal Officer, the Director of Public Works, and the Director of Purchasing, may set a deadline for the submission of items for the agenda by county departments for each meeting.

Section 1.21: Consideration of Items Not on the Agenda

The Board of Control may, by 2/3 vote of members present, with a quorum being present, allow consideration of items not on the agenda or

items submitted after the deadline for submission of items established by the Clerk of the Board of Control.

Chapter 2: Approvals Required for Contracts, Purchases and Sales, Leases, Grants and Loans

Section 2.1: County Executive's Authority

The County Executive, through the appropriate departments of county government acting under his/her direction may SOLICIT BIDS, enter into all contracts, APPLY FOR, accept or make grants, purchase, sell or lease any real estate or real estate interests, and provide or enter into loans, provided that all requirements of this ordinance applicable to that action are met. For actions requiring approval of the County Council or the Board of Control, such approvals shall be obtained prior to execution of the action. Actions not requiring approval of either the County Council or the Board of Control may be executed by the County Executive or his/her designees in accordance with procedures established by this ordinance and the County Executive.

Section 2.2: Usage of the Terms "Contract and "Sale"

For the purposes of the ordinance:

- a) "contract" shall not include an employment contract between the County and any regular full-time or part-time employee of the County or any contract entered into in settlement of litigation; and
- b) "sale" shall include only sales of assets.

Section 2.3: Definition of Value

For the purposes of this ordinance, the value of any contract, purchase, sale, grant, or loan shall be the total amount obligated, received or contracted for, even if over multiple years, but shall not include any optional extensions. Whenever a construction or renovation project requires the execution of two or more contracts, the sum of the value of the multiple contracts required shall be used as the value for each contract, except that contracts for phases of a construction or renovation project, executed before it is known whether the total project cost will exceed \$500,000, may be handled as a separate contract.

Section 2.4: Thresholds for Options of Contracts

Exercise of an option on a contract shall require approval of the County Council or the Board of Control if the thresholds provided for in Section 2.10(A) and 2.11(A), respectively, for approval of contracts are met.

Section 2.5: Contracts with Multiple Vendors

In applying the thresholds provided for in Sections 2.10 and 2.11 of this ordinance, ~~THE VALUE OF~~ proposed contract~~s~~(s) with multiple vendors to provide essentially the same product or service FOR THE SAME PROJECT at the same time shall be ~~handled~~ AGGREGATED ~~as a single contract,~~ and ~~a~~ THE VALUE OF subsequent proposalS to change quantities among such multiple vendors shall be AGGREGATED AND TREATED AS ~~handled as~~ a single contract amendment. THIS SECTION IS NOT APPLICABLE TO CONTRACTS FOR PROFESSIONAL SERVICES OR OTHER CONTRACTS WHERE THERE IS NO POSSIBILITY OF DIVIDING THE PROCUREMENT OF GOODS OR SERVICES INTO MULTIPLE CONTRACTS FOR THE PURPOSE OF CIRCUMVENTING THE THRESHOLDS CONTAINED IN SECTIONS 2.10 AND 2.11.

Section 2.6: Definition of New Item

For the purposes of this ordinance, a "new item" in a change order or amendment to a contract is any item not provided for in the prior version of the contract, and does not include a change in the quantity, version, style, manufacturer, or supplier of any item included in the prior version of the contract.

Section 2.7: Change Orders or Amendments on Contracts

A change order or amendment to a contract may be presented in the form of a list of proposed changes, rather than submitting items individually. For the purposes of this ordinance, the value of a change order or amendment submitted as a list of items shall be the greater of:

- a) the net change to the value of the contract after all additions are added and all deletions or reductions are subtracted; or
- b) the total value of all new items, as defined in Section 2.6 of this ordinance, in the change order or amendment.
- c) The term "change order or amendment" shall include the use of county contingency funds.

Section 2.8: Approval Thresholds for Change Orders or Amendments

For the purposes of this ordinance, a change order or amendment to a contract shall not be considered a separate contract and shall be subject to the requirements of Sections 2.10 (G) and 2.11 (C) of this ordinance.

Section 2.9: Single Approval Generally Required; Exceptions

Except as provided for in Sections 2.10 (G) and (I) and Sections 2.11 (C) and (D), approvals provided for in Sections 2.10 and 2.11 of the ordinance shall be required to enter into a contract or lease, to accept a grant, or to make a purchase, sale, grant, or loan and not at other stages of the process of completing these transactions.

Section 2.10: Items Requiring County Council Approval

The following transactions shall require approval by the County Council:

- a) All contracts, purchases, grants provided by the county, or loans provided by the county for more than \$500,000;
- b) Any loan in which the county, or any entity thereof, is the borrower;
- c) All contracts, purchases, loans, leases, or other transactions which create an obligation which would require the appropriation of additional funds not previously authorized;
- d) All purchases or sales of real estate or real estate interests for more than \$50,000 and all leases of real estate or real estate interests as lessor or lessee in which the total value of the ~~transaction~~ PURCHASE, SALE, OR LEASE is more than \$50,000;
- e) All PURCHASES, SALES OR LEASES OF real estate IN EXCESS OF SIX MONTHS ~~transactions~~ other than at fair market value;
- f) All transfers of cash or appropriation authority between accounts within the county budget and all appropriation changes that result in an increase or decrease in authorized appropriations;
- g) Any change order or amendment to a contract that is submitted to the Board of Control for which the change order or amendment AND does not receive an affirmative vote of one County Council member on the Board of Control.
- ~~h) Any contract or agreement with one or more other political subdivisions or governmental agencies made pursuant to Article 3, Section 9, Subsection 8 of the Charter;~~
- h) ~~h)~~ Any other specific contract, purchase, sale, lease, grant, or loan or any procedure within the process of completing any such contract,

purchase, sale, lease, grant or loan for which the County Council, by Motion of Council, requires approval of the County Council.

Section 2.11: Items Requiring Board of Control Approval

The following transactions shall require approval by the Board of Control:

- a) All contracts, purchases, grants provided or by the County, or loans provided by the County for more than \$100,000 but not more than \$500,000, except that the County Executive and/or the Director of Economic Development may make loans of not more than \$200,000 without approval from the Board of Control for the limited purpose of implementing the Federal Neighborhood Stabilization Program.
- b) All purchases or sales of real estate or real estate interests for more than \$10,000 but not more than \$50,000 and all leases of real estate or real estate interests as lessor or lessee in which the total value of the transaction is more than \$10,000 but not more than \$50,000;
- c) Any change order or amendment WITH A VALUE OF of \$25,000 or more using the definition provided in Section 2.7 of this ordinance for contracts with a value of less than five million dollars or \$50,000 or more for contracts with a value of five million dollars or more.
- d) Any other specific contract, purchase, sale, lease, grant, or loan or any procedure within the process of completing any such contract, purchase, sale, lease, grant or loan for which the County Council, by Motion of Council, requires approval of the Board of Control.

Section 2.12: Monthly Reports on Contract Changes

During any construction or renovation project, the DIRECTOR OF THE DEPARTMENT RESPONSIBLE FOR THE PROJECT IN CONJUNCTION WITH THE ~~county's representative~~, project manager, or other person responsible for the project shall provide the following information monthly to the Board of Control:

- a) A description of all changes made in the project since the previous report and the cost or savings associated with each change, and
- b) The percentage of contingency funds used in the project up to that point and how that percentage compares with the projected use of contingency funds at that point in the project.

Section 2.13: Identification of Funding Sources

Any item submitted to the County Council or the Board of Control which includes a request for approval for the expenditure of money shall specify the funding source(s) to be used.

Section 2.14: Experts or Consultants

The County Executive may enter into a contract with experts or consultants in connection with the administration of the affairs of the county, as provided for in Article 3, Section 9, Subsection 3 of the Cuyahoga County Charter, subject to the approval process and other requirements regarding contracts provided for in this ordinance and the specific notice requirement provided for in Section 4.4 of this ordinance.

Section 2.15: County Executive Emergency Authority

In an emergency which threatens the life, health, or property in the county, ~~AS DECLARED AND DETERMINED BY THE COUNTY EXECUTIVE~~, and in which official action is needed prior to when a meeting of the County Council or the Board of Control could take place, the County Executive may enter into contracts or leases or make purchases not to exceed \$500,000 for any one emergency event, without obtaining the approval of the County Council or the Board of Control. Whenever this power is exercised, the County Executive shall immediately send a report to County Council and post the report on the county's website, describing the nature of the emergency, the actions taken, and the estimated cost and sources of funding for the actions taken.

Section 2.16: ~~GRANT APPLICATION AND~~ Acceptance of Grants

The County Executive may ~~APPLY FOR AND~~ accept grants on behalf of the county without specific approval from the Board of Control or the County Council, provided that any expenditures of grant funds shall be made from funds properly appropriated and any purchases, grants, leases, or loans made using grant funds shall be done in accordance with the provisions of this ordinance.

Section 2.17: Referral to County Council

The County Executive may refer an item to the County Council for approval that otherwise would require approval from the Board of Control.

Chapter 3: General Provisions

Section 3.1: Director of Procurement and Diversity to Execute Purchases

All purchases of goods and services shall be done by the Director of Procurement and Diversity, under the direction of the County Executive.

The various departments may use office vouchers for purchases not to exceed \$1,000 and procurement cards for purchases of less than \$500.

Section 3.2: Legal Review

All contracts, purchases, sales, leases, grants, or loans must undergo legal review before being executed. Use of a standard form, approved in advance by the Law Department for a specific type of transaction, shall satisfy the requirement of this section.

Section 3.3: Appropriation and Warrant Procedures

All expenditures related to any contract, purchase, sale, lease, grant, or loan must be made in accordance with the appropriation and proper warrant provisions of Section 5705.41 of the Ohio Revised Code.

Section 3.4: Competitive Bidding Required; Exceptions

- a) Except as provided in Section 3.13(B) of this Ordinance and Subsection (B) below, all contracts, purchases, or leases shall be done in accordance with the competitive bidding procedures provided for in Sections 307.86 through 307.921 of the Ohio Revised Code.
- b) Competitive bidding is not required when any of the following apply:
 1. The estimated cost is less than \$25,000;
 2. The purchase is for the professional services of an accountant, architect, attorney at law, physician, engineer, consultant, surveyor, or appraiser, or construction manager;
 3. The purchase is made in response to an emergency as provided for in Section 2.15 of this ordinance or the purchase is approved by the County Council or the Board of Control, as applicable, to be made without competitive bidding in response to an emergency;
 4. Contracts for the purchase of real property or real estate interests;
 5. Leases of real estate or real estate interests as lessee, in which all of the following apply:
 - i. The contracting authority develops requests for proposals for leasing the property, specifying the criteria that will be considered prior to leasing the property, including the desired size and geographic location of the property;
 - ii. The contracting authority receives responses from prospective lessors with property meeting the criteria specified in the requests for proposals by giving notice in a manner substantially similar to the procedures established

- for giving notice under section 307.87 of the Ohio Revised Code as modified by Section 3.13 of this Ordinance; and
- iii. The contracting authority negotiates with the prospective lessors to obtain a lease at the best and lowest price reasonably possible considering the fair market value of the property and any relocation and operational costs that may be incurred during the period the lease is in effect.
6. The purchase is for used personal property, material, or supplies which are to be sold by the submission of written bids or at an auction open to the public;
 7. The purchase is for SERVICES, supplies, ~~or a replacement~~ S or a supplemental part ~~or parts~~, for a product or equipment owned or leased by the county, and the only source of THE SERVICES, SUPPLIES, for the supplies or REPLACEMENTS OR PARTS ~~part(s)~~ is limited to a single supplier;
 8. The purchase is for services related to information technology, such as programming services, that are proprietary or limited to a single source;
 9. The purchase is from the federal government, the state, another county or contracting authority of another county, or a board of education, township, or municipal corporation;
 10. The purchase is made by a county department performing the duties provided for in Section 329.04 of the Ohio Revised Code and consists of family services duties or workforce development activities;
 11. The purchase is made by a public children services agency performing the duties provided for in Section 5153.16 of the Ohio Revised Code and consists of family services, programs, or ancillary services that provide case management, prevention, or treatment services for children at risk of being or alleged to be abused, neglected, or dependent children;
 12. The purchase consists of criminal justice services, social services programs, family services, or workforce development activities from nonprofit corporations or associations under programs funded by the federal government or by state grants;
 13. The purchase is for an insurance policy, health care plan, or child care services for provision to county employees and is done in accordance with Section 307.86(F) of the Ohio Revised Code;
 14. The purchase is for goods and services provided by persons with severe disabilities and provided for in Sections 4115.31 through 4115.35 of the Ohio Revised Code;
 15. The contracting authority determines that the use of competitive sealed proposals would be advantageous to the county and the contracting authority complies with Section

307.862 of the Ohio Revised Code, as modified by Section 3.13(B) of this ordinance;

16. ~~Except regarding the limit provided for in Section 3.4(B)(1) of this ordinance,~~ The purchase is for any other purpose that may be done without competitive bidding according to Section 307.86 of the Ohio Revised Code;

17. THE PURCHASE IS MADE THROUGH A JOINT PURCHASING PROGRAM PURSUANT TO SECTION 9.48 OF THE OHIO REVISED CODE;

18. THE PURCHASE IS MADE THROUGH A STATE CONTRACT PURSUANT TO SECTION 125.04 OF THE OHIO REVISED CODE.

c) Any purchase of professional design services provided by architects, engineers, or surveyors shall be done as provided for in Sections 153.65 through 153.71 of the Ohio Revised Code.

d) EXCEPT IN THE CASE OF JOINT PURCHASING PROGRAMS, STATE CONTRACTS OR WHEN AN EXEMPTION IS GRANTED BY THE COUNTY EXECUTIVE, ~~Whenever~~ IF the county SEEKS TO makes purchases other than by competitive bidding and the county is able to identify multiple sources through which the purchase could be made, the contracting agency shall:

1. Develop requests for proposals or qualifications, specifying the products or services to be purchased and the criteria that will be considered prior to making the purchase;
2. Receive responses from prospective vendors meeting the criteria specified in the request for proposals or qualifications by giving notice in a manner substantially similar to the procedures established for giving notice under section 307.87 of the Ohio Revised Code as modified by Section 3.13(B) of this Ordinance; and
3. The contracting authority negotiates with the prospective vendors to obtain a contract which best satisfies the criteria specified in the request for proposals or qualifications.

Section 3.5: Procedure Manuals

Except as otherwise provided in this ordinance, all contracts, purchases, sales, or leases shall be done in accordance with:

- a) the Purchasing Policy and Procedure Manual, dated January, 2006, amended December 21, 2006;
- b) the Request for Proposal (RFP) Manual, adopted December, 2006;

- c) the Small Business Enterprise (SBE) Program Policies and Procedures, adopted December 20, 2005, as amended, including the SBE Price Preference Policy adopted on October 1, 2009, and the SBE Requirements for Economic Development Bond Funded Projects, adopted October 29, 2009.

Section 3.6: County Executive to Propose Revisions to Procedure Manuals

On or before December 31, 2011, the County Executive shall submit legislation to County Council, proposing revisions to each of the documents listed in Section 3.5 of this ordinance to update them and align them with the provisions of this ordinance. This proposed legislation may propose dividing these documents into sections to be adopted by ordinance and other sections to be adopted by and which may be amended by administrative rule.

Section 3.7: Standards for Awarding Contracts

Contracts and purchases which require competitive bidding, and are awarded in accordance with this ordinance shall be awarded to the lowest and best bidder meeting the specifications that are most advantageous to Cuyahoga County. The County reserves the right to consider all elements entering into the question of determining the lowest and best bid, including the following:

- a) whether the bidder has the appropriate experience, reputation, and workforce to perform the required work;
- b) the bidder's past performance on legal and ethical matters;
- c) whether the bidder exhibits a history of workforce stability and workplace safety, and provides workers a fair wage and fair benefits, as evidenced by payroll and employee records, for the required work, based on market conditions;
- d) whether the bidder has adhered to all conditions and requirements of the bid, ~~RFP, or RFQ~~ AND specifications;
- e) the quality of the product or service provided by the bidder on previous projects;
- f) with respect to a bidder whose bid is substantially below that of the next lowest bidder, supplemental details regarding the bid and/or historical information regarding performance and costs on similar contracts to demonstrate the bidder's ability to complete the contract at the price specified;
- g) whether the bidder is able to comply with the criteria outlined in Section 3.8 of this ordinance;
- h) whether the bidder's past performance has demonstrated a commitment to diversity in employment and subcontracting;
- i) maintenance costs and warranty provisions provided for in the bid;

- j) the delivery or completion date provided for in the bid;
- k) whether, with respect to work done in construction trades , the bidder will use only construction trades personnel who were trained in a state or federally approved apprenticeship program or career technical program, or who are currently enrolled in a state or federally approved apprenticeship program or career technical program, or who have at least three years of experience in a particular trade; except that for the purposes of full inclusion and creation of entry-level opportunities, up to ten percent (10%) of the construction trades personnel may be participants in pre-apprenticeship programs or otherwise have less training and experience;
- l) whether the bidder, unless otherwise agreed to in a collective bargaining agreement, contributes to an employee pension or retirement plan for those employees working on the contract, such benefits being part of the employees' regular compensation and not merely on the contract, and provides evidence thereof upon request;
- m) whether the bidder, unless otherwise agreed to in a collective bargaining agreement, makes available a minimum health care plan for those employees working on the contract, such benefits being part of the employees' regular compensation and not merely on the contract and provides a copy of the plan on request;
- n) whether the bidder meets any other requirements determined by the County to be specifically relevant to the proposed contract.

Section 3.8: Required Certifications by Successful Bidders

At the time of execution of the contract, the successful bidder shall certify that it:

- a) shall be in compliance with Ohio's Drug-Free Workplace requirements, including, but not limited to, maintaining a substance abuse policy that its personnel are subject to on the contract (the successful bidder shall provide this policy upon request);
- b) does not have an Experience Modification Rating greater than 1.5 with respect to the Bureau of Workers Compensation risk assessment rating;
- c) is in compliance and will remain in compliance with Federal and Ohio Equal Opportunity Employment Laws;
- d) shall pay the prevailing wage rate and comply with other provisions set forth in Sections 4115.03 through 4115.16 of the Ohio Revised Code and Sections 4101:9-4-01 through 4101:9-4-28 of the Ohio Administrative Code, including but not limited to the filing of certified payroll reports;
- e) has not been debarred from public contracts for prevailing wage violations or found or determined by the state to have underpaid the required prevailing wage, whether intentionally or unintentionally,

even if settled subsequent to the finding, more than three (3) times in the last ten (ten) years, provided that, when aggregating for any single project, no finding of an underpaid amount of less than \$1,000.00 shall be considered, and no single finding based upon a journeyman-to-apprenticeship ratio shall be considered a violation of this provision unless as part of multiple, similar findings;

- f) has not been penalized or debarred from any federal, state, or local public contract or falsified certified payroll records, or has otherwise been found, after appeals, to have violated the Fair Labor Standards Act in the past five (5) years;
- g) has not had the professional license of any of its employees revoked in the past five (5) years in Ohio or any other state;
- h) has not violated any unemployment or workers compensation law during the past five (5) years, or during the bidder's entire time of doing business, if less than five (5) years;
- i) at the time of contract award, does not have final, unsatisfied judgments against it which in total amount to 50% or more of the contract amount;
- j) will utilize, for work performed under the contract supervisory personnel that have three (3) or more years of experience in the specific trade and who maintain the appropriate state license(s), if any;
- k) shall be properly licensed to perform all work as follows:
 - 1. if performing a trades contract, shall be licensed pursuant to Ohio Revised Code Section 4740 as a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor;
 - 2. if performing work regulated under Section 3737.65 of the Ohio Revised Code, be certified by the State Fire Marshall;
 - 3. if performing work under any other trade, occupation, or profession licensed under Title 47 of the Ohio Revised Code, be licensed for that trade, occupation, or profession as provided in the Ohio Revised Code;
- l) shall, if performing a trade contract pursuant to Ohio Revised Code Section 4740, not subcontract more than twenty-five percent (25%) of the labor, excluding materials, for its awarded contract, unless to subcontractors also licensed pursuant to Ohio Revised Code Section 4740 or certified by the State Fire Marshall pursuant to Ohio Revised Code Section 3737.65.
- m) shall provide access as needed and allow the Agency of the Inspector General to perform the functions provided for in Section 3.12 of this ordinance;
- n) shall require all ~~if its~~ subcontractors, at the time of execution of a subcontract, to make all of the certifications required in this section.

Section 3.9: Remedies for Breach of Contract

If any material breach of contractual obligations or the certifications provided for in Section 3.8 of this ordinance occurs during the contract performance by the vendor, the County may exercise any or all contractual remedies, including, but not limited to, contract termination for cause.

Section 3.10: Ethics Compliance Required

No contract shall be entered into unless all the provisions of state law and county ordinances related to ethics policy have been met.

Section 3.11: Unlawful Interest in a Public Contract

Any contract entered into in violation of Ohio Revised Code Section 2921.42(H) and/or related county ordinances concerning unlawful personal interest in a public contract shall be void and unenforceable.

Section 3.12: Inspector General's Authority

The Inspector General shall have the power to audit, investigate, inspect and review the operations, activities, and performance of the contracting and procurement processes of Cuyahoga County government in order to detect corruption and fraud and insure compliance with this ordinance and state and county ethics laws relating to contracting and procurement. Areas within the purview of such power shall include the following:

- a) the establishment of bid specifications,
- b) bid submittals,
- c) activities of contractors, including their departments, agents, and employees that specifically relate to performance on a contract with the county,
- d) relevant activities of public officials and employees of the county.

Provided that, in the reasonable judgment of the Inspector General's agency, doing so does not jeopardize any existing or anticipated investigation, the Inspector General's agency shall promptly report any wrongdoing to the County Executive, the County Council, Director of Public Works, the Director of Procurement and Diversity, the Director of Law, the Prosecuting Attorney, and other appropriate officials, as needed, to insure that proper action is taken in response to its findings.

Section 3.13: Home Rule Powers Asserted

To the extent permitted under the home rule powers available to Cuyahoga County as a charter county, the County Executive or his/her designees may:

- a) issue requests for bids, proposals, or qualifications which allow the responder to choose among two or more alternative approaches for completing the work;
- b) advertise for bids or request proposals or qualifications either on-line through the county's website or through a newspaper of general circulation that serves the county, or both, with the option to supplement such advertising through the use of additional media;
- c) on or after August 1, 2011, and in accordance with any implementing legislation on alternative construction delivery systems enacted by County Council, choose among the various available construction project delivery systems, in order to achieve the best possible combination of cost, quality, time to completion, and risk control.

Section 3.14: Encouragement of Diversity

In designing specifications for bids, requests for proposals, and requests for qualifications, the county shall consider dividing requests into smaller components when doing so would create a larger pool of potential bidders without reducing the cost-effectiveness of the project.

SECTION 3.15: GENERAL CONTRACTING AUTHORITY OF THE COUNTY EXECUTIVE

- A) THIS ORDINANCE IS INTENDED TO FULFILL ANY STATE, FEDERAL OR OTHER REQUIREMENT FOR A RESOLUTION OR ORDINANCE GRANTING THE COUNTY EXECUTIVE THE AUTHORITY TO APPLY FOR OR ACCEPT GRANTS ON BEHALF OF THE COUNTY.
- B) THIS ORDINANCE IS INTENDED TO FULFILL ANY STATE, FEDERAL OR OTHER REQUIREMENT FOR A RESOLUTION OR ORDINANCE GRANTING THE COUNTY EXECUTIVE THE AUTHORITY TO ENTER INTO A CONTRACT PROVIDED THAT, IF REQUIRED UNDER SECTIONS 2.10 AND 2.11, ALL NECESSARY APPROVALS ARE OBTAINED.
- C) THIS ORDINANCE SHALL NOT BE CONSTRUED TO LIMIT OR TO RESTRICT THE POWERS, DUTIES AND RESPONSIBILITIES OF THE COUNTY EXECUTIVE AS

PROVIDED BY THE CHARTER OR STATE LAW AND THE LISTING OF ANY SPECIFIC POWERS, DUTIES OR RESPONSIBILITIES OF THE COUNTY EXECUTIVE IN THIS ORDINANCE SHALL NOT BE CONSTRUED TO EXCLUDE ANY OTHER POWER, DUTY OR RESPONSIBILITY PROVIDED FOR IN THE CHARTER OR BY THE GENERAL LAW OF THE STATE OF OHIO.

Chapter 4: Notification Requirements

Section 4.1: Procurement Database

The County Executive shall develop, maintain, and post on the county's website a procurement database, which shall include two separate parts, which shall contain descriptions of:

- a) all executed contracts, purchases, and sales, other than real estate transactions, for \$1000 or more; and
- b) all executed purchases, sales, leases (as either lessor or lessee) of real estate.

The database shall be searchable by purpose, vendor, purchaser, dollar amount, funding source, department, transaction date, and other relevant factors.

Section 4.2: Grants and Loans Database

The County Executive shall develop, maintain, and post on the county's website a grants and loans database, which shall include two separate parts, which shall contain descriptions of:

- a) all grants and loans received, searchable by purpose, funding source, department, date of receipt, length of term, and other relevant factors; and
- b) all grants and loans provided, searchable by purpose, recipient, funding source, department, date provided, and other relevant factors.

Section 4.3: Pending Transactions Database

The County Executive shall develop, maintain, and post on the county's website a pending transactions database, which shall include four separate parts, describing all pending transactions of \$50,000 or more which have been initiated by formal, public action but not yet completed, as follows:

- a) contracts, purchases, and sales, other than real estate transactions,
- b) real estate transactions,
- c) grants and loans to be received, and
- d) grants and loans to be provided.

The database shall provide a log of date and event for each major step in the process for each transaction and shall be searchable by purpose, department, date of initiation, funding source, and other relevant factors.

Section 4.4: Special Procurement Events Database

The County Executive shall develop, maintain and post on the county's website a special procurement events database, which shall include two parts, as follows:

- a) Any time that the County Executive initiates formal, public action to contract for goods or services that are substantially different from goods or services that the county currently contracts for or has contracted for within the last three (3) years. Contracting to achieve the same purpose using improved technology shall not require notice under this subsection unless the new technology is sufficiently different so as to constitute an entirely new product; and
- b) Any time that the County Executive initiates formal public action to contract for the services of experts or consultants as provided for in Article 3, Section 9, Subsection 3 of the Charter.

The County Executive shall promptly send specific notice to the County Council whenever any of these events occur.

Section 4.5: Notification to County Councilperson

Whenever the County Executive initiates the formal, public action for a contract, purchase, sale, lease, grant, or loan with an expected value of \$25,000 or more that is located in or primarily affects a particular County Council District, the County Executive shall provide written notification to the Councilperson from that district.

Section 4.6: Timeline for Databases and Notifications

The County shall exercise best efforts to ensure that the databases provided for in Sections 4.1 through 4.4 of this ordinance are in operation and posted on the county's website and the notification process provided for in Section 4.5 of this ordinance are in operation starting not later than September 30, 2011, with the exception that the searchable features of the databases are in operation no later than March 31, 2012. Prior to the

required initiation dates for the databases and notification processes provided for in Sections 4.1 through 4.5 of this ordinance, the County Executive shall use available resources to make available to the County Council and the public as much as possible of the information required in these sections.

Section 4.7: Historical Information not Required in Databases

The databases provided for in Sections 4.1 and 4.2 of this ordinance shall be required to include only transactions executed on or after the initiation date of each part of these databases. The databases provided for in Sections 4.3 and 4.4 shall be required to include only transactions initiated by formal, public action on or after the initiation date of each part of these databases.

Section 4.8: Exclusion of Confidential Information

Notwithstanding any other provisions of this chapter, the databases provided for in Sections 4.1, 4.2, 4.3, and 4.4 of this ordinance shall not include any information required to be kept confidential by federal or state law or federal or state administrative rule and may exclude any other information that is not a public record according to Section 149.43 of the Ohio Revised Code.

Section 4.9: Notice of Executed Contracts, Purchases and Sales

On or about the 5th calendar day prior to each regular meeting of County Council, the Executive shall provide the County Council a list of all contracts, purchases or sales executed and all grants or loans made or received for more than \$50,000 since the previous list was provided. Any change or amendment in which the total additions exceed \$50,000 shall also be included. Provided that all other requirements of this ordinance have been met, this list does not need to be provided prior to the transactions being executed.

SECTION 2: Effective Date. It is hereby found and determined necessary for this Ordinance to become immediately effective, for the reasons that this Ordinance provides for the usual daily and necessary operations of Cuyahoga County government. Therefore, this Ordinance, provided that it receives the affirmative vote of at least eight (8) members of County Council, shall be in full force and effect from and immediately after the earliest time permitted by law.

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.

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee:
Committee Assigned:

Journal _____
_____, 2011

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0027

| | |
|--|--|
| Sponsored by: County Executive FitzGerald | An Ordinance amending Ordinance No. O2011-0010 to establish divisions and sections within the Department of Public Works. |
|--|--|

WHEREAS, Section 3.09(2) of the Charter grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive as the Council determines to be necessary for the efficient administration of the County; and,

WHEREAS, Section 5.05 of the Charter states, in pertinent part, that “[a]ll powers now or hereafter vested in or imposed upon county engineers and county sanitary engineers by general law shall be exercised and carried out by or at the direction of the Director of Public Works. The Director of Public Works shall also have such powers and duties as shall be established by ordinance that are not inconsistent with those provided by general law;” and,

WHEREAS, Cuyahoga County Ordinance No. O2011-0010 created the Department of Public Works as contemplated by Section 5.05 of the Charter; and,

WHEREAS, the Council of Cuyahoga County determined that establishment of sections and divisions within the Department of Public Works is necessary for the efficient administration of the County;

WHEREAS, it is necessary to amend Ordinance No. O2011-0010 to create divisions and sections within the Department of Public Works.

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

SECTION 1. Ordinance No. O2011-0010 establishing the Department of Public Works shall be amended as follows (language additions are shaded and boldfaced, deleted language is stricken out):

SECTION 1. The Department of Public Works is hereby established under the supervision of the County Executive and the Director of Public Works who, pursuant to Article V of the Charter, shall be appointed by the County Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive.

SECTION 2. The duties and functions of the former Department of Central Services shall be incorporated into the Department of Public Works unless

otherwise provided for in a future ordinance. Pursuant to Section 3.09(2) of the Charter, Council shall establish, with input provided by the County Executive and the Director of Public Works, such divisions and sections within the Department of Public Works as Council determines to be necessary for the efficient administration of the County within 90 days following the passage of this ordinance. **The Department of Public Works shall contain the following divisions and sections: (a) Finance and Planning Division, containing a Finance and a Planning Section, (b) Maintenance Division, (c) County Engineer Division, containing a Design Section and a Construction Section, and (d) Animal Shelter Division.**

SECTION 3. With the consent of the County Executive, the Director of Public Works is authorized to employ persons in the service of the Department within established budgetary parameters and in compliance with the Human Resources policies and procedures of the County.

Nothing in this ordinance is intended to limit the ability of the County Executive and the Director of Department of Public Works to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: May 24, 2011
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC003
July 12, 2011